

**Yosemite National Park**

National Park Service  
U.S. Department of the Interior



**2010 ORV Public Comments**



**Merced Wild and Scenic River Comprehensive Management Plan**

**Correspondence ID:** 1    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Presidio Trust Unaffiliated Individual  
**Received:** Aug.06,2008 15:33:37  
**Correspondence Type:** Web Form  
**Correspondence:** This is not a public comment. Please delete. Thanks.

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**Correspondence ID:** 2    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Unaffiliated Individual  
**Received:** Oct.15,2008 00:47:57  
**Correspondence Type:** Web Form  
**Correspondence:** To a general reader, as well as to a reader with more specialized background like myself, I think the draft statements meet the ORV requirements, and do a good job of capturing the values that qualify the Merced for Wild & Scenic River status. The mandate for this process - as well as the over-arching mandate for the National Park Service - is so broad, that a report such as this will invariably be extremely general. It will only be in the specific application of these statements to planning that concrete issues will emerge. When, through the planning process, values begin to be weighted, to be sure the environmental protection values will need to be assigned great weight. However, there will need to be careful consideration of how traditional uses of this river corridor enhance and broaden public participation in and understanding of protection of this extraordinary environment.

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**Correspondence ID:** 3    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Unaffiliated Individual  
**Received:** Jun,24,2010 14:19:52  
**Correspondence Type:** Web Form  
**Correspondence:** One of the most beautiful, easily accessible sections of the Merced is the gorge between El Portal and the picnic area on route 140 at the entrance to Yosemite Valley. A trail on this section of the river that is close enough to the river to enjoy all the cascades would be wonderful.

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**Correspondence ID:** 4    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** The Access Fund Unaffiliated Individual  
**Received:** Jul,07,2010 15:31:04  
**Correspondence Type:** Web Form  
**Correspondence:** July 8, 2010

THE ACCESS FUND

ADDENDUM TO SCOPING COMMENTS ON THE MERCED WILD AND SCENIC RIVER PLAN

Dear Yosemite Planning Team:

This is an addendum to the scoping comments submitted by the Access Fund on February 3, 2010 regarding the Merced Wild and Scenic River Plan. In our comments at pages 7 and 11, we call on the Park Service to reduce noise impacts in Yosemite Valley from motorcycles, garbage trucks, RV generators, and other visitor-related sources.

The Draft 2010 Outstandingly Remarkable Values (ORV) Report identifies appreciation of the spectacular scenery of the river corridor as one of the ORVs. Protecting and enhancing the ability of park visitors to appreciate this scenery will require the park to manage more than just the visual environment, however. The park will also have to manage noise, especially in Yosemite Valley. The reason is explained in a podcast on the Yosemite website dated July 9, 2008 in which Ranger Roney interviews Dr. Karl Fristrup, Senior Acoustic Specialist with the NPS in Fort Collins, Colorado. In the podcast, Dr. Fristrup states:

The quality of [the] visitor experience will be heavily dependent upon noise and the natural sounds, just as the quality of a cinematic experience is heavily dependent on the quality of the sound track. . . . The most beautiful scenes will lose their power and their sort of potency to evoke awe and wonder and contemplation if you imbed them in a noisy environment. And we know this. There are actually good studies that show that ratings of scenic quality go down in noisier environments. So that a completely

different mode of sensing can nonetheless impact people's impression of visual resource quality. . . . That's been pretty well documented not only in place at overlooks and other places where people frequently admire scenes but also if you just take photographs and record sound, actual sounds and you go back to a cinder block room somewhere and conduct experiments with volunteers, their ratings of the quality of the photographs is directly dependent on the quality of the sound environment that you present to them.

Transcript of podcast at pp. 11-13.

This theme is developed further in the Winter 2009-2010 issue of Park Science Magazine, which is dedicated to the study of park soundscapes. As stated in the introduction to this issue, "Anthropogenic [human-caused] noise exposure can also significantly detract from the experience of visiting a national park. For example, significant decreases in scenic evaluations have been reported in association with the presence of anthropogenic sounds (Benfield et al. 2009, 2010)."

Other articles explain how noise negatively impacts park visitors. One author reports that "[t]here is no apparent relationship between the loudness of sounds and their ranking on an annoyance-pleasantness scale. The three most common annoying noise sources were rowdy people, music, and motorcycles. Mountaineers exhibited a broader range of annoyance-pleasantness ratings than campers, with much higher annoyance ratings for some sounds Kariel (1990)." Researchers have also discovered that "noise is more disturbing (i.e. has a detrimental impact on performance and enjoyment and is rated as irritating) if it is loud, occurs in bursts at irregular intervals (i.e. is unpredictable), and is perceived as not being under the control of the listener. Moreover, annoyance over noise is higher if it interferes with tasks (such as listening for natural sounds), if the perpetrator is perceived as unconcerned about the welfare of the listener, and if it is perceived as unnecessary (Bell et al. 2001)."

Karl Fristrup (quoted above) has stated that "noise is a pervasive pollutant in the National Park System (Fristrup et al. 2009)." The reason is explained in the final article, in which the authors state: "The expansion of aircraft flight-seeing, snowmobile use, and motorcycle touring are examples of technologic advancements that now commonly impact national park soundscapes (citations). To adequately manage these impacts, the National Park Service (NPS) must see them as part of an evolution toward a noisier society rather than as isolated, situation-specific events. The natural soundscape also needs to be perceived across society as an elemental and foundational feature of a protected area. . . . The National Park Service has the opportunity for true national leadership on this issue" (Freimund and Nicholas, 2009) (emphasis added).

The climbing environment may be the single most noise-impacted visitor environment in the park, and noise impacts climbers in unique ways. Many popular climbing routes are close to and above roadways, where noise can easily propagate with little attenuation from surface features, and where noise is repeatedly reflected by rock surfaces. Even remote alpine climbing destinations can be impacted by noise because of their high and exposed locations and the ease with which noise passes through the thin alpine air. Road noise doesn't just interfere with climbers' appreciation of the natural environment. It can diminish climber safety by interfering with communications between climbing partners at either end of a rope, and by masking the sound of hazards such as thunder, rockfall and avalanches. In addition, climbers tend to stay in the park for relatively long periods and to return frequently on weekends to park campgrounds, where noise management is poor and noise conflicts are common. As a consequence, climbers have a strong interest in management of the park's natural soundscapes. We believe the time has come for the National Park Service to step up to its rightful role as the world's leader in the management of park environments and to use the opportunity presented by the Merced River Plan to institute a comprehensive program for the protection and enhancement of the park's soundscapes, its spectacular scenery, and its unparalleled climbing resources through the control of unnecessary and unacceptable noise.

Paul Minault The Access Fund Regional Coordinator For Northern California

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<b>Correspondence ID:</b>	5	<b>Project:</b>	18982	<b>Document:</b>	22564
<b>Project Name:</b>	Merced Wild and Scenic River Comprehensive Management Plan				
<b>Outside Organization:</b>	Unaffiliated Individual				
<b>Received:</b>	Jul,14,2010 16:54:49				
<b>Correspondence Type:</b>	Web Form				
<b>Correspondence:</b>	I attended the meeting in Yosemite Valley on June 30, 2010. I was sorry that I had to leave before having a chance to comment at the meeting. I had a question as well as a comment and would have been interested in the response.				

The main discussion at the meeting, generated by the audience, was about camping and some members of the public's disappointment and anger at campsites not being replaced along the river after the 1997 flood.

I agreed with the speaker, who said that more camping is needed. The only "lodging" affordable to so many visitors to the Valley is a campsite now that Curry tent cabins start at \$93/night and Housekeeping at \$90/night. Because the Park Service has allowed other lodging to become so expensive, I believe that they have an obligation to provide an alternative for moderate and lower income visitors so all areas of the Park are truly available to all.

On the other hand, I value the ecology of the Merced River. Our family has long been a camping family, camping along the river in Yosemite. There is no doubt we added to the degradation of the riparian habitat. I have walked through the area that used to be Upper and Lower River Campgrounds in the last few years. It is beautiful. It is good to see how nature is taking the areas back. It adds to the experience of the river and is very different from the riparian areas down around the meadows near the Visitor Center and Lodge. It offers the visitor one more area to experience and to spread out, thinning the crowding during the summer. If access to the area is properly provided (with restrictions in sensitive areas) it offers visitors access to another, different experience. Having been involved in the Merced River Alliance project and living on the lower Merced River in Snelling, I have learned how important riparian vegetation is to stabilizing the river bank and preventing increased sedimentation, providing shade for organisms, and filtering runoff. Though I have no expertise, I feel strongly that camping should not be returned to these areas. They seem to be critical to the overall health of the River.

So, my question is...Is there anywhere else in the Valley that could be converted to camping without destroying equally important environmental values? Camping outside the Valley DOES NOT provide the same experience and the inequity that in-Valley lodging pricing has created does not seem fair to many of the people who travel a distance and want to stay. If there are not other suitable areas and you feel that camping is an important value, is there a way to put back a limited number of sites farther from the river? If so, I feel that access to the river from the sites should be controlled. Destruction of vegetation should be prevented by using boardwalks and other restrictive techniques.

Thank you for considering my comments.

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**Correspondence ID:** 6      **Project:** 18982      **Document:** 22564  
**Project Name:** Merced Wild and Scenic River Comprehensive Management Plan  
**Outside Organization:** The Wilderness Society Unaffiliated Individual  
**Received:** Jul,22,2010 13:16:22  
**Correspondence Type:** Web Form  
**Correspondence:** Yosemite National Park Superintendent:

The Draft 2010 Outstandingly Remarkable Values Report for the Merced Wild and Scenic River removed the requirement to protect at-risk wildlife and/or plant species. Plant and wildlife species are directly tied to scenic and recreational values and we believe that the 2010 ORV Report should include Biological as an Outstandingly Remarkable Value, rather than simply assuming that Meadow/Riparian Complexes will provide species-specific protection. We also recommend that the 2010 ORV Report clearly delineate which Biological value is important for each segment: Biological Wildlife or Biological Plants or Biological Wildlife/Plants.

Additionally, we are concerned that the 2010 ORV Report neglected to include Biological Resources as an Outstandingly Remarkable Value for certain segments of the river, thus removing necessary protection for at-risk plants and animals. To remedy this situation, please include Biological Resources in the following segments: El Portal segment, the Merced Gorge segment, the Yosemite Valley segment, the Merced River Wilderness Above Nevada Falls segment, the South Fork Wilderness Above Wawona segment, and the South Fork Merced Below Wawona segment.

I appreciate your consideration of my request.

