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**PROTECTING
NATURAL
RESOURCES**

April 20, 2018

Sent to:
comments-pacificsouthwest-sequoia@fs.fed.us

Trisha Maki
Kern River Ranger District
P.O. Box 9
Kernville, CA 93238

cc: Ara Marderosian
Al Watson, Ann Carlson
Steve Montgomery
Joe Fontaine

Subject: Cannell Meadow Bypass Trail Scoping Comments for Sequoia ForestKeeper & Kern-Kaweah Chapter of the Sierra Club

Sequoia ForestKeeper (SFK) and the Kern-Kaweah Chapter of the Sierra Club (the Club) thank you for the opportunity to comment.

We strongly object to the project, which we think is unnecessary and would cause resource damage.

Project Description

The Forest Service solicited and received \$11,075 from the State of California to construct a new motorcycle trail (subject to matching funds or volunteer labor), which would essentially parallel the Cannell Meadow National Scenic Trail and Forest Service Roads 24S12 and 22S12 from Pine Flat to the northern end of Big Meadow on the Kern Plateau for 10.5 miles.

The trail is being justified because (1) from Pine Flat north to Big Meadow the Cannell Meadow Trail is not open to off-road motorized vehicles, but to non-motorized users only, and (2) currently, vehicles that wish to continue north from Pine Flat must travel on Forest Roads 22S12 (Cherry Hill Road) and 24S12 (Cannell Road), but only street-legal dual-sport motorcycles are permitted on these roads.

Instead of permitting non-street-legal dual sport motorcycles on all segments of these roads, the proposal constructs a new parallel trail and only changes the designation to Motorized Mixed Use on two short road segments along the route on 22S12 (near Big Meadow at T23S, R34E, Section 32) for 0.5 mile and on road 24S12 (near Pine Flat at T24S, R 34E, Sections 30-31) for 0.63 mile.

Finally, two segments totaling 0.69 miles of the existing non-motorized Cannell Meadow Trail are proposed to be converted to shared use (motorized and non-motorized).

Significantly, the proposal would cut a new trail segment away from both roads for 0.5 miles along the western side of Long Meadow, an area that currently is not disturbed by roads or trail segments.

Comments

1. Consider changing the designations of the entire lengths of 22S12 and 24S12 roads to Motorized Mixed Use to obviate the need for new trail construction

This new trail proposal would be unnecessary if the Forest Service were to open both roads to non-street-legal motorized vehicles. Clearly the Forest Service has the authority to do this since it proposes to use its authority to change the designation to Motorized Mixed Use on two short road segments along the route. Instead of creating a new track for 10.5 miles, sometimes along streams, simply opening up the roads to these vehicles will prevent new erosion hazards that could potentially harm aquatic and wildlife species that depend on unfragmented habitat.

Moreover, the proposed new trail crosses the road at least 8 additional times where non-street-legal motorized vehicles would need to have authorization to use the roads, so the Forest Service likely must use its authorities for the entire segments of road anyway, or those vehicles could not legally cross the roads.

For those reasons, we urge the Forest Service to reconsider this proposal.

2. Relocate the proposed trail away from the Western side of Long Meadow

In addition to the potential extraordinary circumstances based on concerns over goshawks and potential significant archeological resources discussed below, it makes no sense to create the proposed short-cut on the western side of Long Meadow when a route along the road could take users to the same place. At most it would add another 0.5 miles to the distance of the trail. We urge you to relocate the 0.5 mile proposed trail segment from the western side of Long Meadow to a location along 24S12 and 22S12, just like the other trail segments in the remaining proposal.

3. Extraordinary Circumstances

- a. Potential for Significant Archeological Site on Long Meadow and Trail Route

On September 4, 2013, Sequoia ForestKeeper's Ara Marderosian and Dr. Michael Conner of Western Watersheds Project visited Taylor and Long Meadow on the Kern Plateau and found an obsidian arrowhead (length about 35mm, *see* Figure below) at the southern end of Long Meadow, as well as a few scattered flakes, about 150 feet to the east of the stream from where the stream exits Long Meadow and flows under the road through a culvert.

This and other findings indicate that there may be significant cultural resources around Long Meadow and specifically where the new trail is being proposed. Moreover, given the location of the trail along its entire course, cutting a new trail could disturb other cultural or archeological resources found along stream banks or valley bottoms.

For those reasons, the Forest Service should prepare an EA and consider alternatives to its proposed actions to mitigate potentially significant effects to these resources.



Obsidian Arrowhead, Long Meadow, September 4, 2013
(GPS location available to the Forest Service upon request;
exact location not disclosed in public comments to protect resource)



It is likely that there are significant archeological resources, like this arrowhead, on the periphery of Long Meadow. A new trail on the west side of Long Meadow may have profound harmful impacts to archeological resources and cultural sites. The NEPA analysis should explain how much of the project area has been surveyed for cultural resources, review the existing inventory of cultural resources, and analyze the effects of various alternative locations for a trail on these resources. It should identify specific modifications to the trail design that will avoid and protect any irreplaceable resources, and provide specific monitoring protocols and time-tables.

