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Introduction

This document presents our decision for the Trail and Commercial Pack Stock Management in the Ansel Adams and John Muir Wildernesses project. This decision results in a non-significant amendment to the Land and Resource Management Plans for the Inyo and Sierra National Forests in California.

The analysis area includes the Ansel Adams and John Muir Wildernesses, covering 810,581 acres of California's Sierra Nevada range. The eastern portion of the analysis area ranges from west of Lone Pine, California to State Highway 120 in the north. The western portion of the analysis area extends from the southern boundary of Yosemite National Park to west of Sequoia Kings Canyon National Park. The planning area lies within Madera, Fresno, Inyo, and Mono Counties.

The John Muir Wilderness was established in 1964 by the Wilderness Act and enlarged 81,000 acres by the 1984 California Wilderness Act. The John Muir Wilderness extends from Mammoth Lakes, California in the north, forks around the Sequoia Kings Canyon Wilderness, and extends some 100 miles to the south with its southern most boundaries just west of Lone Pine, California. The John Muir Wilderness is one of the most heavily visited wildernesses in the National Wilderness Preservation System. There are 580,323 acres within the Wilderness, with 228,366 acres on the Inyo National Forest and 351,957 acres on the Sierra National Forest. Approximately 26,000 acres in the northern portion of the Fish Creek watershed are Sierra National Forest lands administered by the Inyo National Forest.

With the completion of the Ansel Adams, John Muir and Dinkey Lakes Wilderness Plan in 2001, new direction for the management of these wildernesses was incorporated into the Land and Resource Management Plans for the Inyo and Sierra National Forests. The Wilderness Plan was the culmination of nearly ten years of public involvement and focus on wilderness management planning on the two Forests.

In April 2000, a lawsuit filed against the Inyo and Sierra National Forests alleged violations of the National Forest Management Act, National Environmental Policy Act (NEPA), and the Wilderness Act. The judge found in favor of the plaintiffs on the NEPA claim, determining that in authorizing the special use permits for the pack stations prior to 2001, the Forest Service failed to adequately document environmental impacts as required by the NEPA.

A Court Order was issued that required the Forest Service to complete a two step process for issuing commercial pack stock special use permits. First, a cumulative impact analysis of pack stock operations in the Ansel Adams and John Muir Wildernesses must be completed no later than December 2005. The Court ordered that the analysis consider limits on numbers of stock animals, limits on group size, trail suitability and designation of campsites for use by commercial pack stations. Secondly, by December 2006, the Forest Service is to complete a site-specific analysis for each permitee. The court allowed all nineteen pack station operations to continue to be authorized, with specified conditions and restrictions imposed by the court.

An interdisciplinary team conducted an extensive, broad condition assessment in approximately 75% of the areas used by pack stock operators. In areas where field assessments were not

conducted due to costs or time constraints, existing Forest Service records were used. These areas were typically areas of low use or low concerns. We feel we have collected adequate information on the conditions in the locations where commercial pack stock operate to make this decision, and that this level of information reduces the uncertainties and risks of decision making.

Summary of the Decision

It is our decision to select **Alternative 2 – Modified** as presented in the *Trail and Commercial Pack Stock Management in the Ansel Adams and John Muir Wildernesses Final Environmental Impact Statement*. We believe Alternative 2 – Modified meets our purpose and need, meets our public service commitment to provide for use and enjoyment of these lands as wilderness, and that the keystone of the alternative—destination management—responds to environmental concerns and allows us to remediate the environmental concerns and preserve wilderness character most effectively. The Final EIS discloses that at the wilderness-wide scale, the effects of commercial pack stock use in the Ansel Adams and John Muir Wildernesses are negligible. There are, however, site-specific "hot spots" in these wilderness areas that need to be managed to ameliorate the effects of this use**. During our analysis, it became clear that the key to protecting the wilderness character of these areas is to control the timing, frequency, intensity and location of commercial pack stock use. The overall levels of use were not as critical as how, where, and when these uses occur. The destination management approach of Alternative 2 – Modified is a site-specific strategy that allows us to pinpoint resource concerns and take direct actions to remedy impacts.**

We have made our decision after careful review of the public comments on the Draft Environmental Impact Statement prepared for this project pursuant to the National Environmental Policy Act (NEPA). The 2001 Wilderness Plan for the Ansel Adams, John Muir and Dinkey Lakes Wilderness and Record of Decision is modified by this direction. This is a non-significant amendment to the Land and Resource Management Plans for the Inyo and Sierra National Forests.

An open, inclusive approach was used to make this decision. Although we make this decision based upon the best information currently available to us, it is not without some uncertainty or risk. We fully expect that by placing an emphasis on adaptively managing these commercial uses to achieve prescribed conditions, we can actively manage these uses and continue to improve conditions over time.

Key Features of the Decision

Listed below are the key features of the management direction for these wildernesses as described in Alternative 2 – Modified, the selected alternative.

Trail Plan

Alternative 2 – Modified adjusts trail maintenance levels to reflect recreation categories, desired conditions and allowable levels of use.

The Extent Necessary

This decision, based on a thorough analysis of the selected alternative, identifies the need for the type, location and amount of commercial pack stock services. Furthermore, we have determined—as required by the statutory requirements of the Wilderness Act—that this level of use is needed by the public and represents a level of use that does not degrade the wilderness character of the area. We demonstrate in the analysis and this decision that the number of permits, area of operations and levels of use are limited to the "extent necessary" that will preserve wilderness character.

Destination Management

All destinations that will be used by commercial pack stock operators will have a prescribed use and desired condition to achieve. The desired condition is driven by the three recreation categories outlined in the 2001 Wilderness Plan and by an assessment of the capacity of the destination for the prescribed type and amount of use. Approximately 190 destinations will be managed for commercial use.

Destination management is achieved through a strategy that describes desired condition by destination. Desired condition includes recreation category setting, access, grazing, use levels, campsites and any corrective actions (remedy) that must be taken. The emphasis of destination management is to articulate the conditions we are managing for over time. Many tools are used to achieve the desired conditions depending on the site specific needs including designated campsites, party size limitations, limits on numbers of stock, trail restrictions, and grazing strategies.

Day Rides

Day rides will be managed within the desired conditions established for destinations. The intensity of day ride activities varies considerably across the planning area. Where day ride activities occur with identified cumulative effects from other activities (Mammoth Lakes Basin and Reds Meadow to Rainbow Falls) a finite number of rides is identified. In all other areas, the location, type and number of stock to be used for this activity are identified and will be managed to insure that desired conditions are met.

Trail Suitability

This direction identifies trails that are not suitable for commercial stock, based on an assessment of resource conditions, the desired conditions of a destination and projected levels of use. While

some suitability determinations are temporary based on the future trail work needed to improve the condition of the trail, most determinations are not subject to change in the foreseeable future.

Designated Campsites

This direction identifies overnight stock holding camps for commercial operators. All overnight stock holding and all expense or traveling trips in the wilderness must take place at a designated campsite determined suitable and approved by the Forest Service. Approximately 180 designated campsites are identified in Alternative 2 – Modified.

Party Size

Party size wilderness-wide is 15 persons and 25 stock. In addition, based on an assessment of the capacity of the destination, Alternative 2 – Modified identifies 15 site-specific locations where the commercial pack stock party size is lower to assure wilderness resources are protected.

Stock Numbers

Each operator will have a limit on the number of stock in the wilderness at one time. This number includes stock used for day rides. In addition, 13 locations have site-specific limitations on the number of stock to destinations. The analysis identified that these limitations are necessary to maintain the desired condition for the destination area.

Campfires

Minor adjustments to the elevational closure are made with this decision. Where adequate fuel wood has been identified there will be a change in the boundary of the closure to reflect the areas as open to campfires for all visitors. In one case, where fuel wood is sparse, the boundary is modified to reflect the area as closed to campfires.

In all areas where campfires are not allowed all visitors will be allowed to have charcoal fires with a fire-pan and required to pack out the ash. A monitoring component is included in this direction to assure that this action does not lead to unacceptable impacts associated with charcoal campfires. The use can be revoked site specifically if compliance is not achieved.

On a case-by-case basis, specific areas meeting strict criteria may be identified where commercial pack stock operators may have wood campfires provided they pack in wood from outside the wilderness or an approved source, use a fire-pan for the fire, and pack out the ash.

Grazing Management Strategy

Identified grazing areas were assessed and a determination of suitability was made.

Estimates of suitable forage availability were made within grazing zones and are measured and prescribed site-specifically in terms of stock nights. Critical areas too wet for grazing or

containing Yosemite toads or fens are protected and not available for grazing. A rest rotation strategy is used in areas where hydrologic conditions were identified with a downward trend.

All drift fences associated with commercial pack stock use were assessed in terms of the needs they served for resource protection and visitor safety. Where these two elements were not met, drift fences will be removed.

Heritage Values

This decision conforms to the *Controlling Impacts on Historic Properties; Management of Ansel Adams, John Muir, and Dinkey Lakes Wildernesses, Inyo and Sierra National Forests Programmatic Agreement*. This agreement was designed to manage and protect the historic resources of these wilderness areas.

Recreation Category Changes

Adjustments to the recreation category boundaries were made at 36 locations to better reflect the conditions we intend to be managing for with the 2001 Plan direction. These areas were most likely mapped incorrectly due to lack of accurate information.

Rationale for the Decision

How the Decision Meets the Purpose and Need

1. There is a need for additional guidance for managing commercial pack stock operations in the Ansel Adams and John Muir Wildernesses in order to achieve and maintain desired resource and experiential conditions identified in the 2001 Wilderness Plan and Record of Decision.

The 2001 Wilderness Plan implemented new management direction for these two wilderness areas relying strongly on the "recreation category" concept to define desired conditions. This concept recognizes that within the context of preserving wilderness there are different settings, objectives and goals across the 800,000 acres. There are popular destinations that are managed—and should be managed—differently from the vast majority of the very pristine, rarely visited areas. This is a common practice in wilderness management and fully supported by agency policy (FSH 2309.21.1).

It has been our goal in this process to make sure that the management of commercial pack stock use is consistent with the 2001 strategy. Alternative 2 – Modified contains a number of control mechanisms with the key component of this strategy being destination management; that is, managing the use to ensure that the conditions at the destinations are consistent with the assigned recreation category.

We have concluded that destination management as displayed by Alternative 2 – Modified is the best method to manage site-specific impacts and use of commercial pack stock. A number of land management agencies commented on the Draft EIS and generally consider this approach to

be the most effective strategy for managing commercial pack stock use. In addition, all the resource specialists in their analysis of the alternatives in Chapter 4 have indicated that the direct and responsive nature of destination quotas is the superior method of managing impacts and protecting resources.

It is not simply the level of use that determines the protection of wilderness; rather, the timing, frequency, intensity, and location of use are most relevant. Research on wilderness recreation repeatedly emphasizes this, as is documented in Chapter 3 of the Final EIS. Our specialists' analysis affirms this and shows that when the frequency and intensity of use is controlled to a destination the relationship between use and impact can be better managed and evaluated.

This destination management approach enables us to pinpoint resource concerns and take direct actions to remedy impacts. This approach effectively incorporates and combines other commercial stock management tools including designating camps for holding stock, limiting commercial stock from using unsuitable trails and applying use trail and party size restrictions at certain destinations.

At the center of this approach is the destination quota, this controls the frequency, intensity and location of use to each destination. This measure ensures that each destination is protected and consistent with the desired condition. Each destination for spot and dunnage services has a capacity that has been determined based on resource information, the recreation category desired condition, and professional judgment by an interdisciplinary team of specialists and decision makers. The stock at one time limitation controls the timing of the use, and insures that trail encounters with pack stock do not exceed an acceptable level. Collectively, the actions in Alternative 2 – Modified control the timing (stock at one time), frequency (number of trips), intensity (party size, stock number limitations) and location of use (destination management).

Other alternatives utilize less precise control mechanisms on commercial pack stock operations, such as trailhead quotas and service days (Alternatives 1, 3, and 4). For these less precise mechanisms, the analysis indicates that resource protection is achieved only through probability; that is, if a certain number of people travel from a trailhead the probability is that they will disperse and not cause overcrowding and associated resource impacts. Although the likelihood is that commercial pack stock use will have fewer impacts on the resources by an overall reduction in use—such as Alternative 4—it is not at all certain, since the frequency of use can change and the intensity of use to a destination is not controlled. Destination management directs the controls at specific locations which, in the end provide far better protection and management of resources than relying on the probability of trailhead quotas.