Sincerely,

Stan Van Velsor Policy Associate The Wilderness Society 415-398-1111

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**Correspondence ID:** 7      **Project:** 18982      **Document:** 22564  
**Project Name:** Merced Wild and Scenic River Comprehensive Management Plan  
**Outside Organization:** Yosemite Valley Campers Coalition Unaffiliated Individual  
**Received:** Jul,22,2010 15:05:28  
**Correspondence Type:** Web Form  
**Correspondence:** I wish to write and comment on your current project, as it relates to the ORVs associated with Yosemite Valley. Your questions and my responses as follows: 1) Do you know of any specific knowledge of locations with river-related or river-dependent features or resources that are not addressed by the NPS ORV report? 2) Do you have any knowledge or observations regarding the conditions of river features and values that should be addressed? 3) How should the NPS protect and enhance river resources and values? I will attempt to answer all three (3) questions in one (1) comment, as follows: Answer: I do not see where you mention a value on riverside, or near river drive-in camping in Yosemite Valley, which is an important Outstanding Remarkable Value not to be taken lightly. River edge damage is something that could be mitigated, as I will attempt out outline below. I understand the need to protect the river and feel that the 1980 General Management Plan put into effect measures that would have curtailed those impacts to some degree along the Merced River, specific to campsite setbacks. The reduction of overall campsites in that plan would enabled a more natural camping experience, but more importantly provide less human impacts in these areas that are used

for camping. The Merced River is an important component to the Yosemite Valley camping experience, as is access to the river. But, by eliminating flood damaged campsites and campgrounds, i.e. the lower half of Lower Pines, Upper River, Lower River and the Group Campground in Yosemite Valley, the YNPS has overstepped their bounds, breaching otherwise hard won trust that was formerly built between the public and The Park over many years of debate and communication on camping related matters. The public had participated in planning for many years, I became in the mid 1970s, all of which brought about the 1980 General Management Plan (the GMP). But, over subsequent years the public got burned-out submitting comment after comment on always new plans, seemingly to the National Park Service's deaf ears. In '97, after the flood, the Park accepted funds to repair the flood damaged campgrounds. By taking the money, the Park implicitly represented that they would repair them to their former campground conditions. However, as of yet have not done so. When former Park managers, in a congressional hearing in Washington D.C. claimed that they restored the campgrounds to nature, as if this were the original intent, not only lied, but defied the public's trust. The YNPS recognizes now, thanks to recent litigation, that the changes made during that entire era, which can be attributed to the former Merced River and/or Yosemite Valley Plan, are nullified, as those plans have been officially rescinded. For this reason, it is important that the YNPS not view the campgrounds flooded in 1997 as permanently closed, as they were only closed simply because their flood damage, a condition that should have been repaired, but was not. The original intent of the funds given to the Park in 1997 was to repair them to campgrounds, and it should be agreed that this work needs to be started, as no plan in place ever authorized these campgrounds to remain unclosed. If you check with Mr. Radanovich, Congressman for the area, a man who headed that meeting in Washington D.C. I am sure he will agree that the Park was at that time authorized to repair the flood damage with money given to the Park for that purpose, and that this work needs to move forward post haste, as there is no authority to continue to allow them to stay damaged. As these campgrounds remain damaged, former Park managers suggested that perhaps as a part of the planning process the public would consider other campground plans that had been submitted to the public for consideration. All of those plans have since been rescinded, as the court ordered a new Merced River Plan, which would include a User/Carrying Capacity component to the plan, which would then enable Park Planners to use whatever user capacity limits may come from that planning process to ensure that human impacts are reduced to a manageable level in advance of further damage to the Park. These plans and considerations need to be done WITH the flood damaged campgrounds repaired to campgrounds, as a necessary part of the final equation. The new User/Carrying Capacity method of management will be unlike the V.E.R.P. method of planning, which allowed any future Park Management to decide what levels of impacts are acceptable to them in the future, at varying points in the future, as public perspectives of congestion and crowding are likely to change over time to accommodate too many people. Yosemite is already at risk, and any more day use visitation on busy weekends would be unacceptable. Overall mindsets generally do change to match crowding in populated places outside of the Park, and Yosemite National Park should not be affected by increases of population outside of the Park, and/or public opinion of such crowding. The public will likely become more and more accustomed to crowding as time goes on, and there needs to be a limit set now that will protect the Park from those impacts, in advance of them. The VERP plan would have allowed each subsequent generation to accommodate whatever level of impacts might come from an ever growing population of visitors to the Park, in a reactive way finding ways to mitigate or manage those impacts, which is why the court didn't like it. It is important that the decisions made during this planning process be considered long term, and that whatever comes of this planning process, it should not be something that future managers of the Park can manipulate, for the reasons mentioned above. Because, this planning process should protect Yosemite and be the blueprint for other such plans in other Parks, as time goes on. So, it's important to get it right now. The GMP was not a perfect plan, but I believe if you look at the campground portion of that plan, you will see that much input was sought and received during that era from campers. Campers are very much interested in protecting the Merced River, but are also interested in maintaining some usages of it that the Park has currently closed down, such as rafting with personal water craft. I would also like to emphasize the connection of camping and the river, as people like camping near rivers. This is something that was mitigated in the GMP, and should be adhered to in future plans. There is the common concern, regarding camping, as if restoring a river and camping do not go together. This is wrong. It is true that children and/or rafters may get hurt if the Park decides to leave what they call "stringers" in the river. It is my belief that stringers, which are fallen trees and debris are absolutely necessary for the restoration of the Merced River. The Park must leave these stringers in the river, except where they may cause obvious harm in perhaps special circumstances, in which case some of them may need to be modified as to their placement in the river, or they may have to be removed entirely, but this should not be a normal scenario. The goal should be to allow them to remain, so that they can slow the flow of the river naturally. Stringers attract dirt and other logs, as well as other natural debris, which eventually cause dirt to accumulate there, which allows plants to grow there, such as River Willows and Alder bushes, enabling the river to restore itself. River restoration efforts generally come with some human manipulation in this area to help kick-start such reparation, and I think it would be a good management decision to do so, but, not to the extent that you restrict people from using the river or the riverbank. To reduce impacts to the river and riverbanks, you simply need to adhere to the GMP, and then reduce the number of day-trippers allowed in the Valley to a manageable level. By forcing limitations on campgrounds and other fixed accommodations in the Valley, but doing nothing to restrict day tripping and tour bus business in the Park, you can never manage the entire scope of your responsibility in impacts to the Wild and Scenic Merced River. I feel it is critical to the success of these projects to pick a number of allowable day trips, be it by car or bus, and do all within your power to manage the gates in such a way as to not allow more than that number of people into the park on any given day. Otherwise, without management of a restrictive user/carrying capacity, all other management goals mentioned here are pointless, if you are not willing to restrict day use. There should be warning signs along the river as to the hazards of these so called "stringers", and warnings of the possibility of personal harm in this, and any designated "wild river". But, people should be allowed to make their own decisions as to what kind of harm they should be allowed to put themselves in, or allow their children to swim or float in. Those risks are not unlike the risks that you allow when people want to climb rocks. Each year people fall from rocks and are harmed, and each year some people drown in the river. It is not the part of the Park to play big brother. If the river is to be "wild", let it be wild to the user as well. The term "wild" should not cause Park management to restrict access to rocks for climbing, much less the Merced River for floaters or swimmers. The future "Yosemite camping experience" needs to be re-wilded as well as the river. For the Yosemite camping experience to benefit from this new plan, mistakes of the past, where the GMP was originally going to be correct, need to be corrected. The YVP was going to "adhered to" the GMP, as the Park said, when Park Planners stated their intent moving forward with that new YVP planning process. The Yosemite Valley Plan, instead of separating campsites and pulling them back from the river to a degree, as was the GMP plan, allowed flood damaged campgrounds to stay closed, while the Park represented their refusal to reopen them. Money given to the Park to repair them was not accounted for. It is time to fix the damage, and use these areas for campgrounds, as you will not find any better area in the Valley for that use. Go back to the GMP and look at the blueprint that was originally set for these campgrounds, and consider it as a modification to the existing (though in some cases damaged) campgrounds. The "damaged" campgrounds are still there, not removed, and are simply waiting for the Park to correct the damage. The Yosemite camping experience needs to be managed better. The Park should make sure that laws and regulations now in place for camping in The Valley are adhered to, such as the limit of six-people per campsite.

Had the Park implemented the campfire restrictions now in place years ago, complaints about smoke accumulating in The Valley could have been mitigated in the 1970s. Since then car emissions have improved, and the overall air quality has improved in Yosemite Valley. If Park Managers can simply regulate campsite occupancy, as well as the number of cars in a campsite, abate noise, and allow the river to restore itself by leaving stringers that are not clearly a risk, the Yosemite camping experience would be much improved. Upper Pines, Lower Pines, North Pines are too congested, as were Lower and Upper River campgrounds. Some campers don't agree and want all campsites replaced, and I would agree that this is a good place to start before other considerations are made. But, it is important to note that it was not the campers who designed these campgrounds originally. And, it was the GMP that included input from the public that set out to correct the problems. By not implementing the GMP's recommendations, under the now rescinded Yosemite Valley Plan, the remaining non flood damaged campgrounds are still too congested. There is no way to correct the congestion without removing more, and I would say far too many, campsites. For this reason it is necessary to repair the flood damaged campgrounds, which will then allot the old campground real estate for the purpose to spread out the campsites over a larger area. Please also note that Upper River campground was a tent only campground, making that campground unique, offering a perceived lower impact experience to those campers who seek a more natural, backcountry like, camping experience. Yosemite Valley camping is often the first introduction to camping for many people. From there they may step beyond front country camping, seeking a more wild experience, such as backpacking, but may also move to more semi backcountry campgrounds as a next step, such as Tenaya Lake if that is ever restored to campgrounds, and campsites in places like Tuolumne Meadows. Regarding Tuolumne Meadows, it is my fear that it is being viewed as overflow campgrounds for The Valley, which it shouldn't be. Tuolumne Meadows should be considered a next step after Yosemite Valley to a wilder and more natural camping experience, not simply Yosemite Valley overflow. If Yosemite Valley camping imparts a negative experience, due to not only because of congestion and noise, but also restrictive access to the Merced River, the experience will be reduced, and these campers may not have a positive experience, which should be the goal. Campers should not be blamed as the cause of riverbank erosion, when it was actually the YNPS who placed this many campsites so close together in the first place. It was the YNPS who removed "stringers" from the river for decades, for well meaning reasons, trying to keep people safe, but at the expense of keeping the river from being wild. I have seen photos of the Merced River that the YNPS have displayed on their website with tree roots exposed, suggesting that people wore the ground away below the trees, causing these trees to die, or be at risk. This misinformation is very misleading on the part of the Park. The fact is, these photos were taken in the Fall season, when the river's water level has dropped significantly, exposing those roots as well as the riverbanks to dry conditions. In early spring, the river would normally flow up to or over those riverbanks, and the river that would have been responsible for moving most of that dirt away from these tree roots. The river would have done this, mainly because the YNPS had removed naturally occurring debris from settling in the river for many decades, which had they not, would have caused the river to not need restoring. The river would have made various natural and random turns, due to trees fallen into the course of the river, causing the river to move slower, carrying less dirt away from the riverbanks. Had this method of management begun at any time during the past, the river could have been in a state of natural repair right now. As this is a time of reflection and forward thinking, I hope that the Park allows the river to restore itself, but, not at the expense of human use of it, which should continue, as stated before. Please see that Kathleen Morse also gets a copy of this. Thanks, Mark Sutherlin Truckee, CA

