

Wilderness Report

A non-profit organization dedicated to protecting wilderness values

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Regional Forester
Objection Reviewing Officer
Pacific Northwest Region
USDA Forest Service
Portland, OR 97208-3623.

Regional Forester, Forest Supervisor and Reviewing Officer,

Allow me to first offer that I am disappointed that the process of submitting comments to USDA Forest Service has become so complicated and convoluted that to do so requires an understanding of policies, regulations and operating procedures that few members of the public possess. I am referring the cryptic instructions requiring that comments be in compliance with 36 CFR 218.8 (c). The general public—including myself—are most certainly unfamiliar with this regulation. Most will not search it out and many will be dissuaded from submitting comments because of it. Frankly, it leaves me concerned that my hours of work on this submission will be rejected for noncompliance with SB CFR 218.8 (c). The Forest Service can and should find ways to encourage—not discourage—the public's efforts to communicate with those entrusted with the care of our public lands.

Slow Down

The Forest Plan states that “Wilderness shall be made available for maximum public recreation use consistent with resource preservation and the maintenance of the wilderness environment.” However, the Decision document offers only a passing response to pleas that alternatives to this expensive, restrictive, and controlling limited-entry permit system be thoroughly explored before barriers to public access are implemented.

John Allen, Forest Supervisor on the Deschutes National Forest states, as quoted in the November 21, 2018 edition of the Sisters Nugget, “we really don't want to roll back and be more restrictive.” The Decision document states that, “Forest Service policy also directs us to take the minimum actions necessary to preserve and enhance wilderness character (FSM 2323.12).” The conflict between these two statements causes the reader to infer that the proposed action is NOT in compliance with the Forest Plan requiring minimum actions but is intentionally overly restrictive based on a preemptive management strategy.

Restrictions proposed in this action should be limited to areas suffering demonstrable crowding and resource damage. The Decision document concedes that much of the area subject to restriction has not been negatively impacted but is considered *likely* to be affected or have the *potential* to become affected in the future.

The Agency needs to slow things down! Most of the Wilderness landscape in question remains in good condition. There is no need to restrict public access so broadly across the landscape. The adaptive management process would work equally well if restrictions were implemented slowly, over time, only when clearly needed, and when shown—based on irrefutable, measurable data collected by independent sources—that they were indeed necessary.

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The Forest Service policy (FSM 2323.12) indicates that leadership is obligated to first try and exhaust all other options before burdening the public with an expensive, multi-forest, highly restrictive, limited-entry, permit system. In this case they have not done so. The implementation of this program should be deferred until this oversight is corrected.

As offered in my response to the EA for this project:

- No Alternative proposes the creation new education programs; perhaps one similar to that used in Denali National Park where backcountry travelers must watch high quality videos about low-impact wilderness travel, or perhaps on-line information about no-trace backcountry travel linked to a test that, when completed, allows a free, self-issuing permit, to be printed.
- No Alternative proposes offering regular wilderness training events on minimum impact camping that award participants bonus points toward free, self-issuing wilderness permits.
- No Alternative proposes evolving the role of Backcountry Rangers from patrol and police duties to that of Wilderness Ambassadors encouraging hikers to drop their pack for an hour or two and join in helping build a water bar, eliminate a fire ring, or brush a trail.
- No Alternative evaluates growing Forest Service administrative costs and corresponding reductions in field budgets against growing user impacts. In other words, despite years of deferred backcountry maintenance, there is no consideration of the fact that a reallocation of resources might solve the problem without implementation of a limited-entry permit system.
- No Alternative examines impacts associated with different user groups i.e., hikers, climbers, skiers, hunters, fisherpeople, equestrians, large groups vs small groups, commercial groups vs public groups. Such a study could allow the development of targeted education materials and the allocation of permits based on the impacts and resource damage associated with each user group.

Reveal Fees and Costs

The question of fees is highly germane to this proposal yet it is not addressed in in the EA and it is not addressed in the Decision document. Failure to disclose this information bars the public from understanding the scale and scope of this proposal and the impacts it will have on current and future wilderness users.

Fees are not the way to fund management of our public lands. Tying Wilderness management to a fee schedule offers every incentive for the Agency to devolve to a management approach that maximizes fee collection. The public is offered no assurance fee escalation will not soon lead to application fees, reservation fees, user fees, and expansion of the areas where fees are charged. Permit fees collected on Northwest rivers and revenues from the sale of the Northwest Forest Pass offer little assurance that there will be transparency in how user fees are calculated, collected, and used.

Exactly how the Agency intends to fund this permit system is integral to the proposal. Why is this information not revealed to the public? Why is the scope of potential fees not discussed? Why is there no consideration the fact that monetary considerations may well be a factor that limits access for low-income populations. Failure to share this information, and fully consider the impact of fees on the public, is a significant and glaring flaw in the EA process. Information related to the assessment, collection and use of fees associated with this permit system is integral to a fair and through review of the proposed action. Until the public has a chance to review this

action—in context with a full disclosure of how it will be funded—implementation of this program should be deferred.

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As offered in my response to the EA for this project:

- The failure to reveal budget and fee information comes across as intentional and manipulative. The permit system on Idaho's Middle Fork of the Salmon generates tens of thousands of dollars in application fees alone—the public pays tens of thousands of dollars every year to enter a lottery most never win. Is that going to happen here? Is the generation of revenue the driving force behind this proposal? We just don't know.
- Being asked to comment on a permit system without knowing much it will cost and how it will work is rather like being asked to buy a house without going inside. I was told that the agency expects permit fees to not only support the permit system but trail crews, wilderness rangers and desk time for office staff. Based on traditional norms, permit fees will also be increased to support a percentage of payroll costs for everyone that remotely touches a wilderness program from the District Ranger to the Forest Supervisor.
- How much will it all cost? Is a day hike going to cost five, ten or twenty dollars? We just don't know because this information has not been shared with the public.