Our destination management approach also addresses remediation that the courts considered necessary for past damage caused by or contributed to by commercial pack stock activities. In most cases, we determined it was not appropriate to conduct "pick and shovel" work to remediate damage to meadows that may not have been caused by commercial stock, or may be just natural vulnerabilities or historical grazing impacts that can over time heal if the disturbance is removed or reduced. However, in situations such as serious resource impacts caused by trails or campsites, where commercial stock use has been heavy, we either reduced use and/or prescribed no use until the trail or campsite is stabilized or brought up to standard.

At a destination or site-specific level, we are prescribing the relocation of campsites where needed, party size limitations, seasonal limitations on stock, and rest of grazing areas throughout

the wilderness. Each situation and each destination was assessed to consider how effective the management options would be to remedy known concerns or past effects.

This management strategy not only identifies and corrects known resource concerns but provides the framework to continue to improve or insure that acceptable conditions are maintained over time. This, along with the very site-specific controls on commercial uses, constitutes what we consider appropriate remediation for past damage to wilderness character qualities.

2. There is a need for a trail plan that accurately identifies a system of trails for all users, and appropriate trail management objectives for each system trail, consistent with the desired condition of areas within the two wildernesses as identified in the 2001 Wilderness Plan and Record of Decision.

The trail plan component of this project was originally scoped as a separate environmental analysis. After receiving public comments and reviewing the two projects, we recognized the potential for the trail plan and commercial pack stock management project to be considered connected actions. In addition, there were obvious cumulative effects associated with the two efforts that should be analyzed together. The DEIS combined the trail plan and commercial pack stock management projects and offered four variations (including the No Action) on the proposed trail plan. The trail plan adopted in Alternative 2 – Modified responds to comments received on the Draft EIS.

Alternative 2 – Modified meets this need by providing a system of trails that is consistent with our objectives of wilderness management and is fully aligned with the strategy of destination management. The trail plan in Alternative 2 – Modified also accomplishes the goal in the 2001 Wilderness Plan that direct the forests to "provide a transportation system that ensures suitable access for the types and numbers of trail users, protection of resources, and is consistent with management objectives for the areas accessed."

Alternative 2 – Modified provides a trail system that aligns the level of development of the trails with the assigned recreation categories. Adjustments were made so that there are fewer anomalies between high development trails in a recreation category 1 and low development trails in a recreation category 3. This trail system is more consistent than any of the other alternatives with the levels of development that currently exist, and although the levels may seem high to some, and low to others, they usually reflect the class that is presently on the ground.

Besides connected actions and cumulative effects, the primary issue we assessed in response to the trail plan was the issue of trail development. There were many DEIS respondents who expressed the desire to have more highly developed trails and fewer trails at the "primitive" level. There was a concern that these trails (Trail Class 1) would not be available or managed for riding and pack stock. Although our trail class standards clearly convey this is not the case, there was still a concern that over time, these trails will deteriorate and not be cleared or maintained even at the primitive level. Our ability to maintain all trails to standard will continue to be a challenge, but it is not a reason to establish an inventory that either increases the trail class level, or reduces the trail class level for reasons other than what the resource and management of allowable uses requires. We set our inventory and trail classification consistent with what was reasonable and needed for the expected levels and types of uses.

We know there is a constituency of visitors that prefer lesser developed trails, not to be confused with un-maintained trails. We feel that our inventory reflects and responds to the settings of the

landscape, with no preconceived goals for miles in each trail class. The inventory responds to the needs of users and the resource, which was our objective.

In meeting these above needs, the following purposes must be met:

(1) Provide for needed commercial pack stock services.

The Needs Assessment (Appendix D) clearly establishes the need for commercial packing services in the Ansel Adams and John Muir Wildernesses and identifies a range for this need. The Needs Assessment indicates demographic trends point to the likelihood that in the future, more people will need these services and our assessment must consider such future needs and not be entirely focused on the past or present situation. While Alternative 2 – Modified does not meet the full level of public need as displayed in the Needs Assessment, it does allow for a reasonable level of service that is within the low end of the need range. We believe Alternative 2 – Modified contains the combination of control mechanisms that will preserve the wilderness character of the area and still allow for the prescribed use range of needed commercial packing services.

Alternative 2 – Modified allows for reasonable use of these wildernesses by persons needing commercial pack stock services. We feel it is important to allow all segments of the American public the use and enjoyment of these wilderness areas as wilderness. The Needs Assessment identifies that a segment of visitors to these wildernesses need commercial pack stock services for their access and proper wilderness uses. Without pack stock commercial services, these visitors' opportunities for using these areas would be severely limited or perhaps eliminated. It is important that future generations be allowed to experience and enjoy these wilderness resources and appreciate the value they have in our society and culture. If we exclude all but the fit and healthy, we are not fulfilling the Wilderness Act goal to secure for the American people of present and future generations the benefits of an enduring resource of wilderness devoted to "the public purposes of recreational, scenic, scientific, educational, conservation, and historical use."

It is important on a number of levels to provide access to these wilderness areas to a diverse population as in many cases it is access and enjoyment of these areas that builds support and constituency for the wilderness concept. As David Brower in his 1948 Sierra Club Bulletin article "Are Mules Necessary" so appropriately concluded:

> So it would seem that the big traveling trips through the wilderness such as initiated by the Sierra Club in that first Annual Outing, should be continued, by whatever organizations may be qualified to conduct them. The argument that John Muir presented remains valid. If we want mountain wilderness—the spacious scenic wilderness that means something—we must make it known to the men who, knowing it will protect it. Those who like best the most Spartan of wilderness trips—cross-country backpacking—must make haste slowly in any attempts to impose such trips upon others, or there may be too few men in the wilderness to protect it.

Today, the overall condition of these wildernesses is significantly improved from the stock impacts described in 1948 by changes in regulations and management; however, the need for and the benefits of commercial packing services remain and to some degree continue to fulfill the needs envisioned by John Muir and David Brower of introducing and educating citizens to wilderness and its purposes.

(2) Comply with the Wilderness Act by preserving wilderness character.

Throughout the environmental analysis process, the protection of wilderness character has been identified as an essential prerequisite in selecting a commercial service alternative. Four components of wilderness character were evaluated and compared: untrammeled[1], undeveloped, opportunities for solitude or primitive and unconfined recreation, and natural conditions. These concepts are used in the legislative definition of wilderness in the 1964 Wilderness Act. Our analysis rigorously explored the elements of wilderness character in relation to the various levels and types of commercial pack stock use proposed in the alternatives. A summary of the selected alternative's compliance with wilderness character preservation can be found below in the Wilderness Act part of the *Findings Required by Other Laws* section.

Two of the four components, untrammeled and undeveloped, have minimal application to commercial pack stock use and management actions in this plan. The trammeling of wilderness would take place with large-scale manipulations of ecological processes, such as dams, fire suppression, animal, or plant restorations. With all alternatives, the level of commercial pack stock use is not causing any manipulation of ecological systems at a scale near that of dams and fire suppression, i.e. not allowing natural processes to occur. Relative to permanent improvements, human habitation, and structures, commercial pack stock represents very limited and insignificant development. Primitive drift fences—wire strung between short native wood posts for a short distance—is the extent of the development in these alternatives. Though this level of development may affect some visitors, the overall conditions of these wildernesses continues to provide a striking contrast to modern civilization, perhaps even more so now than in 1964.

The other two components, opportunities for solitude or primitive and unconfined type of recreation and natural conditions, are most relevant in this analysis. It appears from our analysis that the most affected component of wilderness character resulting from commercial pack stock activities is the unconfined recreational experience. This is true in each of the alternatives. To a lesser extent, the natural component is affected, but only at a site-specific local level, and not at the wilderness scale and not to a degree that has any significance in the overall natural conditions of these areas. Since commercial pack stock use is so tightly controlled and managed, our strategy for preserving one component of wilderness character—natural conditions—is arguably detrimental for some public's opportunities for solitude or unconfined recreation. However, we conclude that protecting the natural components of wilderness character are more fundamental to preserving wilderness *as wilderness* than insuring that every person has the experience they want—when and where they want it. To protect wilderness "as wilderness" requires that we manage for the long-term conditions of wilderness, not necessarily the short-term experiential values that are fleeting and intangible and often reflect opinions and beliefs, not concrete measurable conditions.

The five alternatives had varying effects on the wilderness character qualities of solitude or unconfined recreation and natural conditions. Of the six alternatives, Alternative 3 provides the best opportunities for unconfined recreation; however, there are less predictable impacts to natural conditions and opportunities for solitude. Generally, there is more of a risk of ecological impacts becoming more pronounced with management controls (trailhead quotas) that are less

[1] "untrammeled is one of the most misunderstood words in the Wilderness Act. An untrammeled area is where human influence does not impede the free play of natural forces or interfere with natural processes in the ecosystem"

directly tied to the actual impacts. Alternative 2 and 2 – Modified contain a number of features such as party size and grazing limitations that will result in an improvement of natural conditions in these wilderness areas (compared to current management or Alternative 1).

Alternative 4 limits commercial pack stock operations to the lowest amount and fewest locations, other than Alternative 5, which analyzes no commercial use. However, the overall level of use that is identified (in service days) has less of an effect on the extent of operations than the trail limitations, designated campsite requirements and party size restrictions; which collectively substantially reduce the extent of operations. Opportunities for solitude will increase in all areas where pack stock is not allowed, but the areas where use is proposed to be eliminated are traditionally where these commercial services has been low and infrequent. The unconfined and primitive recreation qualities are greatly diminished in Alternative 4 as a result of the more severe limitations. Naturalness will improve over time in areas where commercial pack stock operations are prohibited, but not immediately, as other uses will continue.

Reductions in overall use levels, without direct controls over frequency and intensity of use at specific destinations does not necessarily result in vast resource improvements. In fact, Alternative 2 – Modified with internal quotas and specific destination management actions will result in a greater resource improvement than Alternative 4, even though there is a higher level of use allowed in Alternative 2 – Modified compared to Alternative 4. The key to protecting the wilderness resource is controlling the timing, frequency, intensity and locations of commercial pack stock use. Compared to the other alternatives, Alternative 2 – Modified provides more direct and responsive remedies to past environmental harm and will insure that the wilderness is maintained **as wilderness** over time.

The safest approach to full protection and preservation of wilderness character is to prohibit all use. However, when Congress directed the preservation of wilderness character, we do not interpret their intent to direct the elimination of all use and enjoyment of these wilderness areas. In fact, recreation is one of the six uses specifically mentioned in the Act that wilderness areas are devoted to. To close all meadows to grazing, for example, for the purpose of preserving unimpaired conditions goes beyond what we consider to be a reasonable and practical approach to providing use and enjoyment and preserving wilderness character.

Our task has been to understand the effects of these actions and uses on the various components and values of wilderness. Our analysis demonstrates the care and attention given to this task. We believe that balancing these multiple values as we have in the management direction articulated in Alternative 2 - Modified, does not value one element at the detriment of another, but rather values each element to achieve as many of the goals of the Wilderness Act as possible.

(3) Comply with the January 10, 2002 court order from the United States District Court for the Northern District of California granting injunctive relief in High Sierra Hikers Association v. Powell (No.C-00-01239) by:

a) Identifying appropriate group size limits for commercial stock operations.

Alternative 2 – Modified re-affirms a wilderness wide party size limit of 15 persons and 25 stock. Although pack stock have greater resource and experiential effects than other uses in the wilderness, research shows that party size may have the least effect on physical impacts than other managerial controls (McClaran and Cole, 1993).

> All of these behaviors [party size limits, requiring feed to be packed in for stock, encouraging riders to stay on trails, restricting loose herding of stock on trails, restricting the practice of tying stock to trees, encouraging the use of hitchlines, restricting the practice of picketing stock, encouraging the practice of hobbling stock] have been suggested as potential means of reducing packstock impacts (Cole 1989c). If visitors would comply with these regulations or guidelines, impacts associated with packstock use could be reduced substantially without reducing the amount of use. **Of these behaviors, limits on party size may have the least effect on physical impacts** [*emphasis added*]. Party size limits are likely to be the most effective where physical impacts are likely to occur quickly (Cole and others 1987). Because most impacts occur with initial use in such areas, subsequent use isn't as important. Party size limits may be more important to avoid conflict with backpacking groups. Such groups particularly dislike encountering large parties with stock (Stankey, 1979).