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<b>Correspondence ID:</b>	8	<b>Project:</b> 18982	<b>Document:</b> 22564
<b>Project Name:</b>	Merced Wild and Scenic River Comprehensive Management Plan		
<b>Outside Organization:</b>	Unaffiliated Individual		
<b>Received:</b>	Jul,27,2010 17:29:35		
<b>Correspondence Type:</b>	Web Form		
<b>Correspondence:</b>	I have been visiting Yosemite National Park for over sixty years. The most important aspect of the MRP to me is: do not limit access to the park.		
	Cultural ORV - Cemetery. Walked through July 3; appears not to have been cleaned up in 2010. Deadfall from last winter is scattered over the graves and walk ways.		
	Recreational ORV - Paths around Mirror Lake and the meditative silence which is available even on the busiest weekends. Leave the paths; more clear definition of visitor access paths.		
	Recreational ORV - climbing the steps at Vernal Falls; getting soaked from the spray on a hot day. Leave the rock stair steps.		
	Recreational ORV - sitting with my feet in the water at Cathedral Beach. Could use some clean up and some erosion control. Better defined visitor access paths.		
	Recreational ORV - stopping at Valley View in every season of the year for fifty years to gaze at the majesty and be awed. Leave the parking lot.		
	Recreational ORV - photographing Half Dome at every time of day in every season of the year for fifty years with Stoneman Bridge in the foreground. Leave the bridge.		
	Recreational ORV - photographing Upper Yosemite Falls at every time of day in every season of the year for fifty years from Swinging Bridge with the Merced River in the foreground. Leave the bridge.		
	Congress' purpose in writing the Wild and Scenic River Act was to save the river for the enjoyment of the people. As the park is		

protecting the river, please do not forget the enjoyment of the people as a very high priority part of the plan.

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**Correspondence ID:** 9      **Project:** 18982      **Document:** 22564  
**Project Name:** Merced Wild and Scenic River Comprehensive Management Plan  
**Outside Organization:** Unaffiliated Individual  
**Received:** Jul,27,2010 17:34:09  
**Correspondence Type:** Web Form  
**Correspondence:** The ability to "use" the Merced River by visitors should be maintained at all costs! Please keep the outstanding, remarkable swimming, picnicing, walking, and viewing of the Merced River open. It is nature's gift that perpetuates love and respect for nature.

I have fond memories of swimming in the very cold water 50+ years ago, and plan to introduce our fourth generation to the same activities as my children and grandchildren have enjoyed over the years.

Preservation of a river should not condemn it and render it inaccessible. It should be prudently and carefully monitored and preserved. Don't let the frogs, weeds or environmentalists take it away from the world.

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**Correspondence ID:** 10      **Project:** 18982      **Document:** 22564  
**Project Name:** Merced Wild and Scenic River Comprehensive Management Plan  
**Outside Organization:** California Native Plant Society Sierra Foothills Chapter Non-Governmental  
**Received:** Jul,20,2010 00:00:00  
**Correspondence Type:** E-mail  
**Correspondence:** Dear Superintendent; Our Local group, made up of members of Tuolumne, Mariposa and Calaveras County folk, are extremely concerned about what we consider two major flaws in the latest revised report. 1) There is no requirement to assess the status of any rare or declining plant (or animal) species within the Wild and Scenic corridor, or mechanism to fully protect species if populations show decline. We strongly oppose the removal of Biological Resources as an identified Outstandingly Remarkable Value. We would urge the park to Restore recognition of these values and in fact identify if the ORV represents a plant or animal species, or both. This will underline and protect fragile and extremely important river habitats much more effectively than simply considering "Meadow and Riparian Complexes". 2) In the 2010 version, the park has removed all reference to Biological, Geological and Hydrology ORVs, that were present in the 2004 version. We consider these absolutely paramount to effective River planning. Please replace these, most importantly the Biological ORVs referenced in the 2004 version, in the El Portal segment, the Merced Gorge segment, the Yosemite Valley segment, the Merced River Wilderness Above Nevada Fall segment, The South Fork Merced Wilderness Above Wawona segment, and the South Fork Merced Below Wawona segment. Thank you for the opportunity to comment on this document, and our group of local folk hopes we can depend on you to protect this miraculous treasure with all the ability at your disposal.

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**Correspondence ID:** 11      **Project:** 18982      **Document:** 22564  
**Project Name:** Merced Wild and Scenic River Comprehensive Management Plan  
**Outside Organization:** American Whitewater Association Non-Governmental  
**Received:** Jul,27,2010 00:00:00  
**Correspondence Type:** E-mail  
**Correspondence:** Park Planners: Hello, this email is in regard to the recent dialogue that began with the American Whitewater Association regarding potential changes to the current allowable stream navigation in Yosemite Park. My name is Daniel Brasuell, I have been an avid kayaker for 17 years. In recent years I have begun to share my passion for exploring new stretches of river with the river community and have developed a website ([www.awetstate.com](http://www.awetstate.com)) to share my experiences and lessons learned on every stretch of river I have boated down. While developing the website I have also developed a strong drive to find new rivers, experience new rapids, see vistas that only kayakers can see, and travel the state to boat as many of our streams as possible. I have always been a little disappointed with the legality issues involving the waterways in Yosemite. I have been told there are many great stretches of creeks and rivers that have been held aside from the boating community. The creeks/rivers that I would love to be able to boat are listed below. From photos I have seen, I know that these stretches would provide excellent whitewater in addition to providing a way for enthusiasts to experience the park that many others will never get to. Without kayaks/rafts, many of these locations are too remote and difficult to reach. This is part of the thrill of kayaking that I have come to love. The feeling of seeing a place that not many others have seen, or "conquering" a rapid and testing your skills, both leave you feeling accomplished at the end of the day and in my mind embodies what the National/State Park system was created for. To preserve the nation's most scenic places for the public's enjoyment. I hope that you will take away from this email that there are folks who would love to explore the rivers in the park and will appreciate and respect the opportunities to do so. Thank you for your time. Grand Canyon of the Tuolumne Yosemite Creek (Above the falls) Big Creek (Near Wawona) Merced River (Class III-IV section near the park boundary) Tenaya Creek (Tenaya slide section below the lake) In addition, I am sure there are likely many other creeks in the area that would provide excellent kayaking.

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**Correspondence ID:** 12      **Project:** 18982      **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Private Citizen Unaffiliated Individual  
**Received:** Jul,28,2010 22:41:11  
**Correspondence Type:** Web Form  
**Correspondence:** I hike, swim, camp and bike along the river. What is the point of having natural beauty like this if you continually block people from access to it?

Yes, people need to be aware of their impact but the taxpayers money would be much better spent reminding people of how they can reduce their impact, employing people to enforce reasonable rules and recover from the people who refuse to abide.

What is the point of having beautiful natural places if you constantly block people access to them? People should not be asked not to enjoy nature. They should be educated on how to do it with minimal impact.

Please, take a moment to think about your greatest pleasure in life. Now, take a moment to think about how you would feel if some jerk were to take that away from you in the name of protecting the environment. If this continues, there will be no place for people left to enjoy.

In case you haven't noticed, mother nature protects herself. When it is time to renew, there are fires, floods, earthquakes, tsunamis. This is the earths way of forever changing and taking back what man does. Think back to when they used to fight the forest fires in Yosemite. We thought we were protecting the environment when in reality we were only hurting it. What are you going to hurt now?

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**Correspondence ID:** 13      **Project:** 18982      **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Unaffiliated Individual  
**Received:** Jul,30,2010 12:35:11  
**Correspondence Type:** Web Form  
**Correspondence:** The title: "Merced Wild and Scenic River Comprehensive Management Plan"

Presumes the entire Merced River is required to be "wild." This preconception fixed in the title, prejudices actions against visitors particularly of Yosemite Valley, which is only 2% of the river.

Weather the Yosemite Valley Goal should be wild or not depending on definition, shouldn't already be cast in concrete.

We need the Yosemite Valley available to visitors and campers. If this title is kept, a separate study should be made for the Valley titled something like "Yosemite Valley Merced River Utilization Management."

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**Correspondence ID:** 14      **Project:** 18982      **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Unaffiliated Individual  
**Received:** Jul,30,2010 12:46:38  
**Correspondence Type:** Web Form  
**Correspondence:** Here are my answers: 1. What do you love about the Merced River, Yosemite Valley, Wawona, El Portal and/or Merced Lake High Sierra Camp?

The Merced River: a) I love to be able camp beside the Merced at the River and Pines Campgrounds. b) I love to get into the Merced anywhere in the valley. c) I love to raft down the Merced anywhere in the valley. d) I love to walk along the Merced anywhere in the valley.

2. What do you want to see protected? Restore the campgrounds Lower River, Upper River, Lower Pines, Upper Pines and North Pines campgrounds.

3. What needs to be fixed? Restore the campgrounds Lower River, Upper River, Lower Pines, Upper Pines and North Pines

campgrounds.

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**Correspondence ID:** 15    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Restore Hetch Hetchy Unaffiliated Individual  
**Received:** Jul,30,2010 21:02:21  
**Correspondence Type:** Web Form  
**Correspondence:** Superintendent Yosemite National Park Attn: Merced River Plan ORV's

The goal of your ORV scoping in all segments must be identifying the maximum number of ORV, not the least number of riparian values. My experience is that many more visitors come to see black bear feeding in a wet meadow or bear catching trout from the Merced than those focused on that meadow or river habitat alone. Wildlife values are important ORV's

My wildlife-emphasis friends have told me you are heading in the opposite direction you should be by eliminating important ORV's instead of searching for the maximum number of ORV for the Merced River CMP. The lumping of wildlife and biological values into the Meadow and Riparian Complex listing is problematic. Perhaps staff believe that identifying important habitat is enough, while perhaps disregarding harmful conditions to wildlife that could be removed.

You also need to do more by emphasizing biological and wildlife ORV's to know which are in decline or which are improving, and how the declining values can be reversed.

Because there has been so much inspection of work on this amazing river, you need to go overboard on including all ORV. For example, I understand there is a lichen survey underway in YNP, so are there lichen ORV in the M W & S R segments?

Best regards, Bob & Jean Hackamack bhackamack@frontier.net Twain Harte

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**Correspondence ID:** 16    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Unaffiliated Individual  
**Received:** Jul,31,2010 11:19:25  
**Correspondence Type:** Web Form  
**Correspondence:** Regarding the Draft 2010 ORV Report for the Merced Wild and Scenic River

The document centers on defining sections of the river and general commentary. Instead, please define the Outstanding Remarkable Values (ORV's) themselves.

The document should be revised to contain the following details of the ORV's regardless of defining different sections of the river:

1. Specifically identify each ORV and possibly subset ORV's.
2. Define within each one as to what constitutes measurable value to the users.
3. If the river is to be sectioned, prioritize the ORV's per each section.
4. List the above in a comprehensive summary.