Consider Resource Impacts

The Decision document recognizes the significant impact horses have on the wilderness resource. However, the document fails to consider suggestions that the very significant impacts of wilderness stock use be mitigated by calculating party size based on the number of people *and* animals in a party—the number of beating hearts concept. I suggest this should go one step further and that party size should be calculated based on total number of *feet on the ground*—this approach would best recognize, and mitigate, the significant impact of horses and other domestic animals on the wilderness resource. The Decision document fails to consider this point as well as the points noted below. Until these points are addressed implementation of this program should be deferred.

As offered in my response to the EA for this project:

- Wilderness values are not compatible with a maximum party size of twelve individuals. Large groups disturb solitude, have disproportionate impacts on campsites and are difficult for other parties to pass on the trail. Maximum party size should be reduced to no more than eight individuals.
- The EA stresses wilderness values and user impacts but fails to address the thorny issue of equestrian impacts. Every hiker and equestrian knows horses are hard on the trails and environment. A party of 12 horses and 12 people is too big a group for wilderness travel. Wilderness managers in other areas use the concept *beating hearts* to determine maximum party size
- A critical flaw in this plan is the failure of the Agency to examine the impacts stemming from years of deferred maintenance on wilderness trail systems. A study focused on categorizing

impacts might well show that resource damage related to *deferred* trail maintenance is the single greatest resource issue. If true, the source of the problem becomes one of resource allocation not visitor overuse.

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Support Planned Actions with Data

The science used to determine carrying capacity and set trailhead quotas is not readily available in EA documentation. However, it is inferred that professional judgement played a significant if not primary roll. Quantitative data supporting carrying capacity and trailhead quotas appears non-existent—a situation that should be resolved *before* implementing such a landscape-wide, highly restrictive, limited-entry permit system.

As offered in my response to the EA for this project:

- Plan documents indicate nine criteria were used for setting quotas e.g., parking lot size, historic use patterns, 2016 use levels, and professional judgement. However, criteria measuring damage from overuse is *not* included as one of the nine criteria. Failure to clearly demonstrate significant, quantitative, landscape-wide, user-impacts calls into question the need for a limited-entry permit system.

Walk the Talk

The SA and the Decision document make repeated references to protecting wilderness values and the public's wilderness experience. However, current wilderness management demonstrates bothersome inconsistencies—some noted below—that must be addressed in order to offer the public a coherent, consistent and reasonable plan.

Additionally, the Forest Service, known for promoting a pack-it-in, pack-it-out policy, should make it a priority to pack out the remains of historic agency wilderness operations like the cables remaining after removal of a past lookout on top of Black Crater. Resolution of this and similar issues—some noted below—would ensure the public understands the Agency is focused on protecting the wilderness resource not simply on restricting use and generating fee revenue.

As offered in my response to the EA for this project:

- The EA emphasizes the need to protect the visitor's wilderness experience and comply with the Wilderness Act. Then, it references plans to use helicopters to manipulate ecosystems in the Mount Washington Wilderness and continued use of helicopters to artificially alter the ecosystems of backcountry lakes. Such use of mechanization and manipulation of wilderness ecosystems is not in keeping with the spirit and intent of the Wilderness Act.
- Allowing the continued stocking of wilderness lakes with non-native fish artificially alters natural ecosystems and is in conflict with the intent of the Wilderness Act should not be permitted.
- The plan purports to address issues related to overuse and crowding yet the proposal includes decommissioning 15.8 miles of trail? Decommissioning trails that cost \$20,000 a mile or more

to build is counterproductive when overuse is driving creation of a fee-based limited-entry system.

- Wilderness values are not compatible with a maximum party size of twelve individuals. Large groups disturb solitude, have disproportionate impacts on campsites and are difficult for other parties to pass on the trail. Maximum party size should be reduced to no more than eight individuals.

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- The EA stresses wilderness values and user impacts but fails to address the thorny issue of equestrian impacts. Every hiker and equestrian knows horses are hard on the trails and environment. A party of 12 horses and 12 people is too big a group for wilderness travel. Wilderness managers in other areas use the concept *beating hearts* to determine maximum party size.

Incorporate Variably

Implementation of a limited-entry permit program does not mandate that every day has to look like every other day. Allowing peaks and valleys in use would not invalidate the plan or prevent attainment of objectives. Allowing relaxation of daily use restrictions over a specific time, say over the Fourth of July weekend, would offer increased opportunities to those who find that decreased solitude—a very subjective measure—did not interfere with their wilderness experience. Any measurement of wilderness values is subjective and this plan should recognize that by allowing users a range of opportunities in which to experience wilderness.

Shorten the Permit Period

Very much similar to the idea of incorporating variability in this action, the end of the permit period should be changed from September 30th to the day after Labor Day. Allowing unrestricted use during this limited time would not cause unalterable damage to the resource but would allow users, unable to access the resures during the summer, an alternative option. Planned implementation of significant use restrictions during the majority of the annual use period would allow the Agency to achieve management objectives while offering a responsible compromise to the user public.

Equality

All user groups should be treated the same. Whether a hiker, hunter, horsemen, climber, bird watcher, photographer, fisherperson or anything else; everyone should have equal opportunities to access our public lands. No one user group should be granted preferential access to public lands.


Slow it Down

I urge the Agency to defer implementation of this highly restrictive limited-entry permit system until the collection of more adequate, detailed and non-biased data is available to support this action. Further, restrictions on public access to public lands should be limited to areas that clearly demonstrate crowding and resource damage.

Sincerely,

Art Pope

Arthur Pope



Director
Wilderness Report