Our analysis relied on existing party size research, and a review of the occurrences of large commercial stock parties in these wildernesses. We concluded that party size is most relevant to address social concerns but generally not physical impacts. Only 30% of all commercial trips have a party size greater than 10 persons and 15 stock and less than 2% have a party size greater than 12 persons and 20 stock. This is not a significant amount of use. With relatively few occurrences of large commercial pack stock parties in these wildernesses it does not seem either necessary or effective to arbitrarily reduce the party size to respond to social concerns expressed by a small percentage of visitors.

When ranked against other perceived problems in these wildernesses party size is amongst the lowest ranked problem. In the John Muir Wilderness it ranked as 13th in the list of problem identified by hikers (Watson et al., 1993). Watson et al. (1993) summarizes his findings with:

> Stated as simply as possible, hikers who dislike meeting horses in wilderness believe the horse should not be in wilderness; they believe they are an inappropriate use of the resources. These hikers also are not as likely to accord high status to horse users, have stronger relationships with the wilderness, and place more value on the opportunities for solitude than those who do not dislike horses. Translating this knowledge into management strategies requires acknowledging first of all that hikers who dislike horses are in the minority.

Reducing party size would not likely reduce the overall stock numbers (which is a greater concern) and may, in fact, lead to a greater number of small parties and stock. Research indicates that many people would prefer to see one large party rather than multiple small parties. Without a reduction in overall stock numbers, the party size limit in and of itself is irrelevant to reducing impacts. Alternative 2 – Modified controls overall stock numbers in wilderness at one time, which we conclude will most effectively reduce the environmental effects of stock when combined with other actions of this decision.

We also considered the effects of party size on and off trails. This direction re-affirms the 2001 Wilderness Plan direction that commercial operators must stay on designated trails. There are approved use trails, and very limited approvals for cross country travel as discussed below under (c), but these are limited occurrences. When a trail or use trail was determined to need further limits on either party size or annual stock limits, these are implemented site specifically.

We acknowledge there are specific locations that benefit from a reduced party size. Alternative 2 – Modified identifies 14 locations that have known environmental issues or constraints and we imposed site-specific reductions to the 15/25 party size limit to address the issues. The destination management approach provides for continual monitoring and the ability to control

numbers of stock per year to destinations, or at one time, or by party as needed and site specifically.

We considered alternative approaches to party size in this analysis. Alternative 4 restricts the party size to 12/20; but more importantly, this alternative allows the trailhead quota to further limit party size as borrowing quota from the next day is prohibited. This would have significant effects on party size and would greatly reduce the ability of an operator to utilize the wilderness-wide party size, either very often or in very many locations. We considered this approach recognizing that the plaintiffs have a very strong interest in reducing the party size. In fact, we received comments on the DEIS that stated that Alternative 4 approach, "did not go far enough." However, we concluded that further restricting the party size, on top of all the other restrictions and limitations contained in Alternative 2 – Modified, is neither necessary nor desirable. Although there are some limited beneficial effects for the resources from a reduced party size limit, there would also be significant limitations imposed upon public access to these wilderness areas including the impact on extended family gatherings, youth groups and others that benefit from a more generous allowance on party size. We do not feel the issues of party size are significant enough to warrant such a severe policy. We feel that we can manage this site specifically and through our existing policies.

Our party size decision takes into consideration the larger wilderness landscape picture. Ansel Adams/John Muir Wilderness visitors travel into and from Yosemite National Park, Sequoia Kings Canyon National Park, and the Emigrant Wilderness. Our neighboring forests and parks have worked together to develop the 15/25 party size maximum. Only Sequoia Kings Canyon National Park has a different party size of 15/20, which is an anomaly in the Central Sierra. Alternative 2 – Modified maintains consistency with neighboring forests and parks in terms of party size and manages for exceptions as needed to respond to environmental constraints.

b) Establishing camping limitations (designated campsites) on commercial pack stock operations.

Alternative 2 – Modified designates over 150 campsites and requires their use whenever commercial stock are held overnight in these wilderness areas. Our site-specific destination management approach evaluated and concluded that every destination where commercial pack stock use is approved has adequate sites for spot and dunnage camps or drops. If we were managing under a trailhead quotas scheme, where the frequency or even the locations were not managed, it may require more spot and dunnage designations in order to achieve the same level of protection, as is evident in Alternative 4. The destination management approach allows us to manage for more internal freedom and visitor choice because we are managing the destination and the capability of that destination has been fully considered.

Our analysis concluded that designating campsites is most important when stock is held overnight in the wilderness. The designated site is the main control of where all expense trips camp and plays an important function in managing these types of trips. When not controlled, these sites tend to be larger, more impacted and at higher risk for impacts to heritage resources, water resources and use trails accessing the sites. Designating these sites concentrates the impact and prevents more sites from becoming impacted over time, thereby decreasing the overall extent of impact. It allows us to manage the impacts and hold pack stations accountable for the conditions of the sites. The adaptive destination management strategy includes long-term

monitoring and evaluating of campsite impacts and provides managers with tools to take additional actions to achieve the desired designated camp conditions.

c) Identifying which trails are suitable for use by commercial pack stock.

Existing 2001 Wilderness Plan direction restricts commercial pack stock to existing system trails and approved use trails. Alternative 2 – Modified has a designation of "Not Suitable for Commercial Stock" (NSCS). This designation is used to reflect trails that either have resource concerns or concerns with the appropriateness of the destination for repetitive commercial stock use. The alternative has 89 miles of trails designated as "NSCS."

Alternative 2 – Modified effectively responds to the issue of trail suitability by approving a limited number of visible use trails that are not maintained as system trails. These are not system trails because they typically serve campsites or areas that are primarily used by the packer, not by the general public; and, they do not duplicate system trails. This greatly minimizes the extent of off-trail travel that occurred in the past. The use trails that are approved typically have minimal resource concerns and are suitable for commercial stock use.

We have very few cases where cross-country travel is allowed. Most of these exceptions are for the occasional hunting trip to access remote areas where hunting takes place. We believe these are legitimate exceptions to manage for. Hunting is a infrequent activity in these wildernesses and occurs in September and October when the peak of the use is past. Conflicts and risks associated with this allowance are minimal. The additional few non-hunting cross-country travel approvals are tied to low levels of use on suitable resilient soil types where trailing does not become an environmental concern (e.g., granite expanses).

Alternative 4 proposes a significant difference in trail suitability determinations. It explored the effects of eliminating commercial stock on 173 miles of trails with a substantial number of areas unavailable for commercial pack stock clients. We did not find that removing commercial pack stock use from many of these areas would have greater environmental benefits as compared to maintaining a low, sustainable use levels. We sought ways to accommodate a sustainable level of use in order to meet the goals of the Wilderness Act, and low use is preferable to no use in order to meet as many of the goals as we can without causing harm to the wilderness resource.

We considered the many trails that were suggested for "NSCS" designation that went into the adjoining National Parks. We discussed the trail continuity issues with the National Park Service to insure that our actions were consistent with current park management and made our trail suitability determinations to reflect their desired conditions.

d) Identifying an appropriate level of stock to be used in conjunction with the commercial operations.

Each alternative looked at different mechanisms for limiting stock numbers. Alternative 2 proposed daily and seasonal stock limits on each operator in combination with destination quotas. We refined this approach in Alternative 2 – Modified to produce more direct effects. We concluded this is a more effective approach than stock thresholds described in Alternative 3. The threshold concept concerned both operators and the public in that it did not include a defined limit. Alternative 4 merely used a tight trailhead quota on people to control stock, albeit indirectly. Although this would greatly reduce use, it was not a direct stock control.

We settled on the **stock at one time limitation** to provide a temporal control and prevent spikes in use and direct the control on the source of the impacts that are of the highest concern—the

number of stock in the wilderness. This measures all the stock an operator uses in these two wildernesses at one time, including their day rides. As disclosed in the analysis, the number of people being serviced is not as much of a concern as the number of stock used to provide this service.

The stock at one time limitation also minimizes experiential impacts to other visitors on the trails or at shared destinations. This limitation acts as an overall governor of use as it caps stock use and helps to prevent overcrowding during the peak season. The concentration of too many parties at one location can lead to ecological impacts including the creation of new campsites. Overcrowding can lead to disproportionate physical impacts; by controlling crowding we are providing an overall control that protects resource and experiential values. By allowing packers to fully utilize the shoulder season instead of adding more people to a crowded, short season we can help to mitigate the overcrowding that occurs during the peak season.

e) Completing a cumulative impact analysis by December 2005.

This EIS analyzes the activities of 19 pack stations and other users in these two wildernesses collectively. It is estimated that 9% of these wilderness areas are available to commercial pack station services. This is figured by a spatial analysis that buffered all trails, campsites and grazing areas that packers identified as having used (even when they have not used some of these locations for years or decades). Commercial pack station use comprises only 8-10% of total use for these areas.

The degree to which commercial pack operators overlap (the environmental effects of this overlap is documented in the affected environment chapter) is minimal. There were 75 analysis units where pack station operations overlap in their identified operating areas. In 52% of these areas only two pack stations have overlapping operations, while in 45% of the areas 3-5 operators overlap. Although 75 units were identified as overlap, only 17 site specific locations overlap for spot and dunnage services. Most overlap exists as the result of traveling trips going through an operator's primary area for providing spot and dunnage services. These traveling trips comprise only 8% of the commercial pack stock use.

With the current management (Alternative 1) there could be more overlap as considerable freedom of movement is allowed. In Alternative 2 – Modified, the number of locations are limited and controlled by the destination management quota, with an overall limit on the use at these locations. Generally, it is less about how many operators and more about the total number of trips and stock to locations, regardless of how many operators are in a specific area. However, we recognize conflicts and overcrowding are more probable with additional operators. The destination management approach addresses this issue and insures the use levels are site specifically regulated.

The bigger factor with overlap appears to be associated with traveling trips. With alternatives that use service days (Alternative 4) or just trailhead quotas (Alternative 3) to control use there is more potential for traveling trips to increase and, therefore, increase overlap of operators. Alternative 2 – Modified definitively identifies the number of all expense trips and limits the extent of these types of trips in order to control the potential for overlap and cumulative effects of overlapping operations.

Alternative 2 – Modified also includes a methodical wilderness-wide and site-specific cumulative effects analysis in a National Environmental Policy Act (NEPA) context. NEPA

requires that a cumulative impact analysis be structured to assess what additive effects the current actions would have, when viewing the effects of past, present, and reasonably foreseeable actions. Our specialists examined all relevant past, present, and reasonably foreseeable actions in their analysis. A catalogue of these actions can be found in Chapter 4 of the Final EIS. Each specialist assessed these actions at two scales: the wilderness scale and the eight geographic scales (note that a typical programmatic document would not look site-specifically at cumulative effects). The analysis of site-specific cumulative effects was done to ensure that even at a location basis, site-specifically, we were not missing cumulative effects from past or present actions, including other uses, adjacent lands and regional contexts.

As noted earlier, the planning process was designed to include similar or potentially connected actions by incorporating the Trail Plan into the commercial pack stock analysis. This facilitated an analysis of combined impacts which was considered to be essential to completing a cumulative impacts analysis. As a result of this design and with the thoroughness of the analysis, it is with great confidence that we conclude there are not major long-term or short-term adverse effects to any resource or species.

There are instances of minor, short term or locally intensive impacts to resources; some cannot be directly attributable to commercial pack stock. To the greatest extent possible these impacts have been mitigated by our management actions. In addition, we have built into our approach a strategy to monitor and adapt and mange these uses over time should conditions change or assumptions prove to be wrong.

4) Identify the appropriate level of grazing associated with commercial pack stock operations.

Our analysis indicates that the levels of incidental grazing that we are allowing in suitable grazing areas will effectively preserve these meadows' ecosystems, as long as the critical areas are protected. In many high elevation areas, we found meadows to be unsuitable and therefore unavailable for grazing because they are too wet and never reach range readiness. For most suitable grazing areas, we found it is not the utilization of forage that prevents meadow conditions from meeting standards; instead it is the impacts associated with the movement of stock and of the related trampling and chiseling of soil and vegetation that cause unacceptable impacts. We acknowledge in our analysis the long-term ramifications of historic grazing, including sheep, cattle and large pulses of recreational pack and riding stock from trips like the Sierra Club outings of the early to mid twentieth century. With conservative estimates of utilization (measured in stock nights) and a monitoring strategy that makes operators accountable, we are confident that these measures preserve wilderness character in these areas. We limited drift fences to a minimum number used only for resource protection, and the level of development of these primitive fences does not constitute a significant effect to the undeveloped quality of wilderness character. No permanent fencing, caches, or permanent improvements are used to achieve the grazing conditions we desire.