Dan.

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**Correspondence ID:** 17    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Unaffiliated Individual  
**Received:** Jul,31,2010 11:25:12  
**Correspondence Type:** Web Form  
**Correspondence:** Regarding the Draft 2010 ORV Report for the Merced Wild and Scenic River

Please make all comments and your responses to this document easily available for public viewing

Dan.

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**Correspondence ID:** 18    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Unaffiliated Individual  
**Received:** Jul,31,2010 11:43:43  
**Correspondence Type:** Web Form  
**Correspondence:** Regarding the Draft 2010 ORV Report for the Merced Wild and Scenic River

The quarter mile boundary is arbitrary and should be specifically defined in river terms.

The boundary should be defined as being the river at the mean shoreline level, and not areas nearby that cannot be called a river by generally accepted definition.

Dan.

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**Correspondence ID:** 19    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Unaffiliated Individual  
**Received:** Jul,31,2010 12:01:37  
**Correspondence Type:** Web Form  
**Correspondence:** Regarding the Draft 2010 ORV Report for the Merced Wild and Scenic River

There doesn't seem to be a way of downloading the document for review on the comment site. This has been for at least the past several days. The link may have been deleted or broken.

If this is true, the website should be repaired and the comment deadline moved accordingly.

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**Correspondence ID:** 20    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Unaffiliated Individual  
**Received:** Jul,31,2010 14:00:30  
**Correspondence Type:** Web Form  
**Correspondence:** Regarding the Draft 2010 ORV Report for the Merced Wild and Scenic River

Here are my answers to the questions:

1) Do you know of any specific knowledge of locations with river-related or river-dependent features or resources that are not addressed by the NPS ORV report?

No.

2) Do you have any knowledge or observations regarding the conditions of river features and values that should be addressed?

Recreation: Public access to the all the river for rafting, swimming and camping.

3) How should the NPS protect and enhance river resources and values?

The NPS should manage public access to and usage of the river without impeding public access and usage.

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**Correspondence ID:** 21    **Project:** 18982    **Document:** 22564

**Project:** Merced Wild and Scenic River Comprehensive Management Plan

**Name:** -

**Outside Organization:** Unaffiliated Individual

**Received:** Jul,31,2010 15:11:25

**Correspondence Type:** Web Form

**Correspondence:** RIVER PLAN COMMENTS WHY IS THERE SO MUCH NEED FOR PARKING IN WAWONA? IS IT THE INADEQUATE PARKING SPACES AT THE BIG TREES THAT CAUSE THE PARKING CONCERNS IN WAWONA? OR, IS IT THE TIME AT THE END OF THE SNOW SEASON WHEN LARGE VEHICLES SUCH AS BUSES CANNOT ACCESS THE BIG TREES DUE TO ROAD CONDITIONS? OR, IS IT JUST THE POPULARITY OF WAWONA AND ITS ATTRACTIONS THAT ARE CAUSING THE PROBLEM? OR, IS IT WHEN THE GLACIER POINT AREA AND YOSEMITE VALLEY ARE IMPACTED THAT WAWONA HAS TURNED INTO A GIANT PARKING LOT DUE TO OVERCROWDING IN OTHER AREAS OF THE PARK? TOO MANY CARS TRYING TO PARK IN EXISTING DESIGNATED WAWONA PARKING AREAS SURROUNDING THE SOUTH FORK OF THE MERCED RIVER HAS RESULTED IN "CREATIVE PARKING" IN AND AROUND WAWONA - WHICH MAY LEAD TO POSSIBLE CONTAMINATION OF THE SOUTH FORK OF THE MERCED RIVER, THE POTENTIAL OF FIRE WHEN CARS WITH HOT MUFFLERS PARK ON AREAS OF DRY GRASS AND DRIVER SAFETY CONCERNS FOR DRIVERS ON ROADS IN WAWONA AND ALONG THE WAWONA ROAD (HIGHWAY 41).

AREAS OF CONCERN: The Wawona Store parking lot provides inadequate parking places for all the cars that park there so their passengers can ride the shuttle bus to the Mariposa Grove of the Big Trees or visit the Pioneer History Center. This eventually involves parking along Hwy. 41 on both sides of the S. Fork Bridge ? including the long turnout on the Valley side of C. Falls Road which blocks visibility for a safe left turn from C. Falls Rd. onto 41. Many times vehicles are parked on or over the fog line on the Wawona Road ? creating additional safety issues. "No Parking" areas in the Wawona Store parking lot are not properly signed, and parking occurs in driving lanes along the Forest Drive side of the parking lot, in the driving lane approaching the Wawona Store from Forest Drive, and around the bus loading area ? all of which increase safety hazards. Parking occurs around the UC Merced Sierra Nevada Research Institute building on C. Falls Road in previously grassy areas. When summer participants are in Wawona, there is not enough parking on the UC Merced property. Chilnualna Falls Trailhead parking area: There are no designated parking places in the lot. Hikers just park where it is convenient in order to avoid ruts caused by runoff and wear and tear. Also, hikers park outside the parking area along C. Falls Rd. Parking continues along C. Falls Rd and down river from the old Vagim property (Flat Rock Swimming Hole). There is no planned area to park for guests and residents when they swim in the South Fork ? parking occurs on the river side of the road as well as on the school side of the road wherever there is space in previously grassy areas. There is the impact of parked cars in the Wawona Swinging Bridge area at the end of Forest Drive where there is no orderly method of parking cars, and this area is often used for overflow parking from (SDA) Camp Wawona. If Wawona is to continue to be a parking lot, then there needs to be careful consideration and planning for appropriate parking that ensures the safety of the South Fork of the Merced River and those living and traveling in the area.

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**Correspondence ID:** 22      **Project:** 18982      **Document:** 22564

**Project:** Merced Wild and Scenic River Comprehensive Management Plan

**Name:** -

**Outside Organization:** Unaffiliated Individual

**Received:** Jul,31,2010 15:23:01

**Correspondence Type:** Web Form

**Correspondence:** Concerns for the safety and integrity of the South Fork of the Merced River in Wawona: What will be the impact on the South Fork of the Merced River when the proposed Silver Tip project adjacent to Big Creek in Fish Camp is completed? Is there a potential of contamination from their leach fields and sewer system into Big Creek and eventually into the South Fork?

Shouldn't the River Plan be completed before the (SDA) Camp Wawona expansion is allowed to happen?

What will be the impact on the South Fork of the Merced River during the (SDA) Camp Wawona expansion for the period of the proposed 20 year construction timeline?

What will be the impact on the South Fork of the Merced River when the occupancy of the (SDA) Camp Wawona more than doubles with their expansion? What is the impact on the South Fork when it is overcrowded with swimmers who often go above the Wawona Swinging Bridge area and into the area of the community water supply?

Someone needs to speak for the fish in the South Fork of the Merced River. In 1906, a fish hatchery was built on Big Creek and the first Brown Trout on the West Coast were raised and planted in the South Fork. That pure strain is still being caught in the South Fork today. Today, those fish still live in the stream directly downstream from the proposed Camp Wawona project.

The existing Wawona Water and Sewer Treatment Plant system is inadequate if Camp Wawona is enlarged. The Wawona plant 'has sufficient capacity to serve the project up to 9,300 gallons of waste water a day.' The project description lists capacity of mini-lodges and duplex cabins as 312. On an average, motel-type rooms with showers will generate 40 ? 60 gallons of waste water in 24 hours ? primarily generated during the high peak morning and evening hours. By my calculation, these rooms will generate 12,000 to 18,000 gallons of waste water in 24 hours. This total does not include dining hall, snack shop, laundry, swimming pool, or hot tub waste water. It appears that when the camp is at capacity, our waste water treatment plant will not be able to handle the

flow.

A second problem exists. The sewer line on the south side of Wawona is operated by lift stations along the line. When the power goes out the pumps do not operate. A technician from the plant must come to the lift stations and manually turn on the generators. At times, heavy snow prevents that happening in a timely manner creating the possibility of a sewage spill. During January, 2010, there was a PG&E outage for 8 days in Wawona necessitating the need for someone to service those generators for 8 days.

On several occasions, the sewer system in Yosemite Valley has failed or overflowed resulting in the destruction of the fish population in the Merced River. What precautions have been taken so this cannot happen here in Wawona?

Is there a sewer system study or plan to prevent a sewage spill if the system overflows or shuts down in Wawona?

In the past the Parks answer to a spill is, "We're sorry." It would be a tragedy if a sewer spill into the South Fork destroyed our fish population.

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**Correspondence ID:** 23    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Yosemite Committee Sierra Club Unaffiliated Individual  
**Received:** Jul,31,2010 15:48:49  
**Correspondence Type:** Web Form  
**Correspondence:** Public Comment

Draft 2010 Outstandingly Remarkable Values Report for the Merced Wild and Scenic River 30 July 2010

Superintendent, Yosemite National Park P.O. Box 577 Yosemite, CA 95398

Dear Sir:

The following comments are submitted on behalf of the Sierra Club's Yosemite Committee. We hope they will be helpful in your preparation of the final report On the Outstandingly Remarkable Values (ORV's) for the Merced River.

Identifying the rare, unique, and exemplary ORV's of the Merced River is A fundamental requirement and element in developing a comprehensive management Plan for the Merced River.

The Yosemite Committee believes that in addition to the five ORV categories presented in your 2010 draft report (Meadow & Riparian Complexes, Geologic Hydrologic Processes, Recreation, Scenery, and Cultural) you should include the Biological ORV's of the Merced as a paramount value in all river segments and not be only mentioned in a subtext under Meadow & Riparian Complexes as presented in the draft report. There are or may be remarkable or threatened or endangered plant and animal species in river sections outside the Meadow and Riparian Complexes that may require protection or enhancement that a stated ORV could afford. The committee recommends that biological ORV's be included to apply to all river segments and not just given mention in the Meadow and Riparian Complexes in the final document.

The ORV's are to some degree germane to all river segments and should be specifically stated for all segments of the River. For example, the El Portal segment includes outstanding cultural and historic values. Why not specifically include biologic, geologic, scenery and recreational values as well? Just a thought, at some future time we may wish we had.

Thanks for listening.

Alan Carlton, Chair, Sierra Club's Yosemite Committee

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**Correspondence ID:** 24    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Unaffiliated Individual  
**Received:** Jul,31,2010 15:58:55  
**Correspondence Type:** Web Form  
**Correspondence:** I am a resident of Wawona, and I have a concern about the restoration of the Wawona Meadow and how it may affect the South Fork of the Merced river. A portion of the project requires that the ditches which drain the meadow be filled.

Since May, 2010 the Federal Highways has been resurfacing Highway 41. Part of the Highway 41 Project is shoulder reconstruction. Since May, the shoulders have been scraped and the dirt stored in the Wawona Maintenance Yard. At two public meetings (June 18 and June 19) in Wawona, it was stated that the fill dirt for filling the meadow ditches would come from the dirt removed in the Highway 41 Federal Highways Project.