The importance or significance of pre-historic, historic, or archeological resources on the Kern Plateau cannot be overstated. The Forest Service has known about the potential for significant cultural resources in this area, also known as “Bartolas Country” since several archeologists provided it with a report in 1987:

It has become of great concern to the seasonal archaeologists of Cannell Meadow Ranger District that the cultural constituent on the district is being inadequately protected. The area of concern for the authors of the enclosed paper is known as Bartolas Country.... Given the relatively small area that is Bartolas Country it is felt that the area as defined may contain greater archaeological wealth than most of California's Forest Service lands. In conjunction with two timber sales, Bartolas Country was intensively surveyed during the summer and fall of 1987. These surveys revealed what appears to be a long and rich past of human habitation. Past logging and road construction, fire fighting and unmonitored public intrusions have caused damage to much of the area. Though less than pristine, the area still maintains much of its original integrity. We are of the opinion that further research into greater protection of Bartolas Country is necessary.

Bartolas Country – An Archeological Overview, Introduction Letter (October 1987) (Attachment A, hereto). The authors of the report conclude:

Given the scientific and cultural wealth of information that exists within Bartolas Country, the Cannell Meadow Ranger District is fortunate to provide the stewardship for such an invaluable resource. To cause further damage to this local could only lend itself to embarrassment and a loss of credibility among professionals, special interest groups, and the American public. The authors of this paper, having spent a total of fifteen individual months in Bartolas Country, concur that the area is a show case that could shed light on an ever growing list of questions about humanities' past. Logging, road construction, fire fighting, and unmonitored public intrusions into the area have wreaked havoc to a resource that once altered can never be regained.

Id., p. 10.

The potential impacts on cultural or archeological resources could be significant and presents an extraordinary circumstance. At the very least, the Forest Service must conduct a detailed inventory and survey of cultural and archeological resources along the trail route before it allows any ground-disturbing activities.

b. Northern Goshawk Nest and Territory on Long Meadow

The northern goshawk is a Forest Service listed sensitive species with a nest site near the northern end of Long Meadow. We can provide the Forest Service with a detailed location of the goshawk nest upon request, but would prefer not to disclose the exact location in public comments to protect the nest site.

Also, according to eBird, Jim Tietz recorded a Northern Goshawk within 4km of 35.807097,-118.319635 on Jul 24, 2013, and Alison Sheehey recorded a Northern Goshawk at approximately 35.8886621,-118.3682281 on Jul 07, 2004.

The proposed new trail section would run very close to the goshawk nest site and could have potentially significant adverse effect on the goshawks' occupancy and the goshawk's continued use of its territory.

For those reasons, the Forest Service should prepare an EA and consider alternatives to its proposed actions to mitigate potentially significant effects to the goshawk, such as relocating the proposed trail route an appropriate distance from the goshawks' nest and territory.

4. Rare and Sensitive Plants and Necessity of Surveys Throughout the Season

The scoping notice does not mention whether surveys for rare or sensitive plants have been conducted along the proposed trail route. There may be sensitive plant species along the new trail section proposed for construction, which would require prior, multiple surveys over different portions of the growing season of those plants according to protocols to verify the presence or absence of these rare or sensitive plants, including Special Status Native Plant Populations and Sensitive Natural Communities.

Here is the link to an update to California Department of Fish and Wildlife's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, last updated in 2009.

<http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959>

The California Native Plant Society has documented occurrences of the following special status species:

1B.2 Calyptridium pygmacum

https://calphotos.berkeley.edu/cgi/img_query?enlarge=0000+0000+0612+0849

1B.3 Cryptantha incana

https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd486611.html

1B.3 Dienandra mohavensis

http://www.calflora.org/cgi-bin/species_query.cgi?where-taxon=Deinandra+mohavensis

1B.2 Nemacladus twisselmannii

https://calphotos.berkeley.edu/cgi/img_query?enlarge=0000+0000+0412+2957

and a grass

2B.3 Agrestis humilis

http://www.calflora.org/cgi-bin/species_query.cgi?where-taxon=Agrostis+humilis

It should be noted that *Cryptantha incana* is listed as a Species of Conservation Concern by the Forest Service for the Inyo National Forest, but it may also occur on the Kern Plateau.

Moreover, a CalFlora.org search reveals Twisselmann's Nemacladus - [*Nemacladus twisselmannii*](#) is found in only 2-3 populations in the entire world. This rare plant with no status has been found within 1,000 feet of the project and grows on decomposed granite, the majority of the substrate for the new trail.

5. Do not Re-designate the Cannell Meadow Trail to allow Shared Use with Motorized Users; Instead Keep Motorized and Non-motorized Users Separate

We strongly object to the conversion or re-designation of the non-motorized Cannell Meadow Trail along two segments totaling 0.69 miles. The loss of a non-motorized trail without a replacement is essentially irreversible and significant. Moreover, shared use creates conflicts, and that is always a bad idea. The Forest Service should make efforts to separate motorized and non-motorized users to avoid these conflicts.

Instead, the Forest Service should maintain the current non-motorized trail to Salmon Creek and allow motorized user to use road in that section of 22S12. Moreover allowing the use of the road here will mitigate impacts to Salmon Creek, since building a new trail where proposed would require a new trail crossing through the creek, whereas the road already crosses the creek, likely with a bridge or culvert.

The short segment in the north should also be avoided, since it traverses the camping area, and there is no reason why the motorized users can't use the short section of road that parallels the proposed trail location.

For Sequoia ForestKeeper and the Kern-Kaweah Chapter of the Sierra Club,

A handwritten signature in blue ink, appearing to read 'René Voss', with a stylized flourish at the end.

René Voss – Attorney at Law