Meadows found with a downward trend in hydrologic functioning condition will be rested from commercial pack stock grazing. While the degraded condition may not have been caused by commercial pack stock, continued grazing would not allow the trend to reverse. Our analysis indicates that trends can change and conditions are dynamic.

Whether we are looking at trends in conditions, or the mosaic character of meadows (intermingling wet and dry portions), or general range readiness determinations, there is a need

to manage for dynamic conditions over time. It is our goal to protect and restore meadows. Establishing conservative estimates of stock nights, as opposed to managing a utilization rate that would require more intensive monitoring, enables us to manage the use more proactively instead of reactively.

5) Identify monitoring requirements to facilitate responsive adaptive management for commercial pack stock operations.

We realize there are risks associated with any of the assumptions made in this analysis. At times it has been difficult to distinguish what the cause of some conditions are; in many cases existing conditions could have been primarily caused by nature, yet appear to have the imprint of human influence. Natural influences and human influences are not easily distinguishable in this wilderness environment. We made our decisions conservatively and cautiously. Over time, natural influence or synergistic effects may have different consequences than we have predicted.

It is for this reason that we have attempted to describe the desired conditions we intend to maintain at destinations, grazing areas and on trails. Over time we will undoubtedly need to take further actions to maintain these conditions. We have developed a comprehensive monitoring and evaluation plan and toolbox that will assist and guide us to consistent applications of adaptive management.

We have approached adaptive management in a responsive way. It is an approach to managing resources where the planning process includes recognizing the uncertainty in existing knowledge related to the resource being managed, and treats management actions as hypotheses to be tested using monitoring specifically designed for the particular action.

It is not our intention to be constantly changing, modifying or reversing the decisions in this document. But the greatest importance and attention must go to managing for the conditions we desire. The actions are merely tools we are using to get to the desired condition.

We understand the need to be realistic in our monitoring goals and objectives. These wildernesses comprise over 800,000 acres of topographically challenging terrain that can only be accessed by foot or horseback. Some destinations take days to reach. We have designed our monitoring goals and objectives around these realities, but have not perceived these as constraints. These considerations have led us toward an integrative approach to monitoring that identifies priorities based on multiple resource objectives, consistent with wilderness management goals to manage wilderness as a composite of resources, not as individually single resources.

We fully expect the pack stations to be fully engaged and accomplish a high level of self-monitoring. We welcome any other interested parties to help us with ongoing management and effectiveness monitoring. These efforts must be accomplished systematically and we will hold ourselves and our partners to a high standard of monitoring, using established protocols.

How the Decision Responds to Public Input

Throughout the development of the Final EIS and Alternative 2 – Modified, we considered public input in developing a scientifically credible, resource sustainable, and legally sufficient plan. In our judgment, the decision we are making will more effectively meet legal

requirements, improve environmental protection measures, and further reduce the potential for environmental harm from human activities in these wildernesses.

A Notice of Intent to prepare an EIS was published in the Federal Register on June 15, 2004. Two Proposed Actions (*Trail Management Plan* and *Commercial Pack Stock Use Authorizations for the Ansel Adams and John Muir Wildernesses*) were distributed to interested parties in June 2004. Public meetings were held to clarify the Proposed Actions in Clovis, California (July 8, 2004) and Bishop, California (July 12, 2004). The public was asked to submit comments to the action from which issues could be determined and alternatives developed. Approximately 300 comments were received for the *Commercial Pack Stock Use Authorizations Proposed Action* and approximately 200 comments were received for the *Trail Plan Proposed Action* (table below provides a summary of these comments). The comments for both of these projects were used to develop the significant issues.

Table 1. Number of Comments received on the Proposed Actions

Project	Agency	Interest Group	Commercial Pack Station	Individual	Form Letter	Total
Commercial Pack Stock Use and Authorization	3	7	6	119	131	**266**
Trail Management Plan	2	7	3	88	67	**167**
Total	5	14	9	207	198	**433**

Using the comments on the Proposed Actions, organizations from the public, other agencies, and (affected) tribes, the interdisciplinary team and Forest Supervisors developed a list of issues. Significant issues directly influence the initiation, development, and technical design of the project; are disclosed in the analysis; and were used to develop alternatives to the proposed action.

On January 25, 2005, a revised Notice of Intent was published in the Federal Register. This notice incorporated the *Trails Management Plan EA* into the *Commercial Pack Stock Use Authorizations EIS*. The project was renamed *Trail and Commercial Pack Stock Management in the Ansel Adams and John Muir Wildernesses EIS* and the purpose and need for the project was clarified. This combined EIS responded to concerns over these two projects being connected actions and better displays the cumulative effects of two projects occurring in the same geographic area.

The Draft EIS was released for public comment on March 29, 2005. The document was placed on the Inyo and Sierra National Forests' websites and was mailed to interested parties. On April 15, 2005, the Draft EIS Notice of Availability was published in the Federal Register. Two public meetings were held. Approximately twenty people attended the May 17, 2005, meeting in Bishop, California and three people attended the May 19, 2005, meeting in Clovis, California. The comment period closed June 15, 2005. Over 400 comments were received on the DEIS, the majority of which were form letters.

Table 2. Summary of Comments received on the Draft EIS

Agency	Interest Group	Commercial Pack Station	Individual	Form Letter	Total
12	10	5	178	224	**429**

Throughout the process we have engaged the public and responded to what we have heard and there is no doubt that commercial pack stock use is a very polarized issue. There are clearly two sides, with very differing values and opinions that each feels is the "right" way to view these decisions. Both sides engaged in extensive letter writing campaigns that netted no new views or opinions other than the ones that were repeatedly expressed. Engagement at this level is not always productive or constructive and it does not help to facilitate resolution. It is with great regret that we have been unable to bring these two sides together to come to resolution and agreement on the management of these wildernesses.

But we feel our decision, can be seen as a fair approach to managing public use of these lands. We strongly believe there is a public need from commercial services in these wilderness areas and at the levels and conditions prescribed with Alternative 2 - Modified will protect and preserve the wilderness character. While both sides disagree over the means to do this, both sides agree that protecting wilderness character is paramount.

Responses to our Draft EIS led us to reconsider our approach and enhance a number of elements of the analysis. For example, between Draft and Final EIS we developed a new alternative that modified Alternative 2 and designed a specific destination management strategy to help readers understand the synergism of the actions at the destination level. This destination management strategy controls how, when, and where commercial pack stock activity can take place in these wildernesses and responds to the remediation that the courts are anticipating with the Final EIS.

Also, some respondents were very critical of our draft Needs Assessment, and encouraged us to better demonstrate the need for the commercial services. To get a better sense of the public's use of commercial packing in these wilderness areas, a survey of past commercial clients was conducted between the Draft and Final EIS. In early August 2005, the survey was mailed to 537 pack stock clients from 2004. The names and addresses of the clients were gathered from the Inyo and Sierra National Forests' Wilderness Permit Databases. The clients contacted were the individuals who identified themselves as the group leader and provided their names and addresses when receiving their wilderness permit. In 2004, 4,015 overnight clients were serviced by commercial pack stock. The average group size was three individuals, so approximately 1,338 commercial packing groups used the Ansel Adams, John Muir, and Dinkey Lakes Wildernesses. A total of 346 surveys were filled out and returned to the forests. In all, data was available from 346 out of the 1,338 commercial groups that utilized commercial pack stock in the Ansel Adams, John Muir, and Dinkey Lakes Wildernesses (approximately 40% of the groups).

The survey revealed the extent to which certain segments of the population rely upon commercial packing services to access the wilderness. Nearly 90% of the groups surveyed had an unqualified obvious need for the service and the vast majority of the need was related to age or physical limitation. A number of the respondents identified themselves as people that enjoyed backpacking at one time, but because of age or physical limitation were no longer able to carry a backpack. Another group of respondents identified themselves as family groups and according

to these individuals, commercial packing was the only way they can bring their children along on the trip. Still, another group of responses came from those with a physical disability who indicated that they would never be able to enjoy the wilderness without commercial packing services. One respondent, for example, said they had a car accident that restricted their ability to carry a backpack. Another survey response came from an individual who said they were bringing a terminally ill family member along with them; commercial pack stock support was vital as the family member did not have the strength to carry a pack. Perhaps the most striking finding in the survey was that 88% of the responses indicated that they would not have taken their trip without commercial pack stock support.

There has also been some skepticism expressed as to how we can do what we say we are going to do; that our plan is too ambitious, and we will not be able to successfully implement all the direction. In addition some believe we will not achieve the conditions we prescribe in our analysis. To respond to these concerns, we spent considerable effort creating adaptive mechanisms and the monitoring and evaluation components for this plan. We believe this greatly strengthens the plan and shows a means and method to be accountable for implementation of the direction and on going management.

Alternatives Considered

Six alternatives were considered and analyzed in detail. The following table summarizes the components of the alternatives comparatively.

Table 3. Comparison of Alternatives

	Alternative					
	1 No Action	2 – Modified	2	3	4	5
Use Levels and Stock Numbers						
Day Rides	Allocated by Wilderness Plan in service days.	Day ride locations identified per Pack Station and limited by number of stock at one time in the wilderness. Limits placed on areas where day ride activities have potential for use or resource conflicts.	Allocated per Pack Station location.	Allocated per packer.	Allocate service days per packer with consideration of resource or social issues.	None authorized.
Service Days	Allocated service days with additional temporary service day pool.	No Service Days to Resort Permittees.	No Service Days to Resort Permittees.	No Service Days to Resort Permittees.	Service Days at 20% reduction from Alt 1.	None authorized.

	Alternative					
	1 No Action	**2 – Modified**	**2**	**3**	**4**	**5**
Quotas	Trailhead quota for people. Borrowing of next days quota allowed. FS writes all wilderness permits.	Destination quotas managed through destination management plans. Stock at one time limit. FS writes all wilderness permits.	Destination quotas. Stock quotas daily/seasonal. FS writes all wilderness permits.	Trailhead quota for people, seasonal. Threshold for clients and stock. Few destination quotas. FS writes all wilderness permits.	Trailhead quota for people, reduction in party size at some trailheads. No borrowing. FS writes all wilderness permits.	None authorized.
Primary Operating Area	N/A	Identified by destination quotas.	Identified operating area.	Identified operating area.	In effect, no overlap of areas for spot and dunnage trips.	None authorized.
Party Size	15/25	15/25 And site specific party size limits.	15/25 And site specific party size limits.	15/25 And site specific party size limits.	12/20 And where trailhead prohibits full party size.	N/A
Trail Management Plan						
General Trail Plan	2001 Wilderness Plan direction and existing inventories.	Designates system of trails and assigns development levels.	Designates system of trails and assigns development levels.	Designates system of trails and assigns development levels.	Designates system of trails and assigns development levels.	Designates system of trails and assigns develop-ment levels.
System Trails	Inyo 1988 inventory Sierra 2001 inventory.	Aligns with recreation categories and destination management objectives.	Aligns with recreation categories and commercial destination quotas.	Aligns with recreation categories allowing higher development system than Alt 2.	Aligns with recreation categories allowing lower development system than Alt 2.	Aligns with recreation categories allowing lower develop-ment system than Alt 2.
Grazing Management						
Grazing Strategy	Utilization standards. Range readiness standards. Suitability direction not yet implemented.	Utilization standards estimated with stock nights. Range readiness standards same as Alt 1. Grazing suitability	Grazing zones, (stock nights, utilization and meadow closure) 5% impact in critical areas.	Grazing zones, (stock nights, utilization and meadow closure) 5% impact in critical areas.	Grazing zones, (stock nights, utilization and meadow closure) 5% impact in critical areas.	None by commercial pack stock authorized.