My fear is that the dirt which will be used to fill the ditches is contaminated. For over 70 years, residue from the Highway 41 road surface has washed off the road onto the shoulders. According to the answers to my questions at those two June meetings, that residue - which includes, but not limited to, contains lead from early fuel, oil mixed with sand and gravel from earlier road surfaces, bits of asphalt and tar, sand (from out of the park) that is used in the winter on the icy road, and invasive plant seeds ? will be in the dirt that is going to be used as fill in the meadow ditches.

Do we want to risk pollution in the Wawona Meadow and the South Fork of the Merced River? In wet years will run-off contain contaminants which will end up in a wild and scenic river? Please make sure that the dirt used for the Meadow Restoration Project is not the contaminated dirt from the Federal Highways Highway 41 Project which is presently stored in the Wawona Maintenance Yard.

David C. Sischo 2628 Spelt Road Wawona, CA 95389

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**Correspondence ID:** 25      **Project:** 18982      **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** -  
**Outside Organization:** Yosemite Campers Coalition Unaffiliated Individual  
**Received:** Jul,31,2010 22:12:41  
**Correspondence Type:** Web Form  
**Correspondence:** How many scoping comments does the public have to submit in order to be heard? Restore the campgrounds that were damaged by the flood. The current study must include these campgrounds as "existing" campgrounds in pre-flood condition. There was never a "legal" valid plan for the removal of these campgrounds. The "illegal" action (or lack of action) to restore the campgrounds was decided by a few. Chip Jenkins personally told me that "the those campgrounds are never coming back". Who decided that? There was no valid legal authority to make that decision. Restore the campgrounds. Bring back affordable family drive-in camping.

Yosemite Campers Coalition has submitted hundreds of comments to the YNPS. These are families who love the tradition of camping. Camping restores our souls and spirits. And this is an ORV that cannot be measured but only felt in our hearts when we are sharing with our families the beauty and love of camping in Yosemite.

Yosemite is a natural creation that has survived all of nature's forces. Man-made changes are another story. Camping has the least permanent impact. Just look at the closed campgrounds. Restore these campgrounds and you will be doing the right thing. Not only for Yosemite but for nature.

Respectfully submitted, Angela R. Caldera Co-founder Yosemite Campers Coalition

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**Correspondence ID:** 26      **Project:** 18982      **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** Mark, Sutherlin  
**Outside Organization:** Yosemite Campers Coalition Non-Governmental  
**Received:** Aug,01,2010 00:00:00  
**Correspondence Type:** E-mail  
**Correspondence:** My views and comments as follows:

Any plan that might attempt to limit visitation to a particular area of The Valley, such as Lower Falls without addressing the volume of visitors Park-wide at the gate, to a set number of visitors, hoping to push visitors into other areas of the park is not going to work. This method would be micro-management of a larger responsibility. It is so tiring to hear the Yosemite National Park talk about how visitors only visit 5% of the Park, when they visit Yosemite Valley, as if that is a relevant statement. There are almost no roads into the other parts of the Park, nor should there be. For the same reason roads should not be built into the other parts of the Park, access to the existing paved sections of the park should not be viewed as an entitlement to all who want to come.

For the most part, what roads that are there are not appropriate for the typical four-hour visitor of today who really came only to visit Yosemite Valley anyway. If they do go to see other parts of the Park that have roads, they are going to visit Yosemite Valley anyway. That Yosemite Valley will get visited by a fairly well defined percentage of visitors that enter all Gates is a given. If the over-built Yosemite Falls viewing area is full of people, then what makes some think that Tuolumne Meadows is an appropriate

place to send them simply because pavement exists between the two places? Spare Tuolumne Meadows of these throngs of "running crowds" from "Godzilla movies", as the one person stated them in the newspaper article above. Please!

You see these visitors now when tour buses drop off people at places like Tenaya Lake for a toilet stop, Pot Hole Dome where they walk all over the meadow there, and at the burger stand and store at Tuolumne Meadows, overwhelming those areas. Just because Yosemite's tour bus business has essentially doubled (or perhaps quadrupled) in recent years, this does not mean that Yosemite National Park must continue to accommodate all who want to come without restrictions at the gates. Simply because their business is good for gateway communities is not a solution. In that article, Scott Gediman, YNPS's media person, is quoted as saying "We should not be in the business of limiting the number of visitors," said park spokesman Scott Gediman. "We should be in the business of protecting the park and providing access and a good experience. We feel we can do both." End quote. Whether the NPS feels that should not be in the business of limiting the number of visitors, you can allow all who want to come, and then turn them away from the otherwise overcrowded, most visited points of interest in Yosemite Valley, forcing them back onto the small system of roads that circle this small congested place. Scott Gediman is wrong; you cannot protect the Park AND provide access, and a good experience to all who want to come. Why is it that so many people keep saying that Yosemite Valley is too crowded, yet no one at the Park is getting it?

It's like saying you can buy a ticket at an twenty-two theater movie complex, even though all seats in each theater are full, and lines are long at each theater door, under the pretence that visitors just wander around from movie to movie, looking for available seating or the shortest lines, as if Yosemite Valley were Disneyland. If the Park knew when they sold the tickets that the complex was already overcrowded, under what justification can you continue to sell tickets? Yosemite Valley can be viewed this way too of course, but the experience is serious jeopardized.

Most of my fellow camping friends clearly recoil when I tell them that we spent, or we may want to spend, a week or weekend camping in Yosemite Valley, because of the known problem of unrestricted access to an already crowded place.

We visited Bridlevail Fall recently, where someone stood at the parking lot entrance blocking access until parking spaces were available, as there are only so many parking spots there. A man on the trail there told me that he had to circle the entire west end of the Valley, including Wawona Tunnel View, three-times before he was let in, as the parking lot was overflowing with visitors on that busy weekend. There was a steady line of people wanting in. The parking lot guard was going to waive him on again for another time, until this man told me that he refused to drive on, staying to argue, blocking the entire hwy 41 in the process. As he was causing a traffic jam the guard allowed him in for the next available parking space. This is not Park Management, this is a clearly reactive method of management (with a small "m"), when the court asked for a proactive method of Management of this Park-Wide problem. The court said that they did not want a "reactive" method of user/carrying capacity management, but according to this newspaper article, that's exactly what everyone seems to be heading for.

By waiving people away, assuming they then will simply go instead to visit another overcrowded point of interest in the Valley is a bad management. There is no way, I believe, to manage a carrying capacity without addressing it at the Park gates, in a proactive way.

Now that I see that the Park and at least some of the people that brought the Park through the court system agree not to limit visitation at the gate, we have no solution to the problem. Making the assumption that you, the Park managers, can address the problem at individual tourist photo-op locations around the park, like Lower Falls, Bridlevail and Olmstead Point, intending to spread people somehow into the other 95% of the park even though there are no roads in, instead of a more proactive solution of managing access at the gates, I feel that the only hope for a correct solution is that the judge won't agree with you.

It may be possible now that you all have worn the judge down, and seeing that all litigants are in some kind of agreement, the court will simply back down and acquiesce to your power of persuasion, both sides having good attorneys to make your points for you. Both sides in this litigation make the assumption that they are representing the public's and the Park's best interests, but this common ground that you have found is no solution, it is mitigation without actually addressing the problem directly. That Mariposans for the Environment and Responsible Government and Scott Gediman from the YNPS express agreement on that point is a clear defeat of the user/carrying capacity mandate, as far as I see it. If this is the position that you, the Park Planners, take, Yosemite will not be the better for it.

Between the need to address the reopening of the flooded campgrounds and the larger carrying capacity issue, these seemingly separate issues are actually intertwined in many ways. The solution should be weighted to a degree in favor of a better visitor's experience. It's also about giving Yosemite Valley back to nature to a measured degree. This mitigated solution of managing a carrying capacity at individual locations within the Park will never work, and addresses neither the quality of the visit or the re-wilding of Yosemite, as it has been described in the past. A micro-managed, mitigated solution, where any number of daily visitors can overwhelm the park via unrestricted access at the gates is no solution at all.

Why is it that limits can be set on the number of campers in Yosemite Valley, limits are set on the number of all other overnight visitors to Yosemite Valley, but absolutely no limits will be considered for day trippers or the commercial tourist interests such as the tour bus industry, who are now overwhelming Yosemite Valley?

The argument that people can simply be pushed out of Yosemite Valley to other destinations inside Yosemite National Park is not realistic, it is not a plan, it is shirking your responsibility of addressing this issue, and you need to take a harder look at how to manage visitation by actually turning people away from the Park. Any other solution than turning people away at the gate when the Park is overcrowded, is the proverbial "tail wagging to dog". People come to see and experience Yosemite Valley, and many

of them do not care if too many people are there. People can be selfish, and are sometimes only interested in their own ability to gain access, or their own wish to financially benefit, if they are a tour bus or tourist related concession or business. It's time to get your values in order, and make the hard decision that some will have to take a number and wait their turn if Yosemite Valley is overcrowded.

For that reason the court has mandated that the YNPS must formulate a proactive method of dealing with human impacts, from what I'm reading in the newspaper article above, you have done neither, nor do you have any intent to do so. I hope that between now and 2012, when you say you will have a solution, you can manage to find a way to do your jobs as Planners and turn people away when you need to. It seems you have intentions of avoiding the hard decisions from what I read here.

If this method, as represented in this newspaper article, of crowd control mitigation at each shuttle bus stop and photo-op location in Yosemite Valley is acceptable to the judge, then it's a real disappointing compromise as I see it. As a camper, we are heavily regulated with limited campsites and restricted access to the Merced River of late, a decision that former Park managers made illegally, which needs to be corrected. On the other hand, day trippers and tour buses have no restrictions put on them at all? This method of management is not management at all.

I am a member of the Yosemite Valley Campers Coalition, and agree with their view that all Yosemite Valley campgrounds flooded during the 1997 flood should be returned to pre-flood conditions in advance of any Merced River ORV or planning efforts. The Park has received congressional funding for that repair, and no plan has had proper authority to remove them. They are currently in a damaged condition, and need to be repaired, and placed back in use. This work should not be held up due to any planning process, as congressional funds have been accepted by the Park for that purpose, and the viability of these campgrounds as current campground in Yosemite Valley, though currently "damaged", is a maintenance issue, not something to be debated. What to do with campgrounds during the upcoming planning process is a separate issue. These campgrounds that were not repaired after the flood are technically still designated campgrounds, based on the premise that former decisions to do anything else with them have been tossed out at the same time that the Yosemite Valley Plan was rescinded. Let's get them put back in use, and manage from there moving forward, as they are still a viable part of Yosemite Valley's current visitor use facilities.

My comments here are my own, and are not related to my affiliation with the Yosemite Valley Campers Coalition organization as a member, though I believe our interests are closely related and my comments here do not disagree with their points about returning the flooded campgrounds.

