

August 23, 2013

California R-RAC:

Please forward this upon receipt to the email address on record of each member of the California R-RAC. Please include this as part of the official record.

I am writing to request that the California R-RAC at this time reject the Sequoia National Forest's plan to convert the Lake Isabella HIRA (Standard Amenity Fee Area) to three individual Expanded Amenity Fee Areas. It would be reasonable for the California R-RAC to take this up at a later point in time after it has legitimately been presented to Kern River Valley residents. An R-RAC meeting in Lake Isabella – or at least somewhere within the 23rd Congressional District- would be preferable.

Currently, I am engaged in a lawsuit against the US Forest Service (Wiechers v. Moore). This suit includes the Sequoia National Forest's operation of the Lake Isabella Standard Amenity Fee Area. As I have stated to this committee many times in the past, the Lake Isabella Standard Amenity Area has been and continues to be in violation of the Federal Lands Recreation Enhancement Act. The proposal now before you –if approved- would continue to violate the law and more than likely bring about more litigation. I would hope that as committee members representing the public you would not assist the government bureaucracy in finding refuge in th a game of *Cat and Mouse*.

According to the US Forest Service, this fee change has been in the works for more than two years. However, it was not made public until the middle of last month when the Sequoia National Forest issued its press release on the proposal. There has been no public outreach and no public meetings. Most people here do not know about this proposal.

There are significant flaws with the fee area maps you are being asked to approve. It would be beneficial for this committee to come to the Kern River Valley, talk to residents and see exactly what it is you are deciding upon.

The US Forest Service has been less than truthful on Kern River Valley recreation matters in the past. This point was clearly made at the Mammoth Lakes meeting three years ago. In 2008 when the California R-RAC doubled (and made year round) the Lake Isabella Standard Amenity Fee, Forest Service officials assured you that that all requirements of the law -including the existence of picnic tables and interpretive signage- were being met. Looking at the chart on page 2 of The Lake Isabella Proposal one can see that the Old Isabella site has no picnic tables. The Old Isabella site has never had any picnic tables (none of the sites have ever had the required interpretive signage either), not today and not in 2008. The photo below is the area of Old Isabella where, under this proposal, campground fees will be collected. Enlarging the photo and looking carefully, the one seasonal porta-potty can be made out in the center right of the picture. During most of the year there is no porta-potty.



Old Isabella Proposed Expanded Amenity (Campground) Fee Area – June 19th, 2013 5:38pm
Seasonal Porta-potty



South Fork Proposed Expanded Amenity (Campground) Fee Area – June 19th, 2013 5:11pm
Seasonal Porta-potty



Auxiliary Dam Proposed Expanded Amenity (Campground) Fee Area – June 19th, 2013 5:50pm
View towards Old Isabella (upper right)



Old Isabella Proposed Expanded Amenity (Campground) Fee Area – April 27, 2013
(Standard Amenity Fee Area lacking legally mandated Garbage Service)

Each of the above four photos are northerly views taken –approximately- from the area of the identifying red dots on [page 2 of the US Forest Service’s Powerpoint Presentation](#).

Finally, below are some questions submitted on my behalf by Vince Fong of Kevin McCarthy’s Bakersfield office. I would like to request that the Forest Service’s response to these questions to be included as part of the public record and distributed via email to all committee members prior to the August 29th meeting.

Thanks,
Peter Wiechers
Kernville, California

RE: Sequoia National Forest Inquiry

FROM Fong, Vince TO You

[Hide Details](#)

From

- [Fong, Vince](#)
-

To

- [Peter Wiechers](#)

I’ll forward this over to the Forest Service...

vince

At the end of last week, the US Forest Service posted a [press release](#) regarding their decision to convert the Lake Isabella HIRA (Standard Amenity Fee Area) to three separate campgrounds (Expanded Amenity Fee Areas). I’m encouraged to see that after eight years (and the initiation of several lawsuits against their illegal “HIRAs”) officials of the federal government are at least making an attempt to comply with the law. However, there are several troubling aspects -with national implications- to what is now about to transpire locally:

1. The final decision on this is going to be made in two weeks (July 30, 2013) by the [Forest Service Recreation Resource Advisory Committee](#) (R-RAC). As of this afternoon Forest

Service officials are still not able to disclose where in California this meeting will be held.

2. [Federal law](#) allows for the use of passes for day use visitation (Standard Amenity Fee) but does not allow waived entry fees (pass holders or otherwise) for use of campgrounds (Expanded Amenity Fee). Under current law, there is no such thing as a federal campground pass. A question that needs to be answered is "Under what provision of federal law can the Sequoia National Forest unilaterally begin to issue an annual *campground* pass?" How will the prospect of invalid "Southern Sierra" and "America The Beautiful" passes will be handled?

3. The boundaries of the three individual campgrounds have been set; the Forest Service press release states that they have not been enforcing fee requirements outside of these new boundaries. However, signage at Auxiliary Dam, Old Isabella, and South Fork does not reflect this. In fact, at the entrance to the Old Isabella recreation site where the [Forest Service map](#) states there is no fee, "Recreation Fee Required" signs remain as they have for more than ten years.

4. Will people in self-contained motor homes, parked near the lake's edge still be required to pay the amenity fee (especially so during the eight months of the year when there is neither trash nor toilet service there?)

5. There are no stated provisions for the refund of illegally collected "HIRA" fees that have not just been collected in the past, but continue to be collected today. According to the Forest Service press release these changes are coming about as the result of an internal review of the Lake Isabella HIRA done in June of 2011. At the very least it would seem that local Chambers of Commerce, Kern River Valley Revitalization Committee, the two local newspapers and a couple others could have received some notice about this? Could there have been at least one local meeting for members of the general public to comment and ask questions? This process has been going on for more than two years. Now, two weeks before its finalization, its existence is being announced.