	Alternative					
	1 No Action	**2 – Modified**	**2**	**3**	**4**	**5**
		determinations. Establishment of grazing zones and critical areas.				
Drift Fences	Allow drift fences only where needed for protection of resources or safety of visitors.	Retain 13 drift fences and approve one additional for resource protection.	Retain 11 drift fences and approve one additional for resource protection.	Retain 10 drift fences and approve one additional drift fence for resource protection.	Retain 4 drift fences and approve 1 additional temporary drift fence for resource protection.	None authorized for commercial pack stock.
Trail Suitability						
System Trails Suitable for Comm. Pack stock	Only use on existing system trails as directed by wilderness plan.	Use of system and authorized user trails except system trails identified as "Not Suitable for Commercial Stock."	Use of system and authorized user trails except system trails identified as "Not Recommended for Stock."	Use of system and authorized user trails except system trails identified as "Not Suitable for Commercial Stock." Fewer NSCS trails.	Use of system and authorized user trails except system trails identified as "Not Suitable for Commercial Stock." Many trail NSCS.	None authorized for commercial pack stock.
User Trails	Require approval Use trails approved in 2004.	Use trail approvals based on destination management.	Use trail approvals based on destination quotas.	Same use trail approvals as in Alt 2.	Very few use trails approved.	None authorized for commercial pack stock.
Campsites						
Campsites	50 feet from water.	Required to use designated stock camps when holding stock overnight with option of reserving site. All designated stock camps will meet BMPs.	Required to use designated stock camps when holding stock overnight with option of reserving site.	Required to use designated stock camps when holding stock overnight option of reserving site.	All campsites for commercial pack stock designated (not just for overnight holding of stock) and limited to these sites.	None authorized for commercial pack stock.
Campfires						
Campfires	Elevational closures Site specific closures.	Few modifications to elevational fire closure boundary where firewood is available. Allow charcoal fires in areas	Elevational closures and packers allowed to pack in wood and charcoal.	Same as Alt 2 for full service trips in designated sites only.	Elevational closures Site specific closure.	Elevational closures.

Alternative						
	1 No Action	2 – Modified	2	3	4	5
		closed to wood campfires. Case by case wood campfire use by commercial pack stations.				

Description of Alternatives Considered in Detail

Alternative 1 – No Action

The No Action Alternative is the existing management direction from the Final Environmental Impact Statement and Record of Decision for the Ansel Adams, John Muir, Dinkey Lakes Wildernesses (April 2001). Generally, the No Action Alternative reflects the status quo of current management under the direction of the 2001 Plan. The Wilderness Plan programmatic direction has never been fully implemented, in part, because over the last three years resources have been diverted to the court-ordered analysis and/or restricted by the court's injunction from full implementation. For the purpose of this analysis, the No Action Alternative includes the elements of the 2001 Wilderness Plan that have been implemented.

In this alternative, the Trail Management Plan for the Inyo National Forest is based upon the 1988 trails inventory and is consistent with the direction in the Inyo National Forest Land and Resource Management Plan. In the absence of a similar trail inventory associated with the Sierra National Forest Land and Resource Management Plan, Appendix C from the 2001 Wilderness Plan serves as the basis for the Sierra National Forest trail system in this alternative. Direction for managing the trail system, including system and use trail suitability is based on the 2001 Wilderness Plan, but assumes that the designation of a trail system, consistent with the newly designated recreation categories (including identifying trails not recommended for stock) has not yet been fully implemented.

Alternative 2 – Modified

As discussed above, Alternative 2 – Modified is the selected alternative for this project. In this alternative, the emphasis is on destination management and managing for conditions at destinations. The desired condition of each destination is driven primarily by the three recreation categories outlined in the 2001 Wilderness Plan. Seasonal destination quotas will be the starting point for achieving the desired conditions. Grazing will be managed through a determination of suitability and stock night capacity for grazing zones and specific meadows. Critical areas will be protected from grazing impacts.

The proposed system of trails and development levels are based on recreation categories, current and anticipated use, resource impacts, and trail maintenance considerations. These factors are considered to ensure that trail management objectives are consistent with area management objectives.

Alternative 2 – Modified was developed in response to public comments on the Draft EIS and modified Alternative 2, the original Proposed Action.

Alternative 2 – Proposed Action

Alternative 2 is the original Proposed Action that was scoped in June 2004. The proposed action was developed by this project's interdisciplinary team and both Forests' District Rangers. It was designed in response to the interdisciplinary team's assessment of conditions found in locations

where pack stations operate. The central feature of the alternative is managing use through destination quotas. It also identified the system of trails and trail management objectives consistent with the allowable use levels and recreation categories. A grazing management strategy identifies suitable meadows and zones for grazing with estimated use levels measured in stock nights.

Stock thresholds, site-specific party size and campfire allowances are also identified in Alternative 2.

Alternative 3

This alternative uses the trailhead quotas to ration use, establishing separate quotas for commercial packing at trailheads where pack stations are located. It also identifies a threshold for the seasonal number of clients and stock on each trailhead. The system of trails and trail management objectives established in this alternative are consistent with the allowable use levels and recreation categories. Grazing is the same as Alternative 2 except for meadows with downward trends in hydrologic functioning condition are closed to grazing. Site-specific party sizes are the same as Alternative 2. In addition, a number of slight modifications to the recreation category boundaries are made based on further information of the area's conditions.

Alternative 4

This alternative retains the use of service days and reduces overall commercial pack stock use by 20% and trailhead quotas are further reduced to respond more conservatively to resource issues. Party size is 12 people and 20 head of stock and further constrained by trailheads quotas. Trail suitability determinations greatly reduce the areas where commercial pack stock can operate. Grazing is similar to Alternative 3 except that meadows with hydrologic function alteration are closed to grazing. The Trail Plan generally assigns lower trail class levels but manages a very similar system of trails as Alternative 2 and 3.

Alternative 5

This alternative does not allow commercial pack stock services in the two wildernesses. The Trail Plan responds accordingly, typically with lower trail class levels due to the projected type and levels of use. Although Alternative 5 does not meet Purpose #1 (*Provide for needed commercial pack stock services*), it was included in the analysis for two reasons. First, analyzing the environmental effects associated with no commercial pack stock provides a useful baseline to compare to other alternatives. Also, the second environmental analysis addressing commercial pack stock permit issuance, the *Commercial Pack Station and Outfitter/Guide Permit Issuance EIS,* will analyze a No Action Alternative not issuing special use permit to the pack stations. Rather than reanalyze commercial pack station operations in the Ansel Adams and John Muir Wildernesses in the *Permit Issuance* EISes, we determined that the prudent approach would be to analyze the environmental effects of no commercial pack stock in this EIS.

Alternatives Not Considered In Detail

Federal agencies are required by the National Environmental Policy Act "to rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated" (40 CFR 1502.14). Public comments received in response to the original scoping phase and the DEIS were used to develop the alternatives contained in the FEIS.

Many ideas have been suggested and evaluated during the development of the alternatives considered in detail. Various components were considered, such as additional mitigation measures, changes to quotas and allocations, no grazing, and adjustments to commercial use quotas. Addressing all of the possible permutations would create an unmanageably large number of alternatives that would not be helpful to the decision makers or the public. In addition, some components were determined to be outside the scope of the current wilderness plan revision process, were already represented by one or more of the alternatives considered in detail, or were determined to risk unnecessary environmental harm. Therefore, a number of alternatives were considered but dismissed from detailed consideration.

There was a concerted effort by some who commented on the DEIS to forward what might best be described as "Modified Alternative 4." This proposal suggested reducing quotas, party size and service days further, and identifying more trails as not suitable for stock. This alternative was not analyzed in detail for three reasons. First, it was determined that Modified Alternative 4 did not meet Purpose # 1 (*Provide for needed commercial pack stock services*) for this project. The levels of service that would have been provided in Modified Alternative 4 would have fallen far short of the public need as identified in the Needs Assessment. Modified Alternative 4 would reduce commercial packing services considerably below what is provided today. Secondly, the proposed reductions were rather capricious and lacked rationale beyond a desire to have less pack stock in the wilderness.

It appeared as though the primary basis for the proposed alternative was to address visitor concerns about encountering stock rather than environmental considerations. We believe that merely reducing commercial services to arbitrary levels below Alternative 4 does not demonstrate a corresponding improvement to the condition of the wilderness and justify the draconian reduction in public access to these wilderness areas. In addition, Modified Alternative 4 was not analyzed because it is believed that the environmental effects associated with this alternative will ultimately closely resemble the effects described for Alternative 5. The alternative did not provide the decision maker or public with an approach to managing commercial pack stock much different than in Alternative 5.

Environmentally Preferred Alternative

The Council on Environmental Quality (CEQ) regulations for implementing the NEPA require that the ROD specify "the alternative or alternatives which were considered to be environmentally preferable" (40 CFR 1505.2(b)). According to the Council on Environmental Quality's 40 Most Asked Questions concerning NEPA, this direction has been generally interpreted to be "the alternative that will promote the national environmental policy as expressed in NEPA's Section 101."

Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which "best protects, preserves, and enhances historic, cultural, and natural resources." Section 101 of the National Environmental Policy Act states that:

> …it is the continuing responsibility of the Federal Government to …
>
> (1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
>
> (2) assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
>
> (3) attain the widest range of beneficial uses of the environment without degradations, risk to health or safety, or other undesirable and unintended consequences;
>
> (4) preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment which supports diversity and variety of individual choice;
>
> (5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
>
> (6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

It may appear as though Alternative 5 "causes the least damage to the biological and physical environment." Removing all pack station operations from the wilderness does eliminate a source of impact on the wilderness environment. Alternative 5, however, is not the environmentally preferred alternative if the human environment, including historic and cultural resources are considered. NEPA directs federal agencies to consider the effects of federal actions on not only the physical and natural environment, but also the human and social environment. Alternative 5 falls far short of meeting the federal government's responsibility #4 above to "preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment which supports diversity and variety of individual choice." As discussed in the Final EIS, Alternative 5 will severely limit the ability of a certain percentage of the public to access and enjoy the wilderness areas analyzed in this project. Commercial packing in the Sierra Nevada has a long history of providing access for the public and is recognized as an important cultural and historic resource.

Within this context, Alternative 2 – Modified would also be considered the environmentally preferred alternative in that it maintains a reasonable level of commercial packing service for the public and protects the wilderness character and resources of the area. Alternative 2 – Modified contains a number of site-specific mechanisms that control how, when, and where commercial packing activity can occur in these wildernesses. As discussed earlier in this Record of Decision and in the Final EIS, increased levels of use do not automatically translate into increase impacts to the wilderness. Whereas Alternative 5 provides the highest level of physical and ecological protection at the expense of the human and social environment, Alternative 2 – Modified meets all of the goals in Section 101 in that it "attain[s] the widest range of beneficial uses of the environment without degradations, risk to health or safety, or other undesirable and unintended consequences and preserve[s] important historic, cultural, and natural aspects of our national heritage and maintain[s], wherever possible, an environment which supports diversity and variety of individual choice."

Relationship of Management Direction to Existing Plans

The Wilderness Goals and Objectives, Desired Future Condition and management direction (Standards and Guidelines) of the existing Land and Resource Management Plans (LRMPs) are amended by this decision for the Ansel Adams and John Muir Wildernesses only. This decision is otherwise consistent with the current LRMPs for the Inyo and Sierra National Forests and with the Sierra Nevada Forest Plan Amendment.

Relationship to State and Local Plans and Proposals

We have reviewed this decision and have determined that it is consistent with tribal, state and local plans.

Relationship to Other Lands

The influences of activities on lands administered by the Bureau of Land Management and the National Park Service were considered in the assessment of cumulative impacts in the FEIS. This decision does not adopt new management direction for those federal lands. Likewise, this decision does not establish direction or regulation for state, tribal, or private lands.

Monitoring and Mitigation

Mitigation Measures Adopted

Extensive measures to avoid or minimize environmental harm are being adopted in the Plan. Some of these measures have been discussed previously. Mitigation measures are an integral part of the management direction. Singularly and collectively, they avoid, rectify, reduce, or eliminate potential adverse environmental impacts of wilderness management activities. Some more significant mitigation measures are will be included in the Programmatic Agreement between the State Historic Preservation Office, Advisory Council on Historic Preservation, and the Forest Service and other interested parties.

Monitoring and Evaluation

As described in our rationale, adaptive management and monitoring is integral to this decision. Our actions, such as designating a campsite or resting a meadow from grazing, must be monitored and evaluated for effectiveness. Our monitoring plan identifies the priorities for monitoring based on needs, risks and uncertainties of certain outcomes. We have also identified high priority areas for monitoring with the intention to achieve some integration in our monitoring program.

Evaluation of commercial pack stock management in the Ansel Adams and John Muir Wildernesses will continue indefinitely. The knowledge gained from the current actions is

necessary to inform future pack stock management within the Ansel Adams and John Muir Wildernesses as well as adjacent National Parks and other National Forest Wildernesses.