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<b>Correspondence ID:</b>	27	<b>Project:</b>	18982	<b>Document:</b>	22564
<b>Project Name:</b>	Merced Wild and Scenic River Comprehensive Management Plan				
<b>Outside Organization:</b>	Ross, Michael E				
<b>Received:</b>	Unaffiliated Individual				
<b>Correspondence Type:</b>	Aug,02,2010 00:00:00				
<b>Correspondence:</b>	Letter				
<b>Correspondence:</b>	Dear Superintendent Nuebacher, Since submitting comments in February 2010 on ORVs for the Merced Wild and Scenic River Plan I have additional information that I believe will help determine ORVs for the plan.				

#### Scenery and Geology - El Portal Section of the Merced River

The unique landscape at the park boundary near El Portal differs from that of most river canyons in the Sierra at the 2,000 foot elevation. On the south rim of the canyon walls is Chinquapin Falls the most western of the Yosemite regions glacially created hanging valley waterfalls. To the north are the Park Line Slabs and other steep cliffs of granodiorite that are the Merced River Canyon's westernmost glacially sculpted cliffs, and the portals to the famous valley upriver. The glacial polish and glacial grooves on these walls are evidence of the massive glaciers that filled and widened the Merced Canyon at El Portal. Unlike Yosemite Valley, where the true depth of maximum glaciers is masked by the silt deposited in the ancient Lake Yosemite, this section of the Merced Canyon displays the record of past ice fields at their fullest depth.

At the park boundary the river exits the steep Merced River gorge and enters an open river plain where over the millenia the river has created a landscape of massive boulders. To the west of the confluence of Indian Creek is a terrace underlain by these rocks. During the flood of 1997 several acres of this terrace caved in as the floodwaters eroded the bank. At the time the river shifted its main channel to the south creating an island from part of this terrace bordered along its northern shore by a side channel. This dynamic shifting of channels did not take place upriver, but geologic evidence points to it being a continual process in this section of the river. Downriver near the NPS sewage treatment plant the new main channel of the river sits higher than the old main channel, which flows in a lower bed to the south.

Another remarkable feature of this section of the river is how it mirrors the bedrock geology of the Merced's headwaters. Like in the higher elevations of the Merced, the lower canyon features granitic base rocks in contact with older metamorphic bedrock. The gabbro of the Crane Creek drainage contacts an older a meta-volcanic band, with greenish calcite pockets, that lies to the west in old El Portal. This is the beginning of a series of metamorphic layers that the Merced dissects as it flows west. Gold and silver are found in quartz veins near contact zones. The contact between these metamorphic strata and the younger igneous granitic is the reason there was a mining district in El Portal from the late 19th century through the middle of the 20th.

The lower Merced Canyon at El Portal is a geologically unique and scenically dramatic entryway to the Merced River Gorge and Yosemite Valley. With its extensive boulder fields, steep canyon sides, granitic cliffs and Chinquapin Falls it is no wonder that the park visitors find it scenically magnificent.

#### Animal Species:

Bats: In early June 2010 NPS biologists placed a bat detector in the wetland below the post office/community hall area. Preliminary data shows presence of the following species: Pallid bat, Spotted bat, Western Mastiff Bat, Hoary Bat, Silver-haired bat, California myotis, Small-footed myotis, Log-eared myotis, Yuma myotis, Canyon bat, and the Mexican free-tailed bat.

The spotted bat (*Euderma maculatum*) is considered to be one of North America's rarest mammals. It is known from only about 25 sites in California (Pierson and Rainey 1998). Pallid bats are low flying hunters. The western mastiff is the largest bat species in California. All three of the above listed as California species of concern. the Yuma myotis bat (*Myotis yumanensis*) which has also been found along the south fork of the Merced at Wawona and along the main fork Yosemite Valley, feeds primarily on emergent adult aquatic insects. The small-footed myotis (*Myotis ciliolabrum*), which has also been identified in Wawona, forages over trees and water. The results of this initial survey warrant further research to determine the importance of the wetland within to the Merced River corridor in El Portal as bat habitat.

Ospreys: Over the last two decades there have been an increasing number of sightings of ospreys in the park. Many of these sightings were along the Merced River in El Portal. The increased presence of this species is confirmed by the change in placement of ospreys on the park checklist from the back section (seen at least four times) to the main list where it is shown as rare or very rare. This species is an outstanding resource that needs to be listed as an ORV on the lower Merced River in El Portal.

Chinook salmon and Steelhead Trout: There is ample historic evidence of steelhead trout and salmon runs up to and slightly beyond the current park boundary at El Portal. Chinook salmon is one of three park species that was extirpated. Sierra bighorn sheep was re-introduced into the Yosemite high country in the 1980s and there may be an opportunity to allow for the return of the Chinook salmon. Currently there is a movement to bring the salmon back in conjunction with FERC re-licensing on the Merced River. Restoration is a critical component of the wild and scenic rivers act and a successful effort to bring Chinook salmon back into the upper stretches of the river would also allow for the return of steelhead trout, as well as nesting bald eagles and osprey.

Valley elderberry and longhorn beetle: There are numerous blue elderberry (*Sambucus mexicana*) shrubs along the Merced River corridor in El Portal which are habitat for the endangered valley elderberry longhorn beetle. Many of these shrubs have exit scars indicating that the presence of the federally threatened valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*).

Sierra pygmy grasshopper (*Tetrix sierrana*) The Sierra pygmy grasshopper has been found in El Portal. Since this species favors riparian areas, restoration of riparian habitat and the setting aside a protecting in El Portal is vital.

Mariposa sideband snail: The Mariposa sideband snail (*Monadenia hillebrandi*) is found from Yosemite Valley down to the Merced River Canyon west of the park boundary at El Portal. It lives in mossy rockslides with a cover of trees or shrubs. Stable rockslides rather than active ones, and rock piles with open crevices are preferred habitat.

#### Rare, Threatened, Endangered and Remarkable Plants

California White Fir: The largest known California white fir (*Abies concolor* var. *loiana*) grows in the wild and scenic river corridor near Merced Lake. This is one of two champion trees in the park and needs to be recognized as an outstanding resource.

Tompkin's sedge: just west the park boundary there is a large population of the Tompkin's Sedge (*Carex tompkinsii*), a state listed rare plant. There are over 500 plants growing on either side of the river, all within the quarter mile wild and scenic river corridor. Across from Yosemite View, to the north of highway 140 is a conservation easement set up to protect these rare sedges. The greatest populations of these sedges in the river canyon are in within or bordering the quarter mile corridor, suggesting that the microclimate and glacial/alluvial soils provide it with the optimal conditions.

Congdon's Lewisia and Congdon's woolly sunflower: This rare lewisia (*Lewisia congdonii*) grows within the river corridor between Pigeon Gulch and Cold Canyon on the south side of the main fork of the Merced and near Zip Creel on the south side of the South Fork of the Merced. It is known from about only ten locations in the Sierra Nevada (more than half of these along the Merced River). In El Portal these grow on a phyllite substrate which is also the main substrate for the state-listed endangered plant, Congdon's woolly sunflower (*Eriophyllum congdonii*) which is only found in Mariposa County. More than half of the known locations are in or adjacent to the quarter mile wild and scenic river corridor in El Portal.

Valley Oaks: Since submitting initial comments in February 2010 on the valley oak (*Quercus lobata*) grove in El Portal, I have gathered additional information about the uniqueness of this oak community growing adjacent to an overflow channel of the river in old El Portal. This channel was blocked years ago by development along the river, notably state route 140 and the El Portal moro inn/hotel complex. Covering several acres, the grove contains over 70 valley oaks, some with a dbh exceeding 4 feet. This grove is a disjunct population dozens of miles from other valley oak groves to the west.

The grove has survived the days when the sugar pine lumber company transported logs from Hennessey Ridge to the south down

an incline to the railroad in El Portal. The grove spans both sides of El Portal Road which follows route of the bottom of the old logging incline. The grove encompasses much of the "downtown" part of old El Portal. Prior to the lumber company's operations, the building of the railroad and construction of road and building in this area there may have well been even more trees.

Currently part of the grove is used for parking and other parts are impacted by weed removal (which also destroys oak seedlings) around other developments such as Odger's Petroleum, the phone company offices, and National Park Service offices. Without regeneration through the successful germination of acorns and growth of saplings over time the grove will cease to exist. A grove, such as this, would be protected from additional development under the state of California Oak Conservation Act, but is not guaranteed protection under federal law, except if it is listed as an ORV in the MRP.

In my original ORV comments I stated that this grove was unique. Botanist Steve Botti notes this uniqueness in the Yosemite Flora (pg. 175). At the July 13 Merced River plan ORV meeting in El Portal I raised the issue of protecting this grove by listing it as an ORV. I was questioned regarding the uniqueness of a large valley oak grove on the river. Since then I contacted several experts who know the ecosystems of other rivers in the central and southern Sierra and have confirmed that the El Portal valley oak grove is unique because the river topography in El Portal is unique.

The Merced River drops almost 2,000 feet as it descends through the gorge to the park boundary at El Portal. At the boundary the river canyon bottom opens up allowing the river to create new channels during periodic massive floods of which there have been eight during the last 160 years. During each flood event not only do channels change but the massive boulder field that borders these channels changes. Rocks the size of mini-vans are tossed and turned in the flow and re-arranged into a new boulder field. All of the riparian vegetation is scoured away and then returns in a new matrix. At the northwest ends of the boulder field is the first place where the river can make a bend to the north. This is where the old river channel and alluvial deposits exist that provide the habitat for a tree like the valley live oak that requires alluvial soil and a great amount of water. The presence of an alluvial plain adjacent to the river at the 2,000 foot elevation of a Sierran river is rare and I believe further investigation will show that the entire topography of the river along the El Portal section of the Merced River is unique among rivers in the Sierra at this high an elevation.

The sizes of the larger valley oaks in the El Portal grove indicate they are centuries old, thus these suitable growing conditions have existed for a long time. These are some of the same conditions that made El Portal a suitable location for humans during more than 9,000 years. Paleo-botanic investigation in these groves could do much to expand our knowledge of the ecological history of this portion of the river canyon.

The valley oak grove surrounds much of the historic sections of El Portal. Mature trees grow behind the El Portal hotel and the old store site (now SPU offices), across from the new fire station, around the community hall and NPS fiscal office, NPS resource office, the old railroad era homes, the three other residences east of them. There are large trees by the railroad turnaround, the YARTS parking, Odger's Petroleum and asphalt down river as the burn pile on middle road. With their spreading crowns these large trees are responsible for much of the cultural and aesthetic character of this historic part of the river canyon. Residents profit from their shade and wildlife is dependent upon them for important habitat. The valley oaks are a prominent feature of this section of the river but would not exist without the overflow channel. The channel is home to many native plants as well as non-natives such as cattail (*Typha latifolia*) and Himalayan blackberry (*Rubus discolor*). It has been disturbed by human activities over the past decades. Restoration of this wetland, in the "front yard" of the NPS resource office, offers an opportunity to showcase park service restoration skills. Visitors currently visit this part of El Portal to see the train exhibit; why not include an interpretive area adjacent to this where they can learn about preservation of historic structures and conservation of valley oaks and restoration of wetlands in an area impacted by railroad, logging incline, and highway construction?