Integral to the success of adaptive management is site-specific and accurate reporting of commercial pack stock use. An emphasis will be placed on this so we are able to better understand the relationship between this use and impacts. Over time, we believe that we will refine our understanding of the effects of certain management actions, and can inform future management by our critical evaluations of these actions.

Findings Required By Other Laws

The Forest Service manages the Inyo and Sierra National Forests in conformance with many federal laws. In this section some of the more relevant laws pertinent to this programmatic-level decision are discussed.

Wilderness Act

The Wilderness Act (Public Law 88-577) requires that wilderness character be preserved. This section documents our conclusion and finding that wilderness character will in fact be preserved under Alternative 2 – Modified. Section 2(a) of the Act states the designated wilderness areas shall be administered…

> …for the use and enjoyment of the American people in such a manner as will leave them unimpaired for future use and enjoyment as wilderness and so as to provide for the protection of those areas, the preservation of their wilderness character.

Wilderness character combines biophysical and experiential qualities, and is never explicitly defined in the Act, however Wilderness is defined in Section 2(c) and through this definition; concepts of wilderness character are expressed as:

> an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements of human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

Impacts are inevitable with recreation use. Impacts often occur rapidly and recover slowly. Many factors that influence the magnitude of impact (amount, timing, and type of use, and spatial distribution of use) can be manipulated by managers to limit impacts (Cole, 2004). The most important attributes of wilderness are that it is natural, wild, un-crowded and free, yet these attributes are in conflict with one another when management attempts to provide for any one of them (Cole, 2000). Wilderness research points to the need to provide for a range of opportunities, settings, and conditions within designated wilderness. Choices between access and protection, wildness and naturalness are value judgments that should reflect society's needs and desires (Cole, 2001). According to Cole (2001):

> A broad range of wilderness conditions could be provided by allowing high visitation in carefully selected and delineated wilderness locations, while protecting most wilderness in a lightly used condition. Such a wilderness management zoning approach (Haas et al. 1987) would keep most wilderness close to the low use ideal described in the Wilderness Act and still meet the increasing demand for wilderness experiences.

To evaluate compliance with the Wilderness Act in regards to wilderness character, four factors, or qualities of wilderness character were used to assess the effects of each alternative on wilderness character in Chapter 4. These come directly from the language in the Wilderness Act. Both legislation and agency policy mandate a responsibility to preserve wilderness character, yet no specific process has ever been established.

Current interagency efforts to monitor wilderness character (Landres et al., 2005) define wilderness character as the combination of biophysical, experiential, and symbolic qualities that distinguish wilderness from all other lands. Wilderness character is protected or diminished and sometimes both, by management decisions and actions.

> Because wilderness character is multidimensional, composed of both biophysical and social aspects, actions taken to protect one aspect of wilderness character may diminish another aspect. For example, a bridge built to protect a stream bank from erosion caused by people or horses crossing the stream may also diminish the opportunity for people to experience the challenge of crossing a stream, and it may diminish the feeling or experience of a natural setting. Similarly, the required use of hardened or designated campsites to protect the soil and vegetation in an area may diminish the opportunity for unconfined recreation and the sense of freedom from the constraints of society (Landres et al 2004).

As this statement acknowledges, there are competing factors of wilderness character. It is the responsibility of the administering agency to assess these factors in relation to each other.

Here, these four qualities that represent the essence of wilderness character, are identified and defined, and then analyzed in relation to the selected alternative.

Untrammeled

The essence of this factor is that human activities should not control or manipulate wilderness ecosystems. Synonyms for untrammeled include unrestrained, unrestricted, unhindered, unimpeded, unencumbered, self-willed, and wildness. When speaking in terms of effects on the untrammeled quality, this evaluation considers the scale of the control or manipulation. Examples in Landres (2005) of trammeled include dams that impede natural flood cycles, animals or plants that are transplanted or re-established, and fires that are suppressed. These types of actions are intentional and deliberate, and conspicuous in their effects on ecological processes.

In Alternative 2 – Modified, there are no intentional controls or manipulations of ecological processes to facilitate or in conjunction with commercial pack stock use that affect ecosystems at the wilderness scale.

There are remnants of past actions on the wilderness landscape that predate wilderness designation that have nothing to do with commercial pack stock use. The most imposing of these types of actions are water retention structures. A total of ten dams predate the Wilderness Act, three of which would not noticeable to the average visitor's eye since they are small in scale and/or not visible from a trail. The substantial structures that predate the wilderness do trammel

wilderness and are major adverse effects to the natural ecosystem. Commercial pack stock activities have no additional effect. In relation to these dams, commercial pack stock and noncommercial visitation pale by comparison in their effects on the untrammeled quality.

To the extent that a small percentage of area (9%) is used to camp by clients of commercial pack stock, or trails are used to travel, there is a very minor effect on the untrammeled quality of wilderness with minor water flow diversions, or vegetation loss. This level of impact is minor in scale and intensity and occurs as a result of all recreational visitation as a means to allow the use and enjoyment of wilderness.

The designation of stock camps is intended to reduce effects on water quality and reduce the overall area of impact to vegetation and soil resources. We anticipate that by designating these sites there will be less than 40 acres of disturbed environment in these wildernesses that may be considered light to moderately "trammeled." Considering even this level of obtrusion to be an effect on the untrammeled quality is magnifying the issues beyond what an average person would consider apparent. But even so, this is less than ¼ of 1% of the wilderness that would be directly affected by commercial pack stock activities, most of which may be on a very infrequent basis on generally used by other wilderness visitors.

Natural Conditions

The Wilderness Act makes it very clear that these areas serve as a contrast to modern civilization. They are places where "man and his own work do not dominate the landscape." The agency manages for natural processes to dominate the landscape. Implied is that natural conditions vary over time and evolve. The condition at the time of designation is an important consideration in the evaluation of this factor. If, for example, a road or heavy grazing has had an effect on natural conditions, the effect of subsequent actions may be greater as a result of these past actions. The basic premise of this quality is that humans allow the processes to function on their own and that natural conditions dominate the landscape. It is not the obligation of the agency to manipulate natural processes to restore past damages, as that can become an effect on the untrammeled quality and can become as much a disturbance to natural conditions as the original activity. Each situation needs to carefully consider the best course of action to maintain natural conditions.

These wildernesses still provide a vital contrast to modern civilization. Disturbance to natural process is limited to site specific locations where commercial pack stock activities may contribute to local soil erosion, sedimentation into surface water from pack stock grazing, campsites and trails. Water quality is thought to be good and will remain so except at few very local areas where there may be slight degradation.

Alternative 2 - Modified manages for an increased level of protection for Yosemite toad meadow breeding habitats. Fifty-six meadows approved for commercial packer stock grazing overlap with Yosemite Toad breeding areas. Thirty meadows that have been approved for grazing are determined unsuitable in this alternative, and would be closed to provide full protection for toad breeding habitats.

No significant effect to any species or ecological process occurs as a result of the pack stock activities. There will remain a rich diversity of flora and fauna with interdependencies that exemplifies an unimpeded natural world. This is because the use of system trails, use trails, destinations, and grazing areas is authorized site specifically; and the levels of use assigned are

within an acceptable level that protects species and processes. This is not to say that there is no disturbance, and no effects to natural conditions, but that the disturbance occurs within acceptable locations and where it was determined to have an unacceptable effect, the area was either closed to the use or limited in how much use could occur there.

Undeveloped

This is a basic requirement of wilderness, that it is undeveloped land, void of habitation and other evidence of modern human presence. The physical evidence of humans and human activity should be "substantially unnoticeable." Trails and campsites, while facilitating the use and enjoyment, can also be considered obtrusive and evidence of human influence. The "minimum necessary" philosophy directs managers to exercise restraint in order to ensure that visitors experience a primitive environment.

The level of development that will ensue with this alternative does not change from current conditions; they are limited to drift fences and trails. The scale of this development is so small as to be hardly discernable to the average visitor.

Campsites will have no level of development other than at most locations a small diameter (less than two feet) rock ring for containing ash, wood and coals and a small locational sign. All other features of campsites are brought in and removed with each trip or series of trips. There are no permanent structures associated with these sites.

The only structures that are allowed and authorized associated specifically with commercial pack stock uses are "drift fences," which are primitive fences using native posts and wire strung a short distance across a trail, typically in a box canyon or narrow to contain drifting stock. Drift fences are limited in size, scope and obtrusion. There will be fewer of these structures than are allowed currently. Thirteen of these primitive structures will be allowed. Many are being allowed and kept in place to keep the drifting stock out of unsuitable areas for grazing thereby protecting natural conditions in sensitive areas.

Trails facilitate use and travel and are normally a welcome development for most visitors. The level of trail development for the purpose of facilitating commercial pack stock use is moderate in Alternative 2 – Modified. This has a minor to moderate effect on the undeveloped quality of wilderness character. Development of trails occurs to facilitate use and enjoyment of wilderness for commercial and noncommercial visitors. The highest level of trail development in these wildernesses actually occurs on a trail where stock is not allowed (Mt. Whitney). The next highest level of trail development occurs to popular areas for all visitors, and those trails where pack stock use is heavy. Trails do need a higher level of development when they are maintained for riding and pack stock use. The trail is typically more substantial, with more structures on the trail, and more steps and moderate grades. This does have an affect on the quality of wilderness character, however, the level of development that is needed is also responding to protecting resources, such as meadows, steep slopes, and riparian areas.

Actions to develop trails value recreational uses over the undeveloped quality, however the scale of this development is insignificant in contrast to the developments recreation facilities (e.g., ski areas, campgrounds) and urban areas.

Outstanding opportunities for solitude or a primitive and unconfined type of recreation

The experiential component of wilderness is shaped by the other three factors of this evaluation and includes individual's perceptions, responses and opinions. For example, one person may observe a trail as too highly developed and therefore affect their wilderness experience while another person may not even consider the level of development and think that the trail enhances their wilderness experience. These three elements of the wilderness experience attempt to define a wilderness experience in more tangible terms. Evaluating opportunities for solitude considers the ability for a visitor to find and experience a very low density of other visitors. Primitive recreation encompasses concepts of simplicity and reliance on personal skills to travel and camp. Unconfined recreation highlights the importance of freedom and lack of managerial controls, where a visitor takes on their own risk and experiences the consequences of their choices. Together and separately, these experiential elements distinguish wilderness recreation from recreation on other more developed lands or controlled environments.

Alternative 2 - Modified has substantial effects on the unconfined recreation of commercial pack stock visitors. With limits placed on each destination that each pack station uses, there may be visitors that cannot have the trip to the location they desire. Visitation is further regulated by party size, where you can have a campfire, and where you can camp on a traveling or all expense trips. The type of trip that a visitor may want may be limited, specifically the all expense and traveling trips. This could greatly affect the visitor's ability to experience the wilderness entirely on their own terms. It is also a much more controlled experience than the non-commercial visitor, since more restrictions are in place on the commercial pack stock than the non-commercial public. The non-commercial visitor is limited by trailhead quotas, specifically designed to place the restriction on entrance to the wilderness thereby maximizing visitor freedom once inside the wilderness. For the pack stations, we are further limiting the freedom.

These restrictions on visitor freedom come as a price for maintaining natural conditions. In this regard the value of natural conditions is valued and weighed with the value of visitor freedom. Alternative 2 – Modified attempts to maintain a level of use so that the public can still enjoy a wilderness experience, though it may not be the exact location or their first choice in locations. Often the commercial pack stock visitor is merely dropped off at a point and then travels by foot without assistance or support. We considered this factor in limiting the location where the pack stock can travel, yet still allowing the less impacting use to continue.

Solitude will be protected in this alternative by the limitations on the frequency of trips to destinations and the stock at one time limitation. This will make it more likely that non-commercial visitors will not experience an amount of commercial use that is inappropriate for the capacity of the destinations and on the trails. There will still be occasions when the commercial and non-commercial visitors will be in the same locations at the same time, just as there will be times when multiple non-commercial parties will be in the same location. But the chances of commercial - non-commercial conflicts are far less in this alternative, since each destination has a certain level of use allowed, and not more. With each destination receiving a careful assessment of the desired condition, and the capacity and setting, when establishing commercial use levels, there is the greatest chance of maintain high opportunities for solitude for commercial and non-commercial visitors.

In summary, Alternative 2 – Modified preserves and protects wilderness character through various mechanisms that prevent or reduce environmental and social impacts. The diagram below expresses the relationship between public need and wilderness character, and the conditions we are maintaining by the management actions in this EIS. If one were to imagine that the threshold of preserving wilderness character is a constant, controlled through management actions, and that pack stock services will be needed at varying levels over time, depending on demographics and changing population dynamics; our management actions maintain commercial services at a level below the threshold for preserving wilderness character. This is how we perceive this relationship:

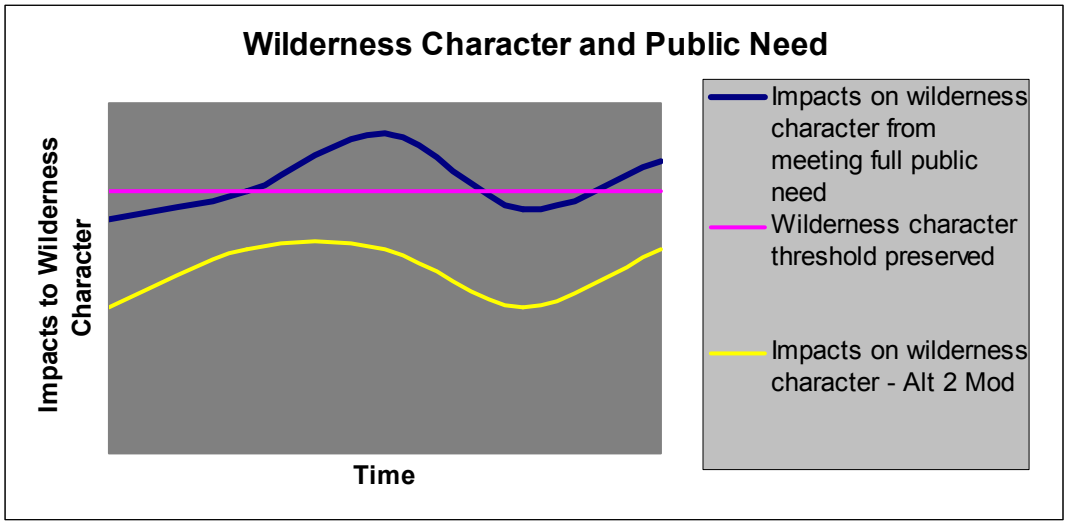

Figure 1. Effects of Alternative 2 – Modified on wilderness character and public need

In this assessment, we can demonstrate and support a finding of preserving wilderness character. Weighing together the four primary factors in relationship to each other, and in relationship to the proposed type and level of commercial pack stock uses allowed by the selected alternative, our assessment indicates that some factors are effected more than others, but all factors collectively and individually do not exceed expectations of the Wilderness Act. Figure 2 displays this finding and shows that effects of Alternative 2 – Modified do not go beyond the minimum thresholds set for the four components of wilderness character: untrammeled, natural conditions, undeveloped, and outstanding opportunities for solitude or a primitive and unconfined type of recreation.

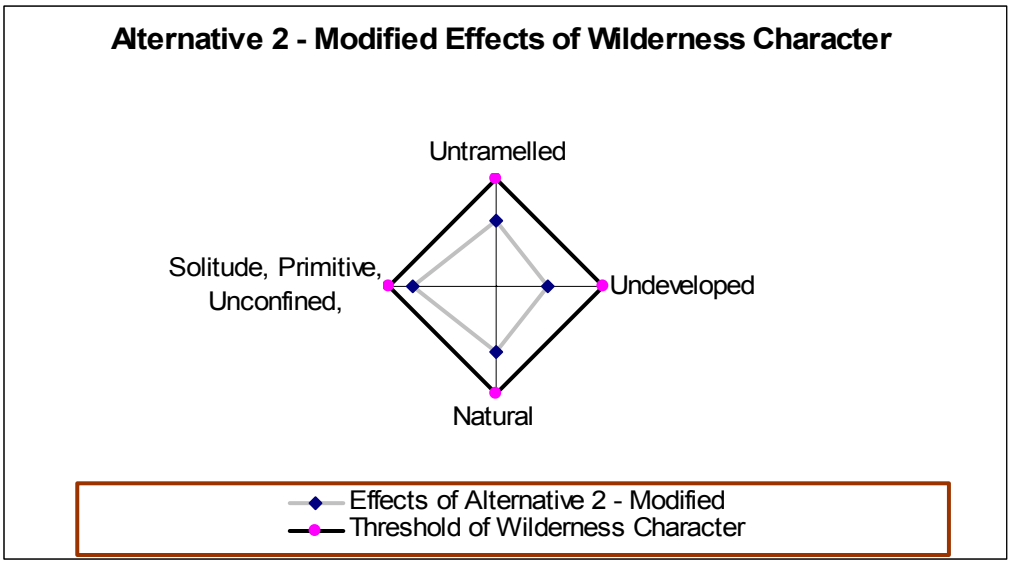

Figure 2. Effects of Alternative 2 – Modified on components of wilderness character.

National Environmental Policy Act (NEPA)

NEPA requires that Federal agencies prepare detailed statements on proposed actions that significantly affect the quality of the human environment. This requirement is designed to serve two major functions: 1) to provide decision makers with a detailed accounting of the likely environmental effects of a proposed action prior to its adoption; and, 2) to inform the public of, and allow comment on, such efforts.

The Inyo and Sierra National Forests have compiled and generated an enormous amount of information relevant to the effects of each of the alternatives considered in the FEIS. Such information builds on the data, analysis, and public involvement set forth in the documents prior to this FEIS, which include the 2001 Final Environmental impact Statement for the Management Direction for the Ansel Adams, John Muir and Dinkey Lakes Wildernesses.

All substantive comments, written and oral, made on the DEIS have been summarized and responded to in the FEIS. Over the course of analysis, this public involvement has led to changes in the alternatives including the selected alternative.

The environmental analysis and public involvement process complies with each of the major elements of the requirements set forth by the CEQ for implementing NEPA (40 CFR 1500-1508).

First, the FEIS considered a broad range of reasonable alternatives.

Second, the FEIS reflects consideration of cumulative effects of the alternatives by evaluating past, present, and reasonably foreseeable future actions in the planning area. Moreover, although non-Forest System lands are outside the scope of this decision, effects from their management have been considered in the Final EIS to a degree appropriate for a programmatic NEPA document at this scale.

Third, the FEIS makes use of the best available information. Application of a geographic information system (GIS) was used to evaluate spatial effects resulting from implementation of the alternatives. The best available science was used to help estimate environmental consequences as evidenced from the bibliography. All of these tools, taken collectively, constitute use of the best available information.

Additional site-specific decisions will be made on projects in compliance with NEPA, ESA, and other environmental laws following applicable public involvement and appeal procedures.

National Forest Management Act (NFMA)

This decision conforms to the 1982 planning regulations (36 CFR 219) that implement the National Forest Management Act. These regulations were recently changed (65 FR 67513). Transition language within the new regulations permits plan revisions and amendments, such as the amendments that are part of this decision, to be completed under the 1982 regulations. Since the rest of the LRMPs will continue to fall under the 1982 regulations, and since there is some uncertainty over the implementation of the new regulations, it is our decision to adopt these amendments under the 1982 regulations.

Diversity and Viability Provisions for Fish and Wildlife

The National Forest Management Act (NFMA) requires the Secretary of Agriculture to "specify guidelines for land management plans developed to achieve the goals of the [RPA] Program which provide for diversity of plant and animal communities based on the suitability and capability of the specific land area in order to meet overall multiple-use objectives" (16 U.S.C. 1604(g)(3)(B)). In accord with this diversity provision, the Secretary promulgated a regulation that provides in part: "[f]ish and wildlife habitat shall be managed to maintain viable populations of existing native and desired non-native vertebrate species in the planning area" (36 CFR 219.19, 1982 edition).

The recently completed SNFPA Record of Decision established land allocations and standards and guidelines to meet all of the diversity and viability provisions for fish and wildlife. This FEIS is consistent with that amendment. Therefore this decision will also provide the fish and wildlife habitat and other ecological conditions necessary to maintain well-distributed viable populations of vertebrate species in the planning area, and maintain the diversity of plants and animals.

Endangered Species Act (ESA)

Consultation requirements under Section 7 of the ESA, have been completed with the Fish and Wildlife Service. The Fish and Wildlife Service reviewed the Biological Assessment for the proposed threatened and endangered species under their regulatory jurisdiction. Consistent with direction in *Memorandum of Agreement, Endangered Species Act Section 7 Programmatic Consultations and Coordination among Bureau of Land Management, Forest Service, National Marine Fisheries Service and Fish and Wildlife Service, August 30, 2000*, the Fish and Wildlife Service (FWS) concluded that this decision is "not likely to jeopardize the continued existence of

threatened and endangered species" occurring on the national forests. Copies of correspondence with the FWS are included in the planning record.

National Historic Preservation Act

Pursuant to Section 106 of the National Historic Preservation Act has been met through the Programmatic Agreement of 2001 for Controlling Impacts on Historic Properties; Management of Ansel Adams. John Muir, and Dinkey Lakes Wildernesses, Sierra and Inyo National Forests. In addition, the Forests are developing a new Programmatic Agreement for site specific actions in the Issuance of the Commercial Pack Stock Special Use Permits and will be , the Forests have consulting extensively with Indian tribes, other users of the wildernesses, the California State Historic Preservation Officer, and the Advisory Council on Historic Preservation about how best to identify and mitigate adverse effects on historic sites, structures, trails, landscapes, Native American spiritual places, and other aspects of the cultural environment, including traditional uses of the wildernesses. This resulted in a Programmatic Agreement among the consulting parties that provides for ongoing studies and consultation over at least the next five years to identify impacts and implement mitigation measures. The Forests will implement the terms of the agreement, which is believed to embrace all practicable measures to mitigate possible impacts on the cultural aspects of the wilderness environment.

Clean Water Act

Full implementation of this decision is expected to maintain and improve water quality and satisfy all State water quality requirements. This finding is based on the standards and guidelines contained in the decision, the application of State approved Best Management Practices specifically designed to protect water quality, and the discussion of water quality and beneficial uses contained in the FEIS. Examples include: (1) camp site containment, (2) destination quotas, (3) trail suitability limitations (4) rehabilitating campsites, (5) grazing strategy for commercial pack stock, and (6) incorporation of established recovery plans. Additionally, project-level analyses for activities subsequent to the decision will be required to demonstrate compliance with Clean Water Act and State water quality standards.

Clean Air Act

At the scale of a programmatic plan such as this, the overall level of activities proposed under this decision is not anticipated to violate ambient air quality standards. This finding is based on information presented in the FEIS. The Inyo and Sierra National Forests are in non-attainment for PM10 while only the Sierra N.F. is in non-attainment for Ozone. Conformity determinations will be made at subsequent levels of planning and analysis where emissions can be more accurately quantified and reasonably forecasted and local impacts assessed.

Flood Plains and Wetlands (Executive Orders 11988 and 11990)

These Executive Orders require Federal agencies to avoid, to the extent possible, short- and long-term effects resulting from the occupancy and modification of flood plains, and the modification or destruction of wetlands. The LRMPs provide standards and guidelines for soil, water, wetlands, and riparian areas to minimize effects to flood plains and wetlands. They incorporate the Best Management Practices of the Soil and Water Conservation Handbook. The standards and guidelines apply to all floodplains and wetlands where less restrictive management might otherwise occur.

Determination of Significance (NFMA)

Forest Service requirements for amending forest plans are included in agency regulations and policies. These require that land uses be consistent with forest plans and that proposed activities which would be in conflict with the forest plan either be denied or modified (so as to be consistent), or that the forest plan be amended. Regulations direct the Forest Service to consider whether a proposed amendment to a forest plan would be considered a significant change.

The Forest Service is authorized to implement amendments to forest plans in response to changing needs and opportunities, information identified during project analysis, or the results of monitoring and evaluation. Forest Service Handbook and Manual direction provides the framework for considering a forest plan amendment, reviewing it for significance, documenting the results, and reaching a decision. An assessment of a proposed amendment's significance in the context of the larger forest plan is a crucial part of this process. It is important to note that the definition of significance for amending a forest plan is not the same as the definition of significance as defined by NEPA. Under NEPA, significance is generally determined by whether a proposal is considered to be a "major federal action significantly affecting the quality of the human environment," or whether the relative severity of the environmental impacts would be significant based on their context and intensity.

The National Forest Management Act (NFMA) requires that proposed forest plan amendments be evaluated for whether they would constitute a significant change in the long-term goods, outputs, and services projected for an entire national forest. Amendments that are not significant may be adopted following disclosure and notification in an environmental document, such as an EA, an EIS, or a supplement to one of these documents. Amendments that are deemed significant must be processed under the more intensive requirements for developing and approving a forest plan, which includes preparation of an EIS.