With the effects of global warming, high elevation groves of valley oaks assume a new importance as the source of seeds for this species. Valley oak groves at higher elevations to the west, in parts of Mariposa County, are threatened by private development and impacts in water tables due to increased human populations. These spectacular trees are an outstanding resource in this section of the Merced River. They can and should be protected under park service management for perpetuity.

Following are written comments from experts regarding valley oaks in Sierran Rivers corridors:

"I know of no groves of Valley Oak (*Quercus lobata*) on the San Joaquin above Millerton Lake. It is possible that there were such groves and they were inundated by the many reservoirs on the main stem of the San Joaquin River. Given that the once extensive valley oak groves in the San Joaquin Valley have largely disappeared and that many of those along Sierra Nevada streams are compromised by development, the protection of those remaining is critically important. If global warming continues as expected we need those groves to remain and be able to expand upslope in the future." Chuck Peck Land Protection Director Sierra Foothill Conservancy

"I'm not aware of any valley oaks along the Tuolumne River corridor above La Grange. I think the canyon is too narrow and steep. Wide floodplain areas that valley oaks would colonize are nonexistent in that part of the river until you get up to the Preston Flat area and then Poopenaut Valley a bit higher up but I don't believe there are any valley oaks in those locations. There are, of course, numerous valley oak groves below La Grange, in the Central Valley reach of the Tuolumne, but the higher elevation groves like you are describing are rare and unique." Patrick Koepfle Deputy Executive Director Tuolumne River Trust

"Thank you for discussing with me your knowledge of Valley Oak values within the Wild and Scenic River corridor of the Merced River. As you know from our conversation, I strongly support giving appropriate recognition to unique resource values of high consequence within the W&S river corridor. Based on our conversation, it is highly likely that the Valley Oak grove that I have

seen in El Portal area may qualify as an exceptiona, unique resources that should be protected.

During a six-year period, I led our Center's involveemnt in the FERC re-licensig process dealing with the Middle Fork and the South Fork of the Stanislaus River. During tha ttime, I spend a great deal of time exploring those two river canyons and the areas adjacent to the river channels. I also have extensive experience hiking, fishing, doing wildlife surverys, doing amphibian surveys, and otherwise exploring along the Clavey River, North Fork Stanislaus River, North For Tuolumne River, Cherry Creek, Middle and Main Fork of the Tuolumne River, and portions of the Mokulumne river. To my knowledge, there is no large grove of Valley Oak growing either directly adjacent to any of those rivers anywhere near the 2000' elevation or above.

Accordingly, based on my personal knowledge and discussions with our staff biologists, I can provide to you our agreement that the @30 Valley Oak trees at El Portal appears to be a unique, remarkable value that should be given care and attention in the Merced River Wild and Scenic River management plan process. As climate change and warming conditions create shifts in vegetation, the grove in question may provide for a transition of Valley Oak into areas where conifers gradually decline. In addition, the highly important value of Valley Oak for wildlife (especially migratory bird species), cannot be ignored." John Buckley, Executive Director Central Sierra Environmental Resource Center Twain Harte, CA

"Although I've been up Pine Flat Dunn numerous times both as a white-water river guide and hiker, I can't absolutely confirm that there are no Valley Oaks up there. I suspect that there isn't but that is just anecdotal. When I go up there again I'll pay a lot more attention." Jim Van Haun, Director Kings River Conservancy 1384 S. Frankwood Ave. Sanger, CA 93657-9581

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**Correspondence ID:** 28    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** Spector, Irwin and Marsha  
**Outside Organization:** Unaffiliated Individual  
**Received:** Jun,07,2010 00:00:00  
**Correspondence Type:** Park Form  
**Correspondence:** Stock the Merced River with trout from May 1 through Oct 30. I, for one (and probably thousands of others) would happily pay a Park-Only license fee of up to \$100 per week for the privilege of fishing in the Merced. I think the Park could actually make money on the deal.

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**Correspondence ID:** 29    **Project:** 18982    **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
**Name:** Buckley, John  
**Outside Organization:** Central Sierra Environmental Resource Center Conservation/Preservation  
**Received:** Aug,03,2010 00:00:00  
**Correspondence Type:** Letter  
**Correspondence:** July 20, 2010

Superintendent Yosemite National Park Attn: Merced River Plan ORVs P.O. Box 577 Yosemite, CA 95389

Dear Park planning staff/core team/and subject matter experts:

The following comments on behalf of our Center respond to the Draft 2010 ORV Report for the Merced Wild and Scenic River. As I shared with a couple of planning staff at the recent Yosemite Gateway Partners meeting, it was frustrating for our staff to be so over-booked with conflicting commitments that we were unable to attend either the Valley session or Groveland session where the Report was unveiled and discussed.

Accordingly, because we were unable to orally communicate with planning staff at those meetings, we are hoping that the enclosed comments will nevertheless convey the strong concern that we have about the new direction of the ORV approach now being taken.

We recognize that a great deal of planning team discussion and effort has gone into the draft ORV report and the adjustment of segments. It is not a matter of concern to our CSERC staff that there has been a revision of the original 8 river segments and that now there are 7 river segments. We accept those changes.

What is a great concern to our Center, however, is that major changes in the Outstandingly Remarkable Values have been made so that for all but one river segment (Yosemite Valley), key ORVs have been eliminated so that the Park would no longer have legal responsibility to protect those values.

PIVOTALLY IMPORTANT ORVS FROM 2004 HAVE NOW BEEN ELIMINATED COMPLETELY

The removal of featured ORVs from 2004 appears to mean that the Park has backed away from legally committing to fully protect or enhance key outstandingly remarkable values that primarily tie to the ecological health of the river corridor and its ecosystem. For example, as you are aware, for what was previously South Fork Wilderness river segment, which is now identified as the South Fork Wilderness Above Wawona segment, the 2004 ORV list included Scenic, Geologic, Recreation, Biological, Cultural, and Hydrology as ORV values that deserved protection because they were unique and highly important. Yet in this latest 2010 ORV Report, that same river segment only shows Recreation and Scenic. Geologic, Biological, Cultural, and Hydrology ORV's have literally been wiped away.

This is a significant weakening of the Merced River Plan and appears to be so consistent and pervasive throughout the various river segments that the entire Merced River Plan appears headed for yet another legal challenge. How can the Park Service in 2004 identify Geology and Cultural as critical ORVs, for instance, in that river segment, and now completely remove them for protection?

1) CSERC asks that in any EIS or response to comments that the Park clarify why Park-identified ORVs (that the Park staff communicated to the public as important for protection in 2004 ) should now be completely removed as ORVs needing protection in 2010.

2) As a connected comment, CSERC asks that the Park planning staff provide the scientific basis as to why the following ORVs identified in 2004 have now been eliminated:

Merced River Wilderness segment (Cultural eliminated) The Merced Gorge segment (Geo, Cult, Hydro, and Bio eliminated) El Portal segment (Geo, Bio, Hydro eliminate) S. Fork Wilderness Above Wawona segment (Geo, Hydro, Bio, Cult eliminate) Wawona segment (Scenic, Rec, Bio eliminated) S. Fork Merced Below Wawona segment (Geo, Bio, Cult, Hydro eliminated)

3) CSERC strongly urges that all of those ORVs established/identified in 2004 be replaced and retained as ORVs in the 2010 ORV final report.

#### KEY BIOLOGICAL VALUES NO LONGER WILL RECEIVE SPECIFIC, DIRECT PROTECTION

Perhaps the single strongest comment of opposition to the new strategic revision of the ORVs now presented by Park planning staff is the elimination of Biological and the substitution of Meadow/Riparian complexes. Year after year CSERC staff scientists and director have pushed the Park to base any Wild and Scenic River Management Plan on a science-based assessment. The very core question tied to preserving or enhancing outstandingly remarkable values in the river corridor has to be: "What ecological/biological species or resources are now at risk or may be at risk soon so that they will diminish the environmental web of life that directly affects almost all ORVs?"

Yet instead of answering that question at any point with a clear assessment identifying specific plant or wildlife species that are at risk, in decline, at the brink, or otherwise threatened within the river corridor, the Park no longer even lists Biological as an ORV. Now the 2010 draft report inserts "meadow and riparian complexes" as the new ORV.

**BUT PROTECTING HABITAT IS NOT THE SAME AS PROTECTING AN AT-RISK OR THREATENED SPECIES. HABITAT IS ONE ESSENTIAL RESOURCE, BUT SO IS MINIMIZING DISTURBANCE FROM HUMANS, OR REMOVING COMPETING INVASIVES, OR OTHER IMPORTANT ELEMENTS OF OVERALL BIOLOGICAL PROTECTION.**

4) CSERC strongly opposes the removal of "Biological" as an ORV and the substitution of "Meadow/Riparian Complexes" as the new ORV. Protection of habitat will not necessarily protect or enhance threatened wildlife or threatened plant species that are also connected to scenic, recreational, and even cultural values. CSERC urges the Park to not only replace "Biological" as a specific ORV for all the river segments where it was listed as an ORV in 2004, but we urge that the Park spell out exactly what Biological values are most critical as an ORV in that segment.

For instance, if in The Main Stem - Merced Gorge river segment, if foothill yellow-legged frog has been historically known to be a native species of that river segment, then "Biological - Wildlife" should be the ORV listed since the foothill yellow-legged frog is now so rare and facing threats of extinction in the region. If in that same river segment, a particular rare wildflower or riparian plant is in significant decline, then the ORV listing for that segment should list "Biological - Plant" as one ORV for that segment. If both wildlife and plants within a river segment are at risk and need protection, then "Biological - Wildlife/Plant" would be the appropriate ORV designation for that river segment.

We note that the new draft ORV report acknowledges that one species of plant (Sierra sweet bay) and 9 special status animal species are dependent upon the meadow and riparian complexes along the river corridor. Protecting those habitats, however, as emphasized previously, does not assure that those species will receive the full protection that the Park Service should legally apply to do the utmost to protect and enhance the river ecosystem and the species pivotal to sustaining all the puzzle pieces.

5) Thus, CSERC believes it is legally essential for the Park planning staff to spell out which at-risk plant and animal species are at risk or potentially extirpated currently within each river segment. The ORV should be identified as "Biological," but under the Biological - Wildlife or Biological - Plant, the Merced River Plan should spell out in detail which exact species need protection or

enhancement of values to give the greatest likelihood of preserving them as part of that segment's ecosystem and web of life.

#### A FAILURE TO PROVIDE A CLEAR TRACKING OF SIGNIFICANT CHANGES BETWEEN 2004-2010

Park planning evolves in response to administrative direction, legal decisions, public comments, internal planning discussions, the movement of planners from one position to another within the Park system, and a variety of other factors. Nevertheless, the Park planning staff lives with a plan and generally follows the changes that unfold during the process.

Interested members of the public, however, depend upon clarity of planning documents and summaries provided in reports or online to understand changes in a plan.