The criteria to analyze the significance of a forest plan amendment are summarized below from Forest Service Handbook 1909.12, Chapter 5.32. Each of the four criteria for determining significance of the proposed amendment is responded to directly. **Based on an analysis of these criteria, we have determined that these Forest Plan Amendments are non-significant.**

1. Timing. Identify when the change is to take place. Determine whether the change is necessary during or after the plan period (the first decade) or whether the change is to take place after the next scheduled revision of the forest plan. In most cases, the later the

change, the less likely it is to be significant for the current forest plan. If the change is to take place outside the plan period, forest plan amendment is not required.

This action will take place within the next year, towards the end of the current planning period. The Inyo National Forest Land and Resource Management Plan was completed in 1988 while the Sierra National Forest Land and Resource Management Plan was completed in 1992. The Inyo and Sierra National Forest Land and Resource Management Plans are scheduled to be revised in 2010, putting both Forests towards the end of the Forest Plan planning cycle. This action cannot wait for the revision process to be completed, for a number of reasons. For one, the court has ordered this analysis be completed by December 2005. Also, these actions are needed now to ensure environmental protection.

2. Location and Size. Determine the location and size of the area involved in the change. Define the relationship of the affected area to the overall planning area. In most cases, the smaller the area affected, the less likely the change is to be a significant change in the forest plan.

These LRMP amendments only apply to the Ansel Adams and John Muir Wildernesses on the Inyo and Sierra National Forests. These wilderness areas total just over 800,000 acres out of the total of 3.3 million acres that make up these two national forests. This is less then one third of the total acres of both forests. Furthermore, these wilderness areas generally encompass only the higher elevations of these national forests and the area of land within these two wildernesses that are affected by this amendment amounts to approximately 9% of the 800,000 acres.

3. Goals, Objectives, and Outputs. Determine whether the change alters long-term relationships between the levels of goods and services projected by the forest plan. Consider whether an increase in one type of output would trigger an increase or decrease in another. Determine whether there is a demand for goods or services not discussed in the forest plan. In most cases, changes in outputs are not likely to be a significant change in the forest plan unless the change would forego the opportunity to achieve an output in later years.

These LRMP amendments do not alter the long-term relationships between the levels of goods and services projected by the forest plans. An increase in one type of output does not trigger an increase or decrease in another. The changes in outputs are not likely to be a significant change in the forest plan since the changes would not forego the opportunity to achieve an output in later years.

This decision is also consistent with the goals, objectives and outputs set forth in the Inyo and Sierra Forest Plans and the 2001 Wilderness Plan. These additional actions further the goals, objectives and outputs identified in the 2001 amendment and the forests' plans. In the Inyo National Forest's Forest Plan, for example, the Management Direction included in the Designated Wilderness Management Prescription (MP #1) calls for the limitation of "commercial wilderness activities under permit to those that meet public needs and cannot be provided elsewhere." Other Management Direction in this Management Prescription directs the forest to "limit party size and number of stock per party to a level that protects social and natural resource values" and to "redirect and restrict use where necessary to restore impaired wilderness." Commercial pack stock in the Ansel Adams and John Muir Wildernesses will be managed by a Destination Management regime that will provide more specific, updated, and consistent direction for these wildernesses.

4. Management Prescription. Determine whether the change in a management prescription is only for a specific situation or whether it would apply to future decisions throughout the planning area. Determine whether or not the change alters the desired future condition of the land and resources or the anticipated goods and services to be produced.

The changes in the management direction are only for a specific portion of the Forests, and will not apply to future decisions outside the planning area. The amendments do not alter the desired future condition of the land and resources or the anticipated goods and services to be produced.

Land and Resource Management Plan Amendments

Inyo National Forest Land and Resource Management Plan Non-Significant Amendment Number 10:

This amendment is for the Ansel Adams and John Muir Wildernesses only. The Trail Plan and Commercial Pack Stock Management direction contained in Alternative 2 – Modified of the Final Environmental Impact Statement (December 2005) supplements the management direction contained in the LRMP on pages 107 through 112 and the Monitoring Plan on page 257.

Sierra National Forest Land and Resource Management Plan Amendment Number 6:

This amendment is for the Ansel Adams and John Muir Wildernesses only. The Trail Plan and Commercial Pack Stock Management direction contained in Alternative 2 – Modified of the Final Environmental Impact Statement (December 2005) supplements the Standards and Guidelines contained in the Sierra LRMP on pages 4-30 through 4-31.

For both Forests, the following management direction found in the Ansel Adams, John Muir and Dinkey Lakes Wildernesses Plan (2001) is modified:

Page 11: Do not upgrade any trails from maintenance level 1 and 2 solely for the purpose of facilitating stock use. This direction will still apply to Dinkey Lakes Wilderness and will not apply to the Ansel Adams and John Muir Wildernesses.

Page 16: Prohibit wood burning stoves (including "Zip" stoves), charcoal fires, packed in firewood, or firepans within areas closed to wood campfires. This direction will still apply to Dinkey Lakes Wilderness and will not apply to the Ansel Adams and John Muir Wildernesses.

Page 21: Remove specific "Packer" quotas for Big Pine NF; Devils/Graveyard; Jackass/Norris; Walton trailheads. Commercial quotas will remain in place for outfitter guide activities.

Page 27: Identify maximum numbers of stock in the special use permit and condition by site specific needs and objectives. This direction will still apply to Dinkey Lakes Wilderness and will not apply to the Ansel Adams and John Muir Wildernesses.

Page 27: Review and adjust commercial packstock stock allocations every five years. This direction will still apply to Dinkey Lakes Wilderness and will not apply to the Ansel Adams and John Muir Wildernesses.

Page 28: Do not authorize commercial packstock on trails not recommended for stock. This direction will still apply to Dinkey Lakes Wilderness and will not apply to the Ansel Adams and John Muir Wildernesses.

Page 28: Service days will no longer be used in the Ansel Adams and John Muir Wildernesses for **"Packstock Supported"** and **"Day Rides."** Modify commercial allocation of service days as follows: Packstock Supported – 145. This is for the Dinkey Lakes Wilderness.

Also, The Trail Plan identified in Alternative 2 – Modified of the Final Environmental Impact Statement (2005) replaces Appendix C of the 2001 Wilderness Plan and the 1988 Inyo National Forest LRMP.

The geographic boundaries of the Recreation Categories are modified with this direction but not the desired conditions of the Recreation Categories.

Geographic boundaries of the elevational fire closure are modified in 8 locations with this direction.

Environmental Justice (Executive Order 12898)

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, requires that Federal agencies make achieving environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects of their programs, policies, and activities on minority populations and low-income populations. The issue of environmental justice is analyzed within the Socioeconomic section in Chapters 3 and 4 of the Final EIS.

A qualitative assessment of environmental justice considerations was conducted based on the information in the Final EIS described above. Our conclusion is that the risk of such disproportionate effects on minority or low-income populations from implementation of this decision would be very low.

Civil Rights

The Forest Service manual defines civil rights as "the legal rights of United States citizens to guaranteed equal protection under the law" (USDA Forest Service Manual 1730). Civil rights impact analysis for environmental or natural resource actions are a necessary part of the social impact analysis package in an environmental impact statement and are not a separate report (USDA FSH 1709.11).

The Forest Service is committed to equal treatment of all individuals and social groups in its management programs in providing services, opportunities, and jobs. Because no actual or projected violation of legal rights to equal protection under the law is foreseen for any individual or category of people, no civil rights impacts are reported in the FEIS.

How this Document Relates to Special Use Permit Issuance EIS

This decision on the *Trail and Commercial Pack Stock Management in the Ansel Adams and John Muir Wildernesses* project is being closely followed by a second planning effort, the *Commercial Pack Station and Outfitter/Guide Permit Issuance* project. The *Permit Issuance* project will analyze and disclose the environmental effects of reissuing permits to commercial pack stations and stock-supported outfitters and guides. It will not revisit the decisions made in this ROD for the Ansel Adams and John Muir Wildernesses. In addition, the *Permit Issuance* project will analyze and disclose the environmental effects of reissuing permits to commercial pack stations and stock-supported outfitters and guides which will include an analysis of commercial pack station operations in the front country (or non-wilderness) areas of the respective forests as well as the Golden Trout, South Sierra, Kaiser, and Dinkey Lakes Wildernesses. Unlike the Final EIS for the *Trail and Commercial Pack Stock* project which was completed as a joint effort involving both forests, each forest will issue its own Permit Issuance EIS and decision. Decisions to be made in the *Permit Issuance* project include whether to issue the permits for these operations with modified terms and conditions, or not to authorize the uses and require removal of all facilities from public land.

Implementation Plan

We are providing the following transition language and schedule for implementing the management direction in this ROD. Although the direction will become effective after publication of the Notice of Availability in the Federal Register, we are choosing to phase in this new direction. The main reason is that we will still be under injunctive relief for some elements of this direction. Where we find that new direction is necessary for wilderness protection and not in conflict with the court injunction, we are scheduling immediate implementation. It is important not to allow existing activities that have been identified to harm the environment to continue for several years after the direction is changed. Some items however, are complicated in the timing and implementation due to the time it takes to implement. When changing management direction for such a large area, it is not practical to implement everything at once. The transition period allows for an orderly adjustment that moves management of the wildernesses forward while minimizing costs and disruption.

Table 3: Transition Plan

Alternative 2 – Modified Decision Components	Timing for Implementation
Trail Plan	Immediately.
Trail suitability	2006 operating season.
Use trail authorizations*	2006 operating season. Since the use trail decisions are more refined than the annual decisions made through the Court injunction and the criteria established through Exhibit 2, there will be environmental benefits of implementing this as soon as possible.
Suitability determinations and closure of meadows	2006 operating season.

Alternative 2 – Modified Decision Components	Timing for Implementation
Stock night limits	2006 operating season.
Specific meadow grazing strategies	Work will begin in 2006 but not be fully implemented until 2009 due to the time and personnel required to complete this component.
Permanent transects	2007
Drift fences	2006
Designated stock camps	25% in 2006 and 50% in 2007 and 25% in 2008 due to time and personnel required and timing of implementation.
Campfires	Forest Orders by June 2006.
Baseline data collection	25% in 2006; 50% in 2007 and 25% in 2008 due to time and personnel required to complete this work.
Recreation category adjustments	2006
Replace service day and trailhead quotas with destination quotas*	2007 due to operating season and trip bookings already underway for 2006 season and court injunction specifying service days.
Party size, wilderness wide and site specific*	2007 operating season and end of court injunction.
Day ride control mechanism change*	2007 operating season and end of court injunction to be consistent with control mechanism changes for other services and concurrently with implementation of "stock at one time."
Stock numbers at one time in wilderness	2007 operating season and end of court injunction to be consistent with control mechanism changes for other services.

- *All or in part these components are currently controlled by the court injunction. The court injunction must be lifted before implementation. If court injunction does not end prior to the 2007 operating season, then implementation will be the 1st season after end of court injunction.*
- *All items are budget dependent,*

Appeal Rights

This decision is subject to appeal in accordance with the provisions of 36 CFR 217 by filing a written notice of appeal in duplicate within 45 days of the date of published legal notice of this decision, as provided in 36 CFR 217.5(b) and 36 CFR 217.8(a)(3). The appeal must be filed with the Reviewing Officer:

Bernie Weingardt, Regional Forester
USDA Forest Service
Pacific Southwest Region
1323 Club Drive
Vallejo, Ca. 94592

The notice of appeal must include sufficient narrative evidence and argument to show why this decision should be changed or reversed (36 CFR 217.9).

Decisions on site-specific projects are not made in this document. Decisions on proposed projects will not be made until completion of environmental analysis and documentation for the specific project, in compliance with the NEPA.

Contact Persons

If you would like more information on the Plan or the Final EIS, please contact the following officials:

Mary Beth Hennessy Inyo NF Project Manager 351 Pacu Lane Suite 200 Bishop Ca. 93514 (760) 873-2448	or:	Mike LeFevre Sierra NF Project Manager 1600 Tollhouse Road Clovis, CA 93612 (559) 855-5360

Signatures

/s/ Jeffrey E.Bailey_____11/10/2005		/s/Edward C. Cole_11/10/2005	
JEFFREY E. BAILEY Forest Supervisor, Inyo National Forest	Date	EDWARD C. COLE Forest Supervisor, Sierra National Forest	Date

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