In the case of the Merced River Plan and ORV's there have been many, major significant changes made by Park planners over the evolution of the planning effort. Yet in the draft 2010 ORV Report, it is almost as if planning staff has intentionally hidden the significant changes between past ORVs that were highly publicized by the Park and the current, revised ORV list that has been significantly scaled down. CSERC provides a strong concern that the draft ORV report does not show any comparison with previous ORVs for each river segment, nor does it show that instead of a total of 41 total ORVs identified in 2004, now in 2010 only 19 ORVs are being identified as legally essential for protection or enhancement. CSERC quickly acknowledges that two ORVs (Geologic/Hydrologic) have been combined in two river segments, but even breaking them out, nearly half of all previously identified Outstandingly Remarkable Values have now been eliminated in the latest revision of the ORV list crafted by Park planners.

This is a sad reflection on Park planning. Instead of expanding protection and increasing ORVs that deserve protection in the face of climate change and a host of other threats, the Park has eliminated half of the previously identified ORVs so that protection of those values in those river segments is no longer required.

6) CSERC expresses disappointment with this significant reduction in protection due to the reduction in the number of and the breadth of ORVs. Our staff asks that unless there is new scientific evidence justifying the elimination of a previously-identified ORV, that all ORVs from 2004 be carried forward in a revised draft 2010 ORV Report and given the full level of protection deemed necessary to assure long term viability along the Merced River corridor.

#### UNIQUE RESOURCES WITHIN THE RIVER CORRIDOR ENHANCE OR CREATE ORV'S

As our Center has interacted with Park planning staff and with various residents in El Portal and others who have high levels of knowledge about the River corridor, we have come to recognize that despite general vegetative and zonal characteristics that can be expected within the corridor, there are also unique or high value resources that contribute unusual scenic, wildlife, cultural, or other values, but are not easily lumped into broad ORVs. One example is tied to the mature Valley Oaks located at El Portal. The fact that large, old Valley Oaks are so limited at the relatively high elevation of El Portal is just one reason why these oaks (and Biological Resources) deserve ORV designation. These large Valley Oaks are especially important due to the fact that they have persisted for at least 100 years throughout changing climatic conditions, periods of development with associated impacts, and during periods of increased air pollution and other stresses. The genetics and site uniqueness of the Valley Oaks at El Portal have even greater value because our staff believes that there are NOT similar Valley Oak groves along the Tuolumne River or Stanislaus River at elevations as high as El Portal. We encourage the Park to give careful attention to the Biological Resource values of the Valley Oaks and to include appropriate protective measures to sustain Valley Oak habitat at the present location on into the future. Thank you for considering these comments tied to strong concerns. We have hopes that our comments and comments from other interested members of the public will help to influence planning direction.

John Buckley, executive director Lindsey Myers, staff biologist Rebecca Cremeen, planning specialist

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<b>Correspondence ID:</b>	30	<b>Project:</b>	18982	<b>Document:</b>	22564
<b>Project:</b>	Merced Wild and Scenic River Comprehensive Management Plan				
<b>Name:</b>	Schrepf, Emily				
<b>Outside Organization:</b>	National Parks Conservation Association Conservation/Preservation				
<b>Received:</b>	Aug.09.2010 00:00:00				
<b>Correspondence Type:</b>	Letter				
<b>Correspondence:</b>	Dear Superintendent Neubacher, Thank you for this opportunity to provide input on the Outstandingly Remarkable Values of the Merced River. One of the most remarkable values of the Merced River is the scenic landscape that surrounds it. The iconic beauty of Yosemite; El Capitan, Half Dome, Giant Sequoias and Jeffrey Pines, are unrivaled and known world-wid. The National Parks Conservation Association sees the protection of this scenery as imperative to maintaining and enhancing the visitor experience. Unfortunately, the natural beauty of the park both in terms of its viewsheds and its flora and fauna are threatened by damaging air pollution, caused in part by vehicle traffic in and around the park. NCPA also views the threat to visitors' health that air pollution causes to be problematic in terms of the visitor experience. It is difficult for people to enjoy the wonder of Yosemite through recreation when it is uncomfortable, unhealthy or even dangerous for them to spend time in perilous breathing conditions. We urge Yosemite to undertake the strongest possible measures to reduce the presence and impact of air pollution in the park. The high volume of individual vehicle traffic that often leads to congestion in the park also interferes with visitor recreation. NCPA identifies reducing individual vehicle traffic in and around the park as one of the ways in which to combat damaging air pollution				

and problematic traffic congestion. We suggest alternative means of transportation including increased access to public transit between the park and gateway communities, increased access to mass transportation within the park and greater access to information regarding current and projected traffic conditions. We believe that education about and increased options for travel to and within the park will begin to reduce the number of individual vehicles in the park which contribute to the air pollution that threatens both the scenery and visitors' health at Yosemite and leads to traffic congestion in the Valley.

Sincerely, Emily Schrepf Senior Program Coordinator Clean Air and Climate Program National Parks Conservation Association

<b>Correspondence ID:</b>	31	<b>Project:</b>	18982	<b>Document:</b>	22564
<b>Project:</b>	Merced Wild and Scenic River Comprehensive Management Plan				
<b>Name:</b>	Aceto, Jeanne				
<b>Outside Organization:</b>	Unaffiliated Individual				
<b>Received:</b>	Jul,27,2010 00:00:00				
<b>Correspondence Type:</b>	E-mail				
<b>Correspondence:</b>	<p>Superintendent Neubacher: Following are comments concerning the Draft ORV Report. We trust that the Report is truly a "draft" and not a finished product as its picture-perfect professional layout, presentation, and obvious expense suggest. Recognizing the importance of ORVs, the WSRA Interagency Commission (2002) published the following management directive: "Thoroughly define the ORVs to guide future management actions and to serve as the baseline for monitoring." Though the pictures, maps, and quotations in the draft Report can reinforce one's love for Yosemite, it's the text (i.e., how the ORVs are actually defined) that really matters when it comes to making planning decisions defensible. More space and detail need to be dedicated to defining the ORVs in clear, concise terms that leave little to no room for interpretation. As an aside, there seems to be a perception among planners and Park administrators that the Court has set timelines for completion of certain phases of the planning process and that these timelines must be rigidly adhered to. As stated in the Settlement Agreement: "The Merced River CMP Milestones Calendar, attached as Appendix A, will guide the NPS in the preparation of the new CMP although these target dates are not mandatory or binding deadlines." In other words, signatories felt it was more important to "get it right" than rush something through to comply with some artificial deadline. Consequently, we recommend this Draft ORV Report undergo considerable revision especially in light of the Park's recent decision to completely redo the analysis of scoping comments and issue a new MRP Scoping Report. The Scoping Report and the ORV Report are the foundational elements in proceeding with the MRP planning process and the development of alternatives; if these documents are flawed, the entire process (and the Plan) will be flawed.</p> <p><b>SPECIFIC COMMENTS</b></p> <p><b>Meadow and Riparian Complexes</b></p> <p>The Merced River and South Fork Merced River support a suite of riparian and meadow ecosystems within Yosemite National Park; the Yosemite Valley meadows are among the largest mid-elevation meadow complexes in the Sierra Nevada. Dependent on these habitats is a species of plant (Sierra sweet bay) and nine special status animal species (harlequin ducks, black swifts, bald eagles, osprey, willow flycatchers, yellow warbler, western pond turtles, western red bat, and Sierra Nevada mountain beaver). Sustained by periodic flooding, these habitats are river-related crossroads of life in a landscape already vibrant with productive habitats. Merced River Wilderness above Nevada Fall (WILD classification) Numerous small meadows and adjacent riparian habitat occur on this stretch of river. Owing their existence to the river and its annual flooding, these habitats and small meadows support eight of the nine special status animal species known to occur along the Merced. Yosemite Valley (RECREATIONAL classification) The large, moist, mid-elevation meadows and the associated riparian vegetation communities of Yosemite Valley owe their existence to the river, the high water table the river sustains, and its annual flooding. These mid-elevation meadows, most greater than 30 acres in size, and their associated riparian habitats and wildlife species are rare and unusual at a regional and national scale. The meadows sustain eight special status animal species and an exceptional diversity of bat species. This wildlife diversity is a function of the variety of niches made possible by the meadows, the related riparian vegetation, and the river. South Fork Merced River below Wawona (WILD classification) Below Wawona, the South Fork Merced River enters a seldom-visited wild stretch that provides habitat for a rare plant, the Sierra sweet bay (<i>Myrica hartwegii</i>). This special status shrub is known from only five Sierra Nevada counties. In Yosemite, it occurs on sand bars and banks at the water's edge of the South Fork of the Merced River downstream from Wawona and on Big Creek. This ORV is the collective "live zone" for the entire Merced River Corridor. As such, this Value needs to be defined beyond just a couple of brief paragraphs that mention mid-elevation meadows, 9 special status wildlife species and their habitat, and 1 rare plant. What about the 90 species of mammals, the more than 150 regularly occurring species of birds, the 12 species of amphibians, 22 species of reptiles, and 6 native fish species? According to park statistics, "despite the richness of high quality habitats in Yosemite, approximately 40 species have a "special status" under California endangered species legislation." Additionally, the Park hosts 1,500 species of flowering plants and 35 species of trees, and of the flora, more than 75 species are listed as "sensitive." Perhaps the mention of mid-elevation meadows is supposed to incorporate all of the above, but that is certainly not clear in the definition of this ORV. Without the trees, the vegetation, and the wildlife the River Corridor would become a "dead zone" (talk of the BP oil spill "dead zone" comes to mind) ultimately degrading even destroying the Recreational ORV, the Cultural ORV, the Hydrologic ORV and the Scenic ORV. Was it an oversight to omit any discussion of plant and wildlife species in El Portal or in the Merced River Gorge?? For example, what about the ancient valley oak grove in El Portal which is a unique community in a central Sierra river canyon at this elevation; the valley elderberry longhorn beetle; the Northwestern/Southwestern pond turtle; Tompkins Sedge; Congdon's Woolly Sunflower; Congdon's Lewisia; etc.? Because this ORV will play a major role in land-use decisions, what criteria will be used to evaluate its importance against the competing interests of the Recreational ORV or the Cultural ORV? There has to be some objective methodology developed that is clearly understood by the public rather than the "net gain" argument of previous plans that enabled Park management to arbitrarily move forward with whatever project was the priority of the day. Recreation Yosemite is a nationally and internationally renowned destination, one of America's first national parks, and a World Heritage Site. The Merced and South Fork Merced Rivers provide for exceptional outdoor river-related recreational experiences. The dramatic and picturesque setting (also described in the scenic ORV) is central to these experiences. Settings range from the undeveloped wilderness of the Upper Merced and South Fork, to Yosemite Valley with its views of high granite cliffs and towering waterfalls, to Wawona, the Merced Gorge, and El Portal, with their proximity to the roar and vibration of the river during spring runoff. For many, the Merced and South Fork Merced provide a first connection to wild nature, inspiring awe and wonder. Others are called back year after year, building long-lasting relationships and attachments to the rivers and their environs. For all visitors, the Merced and the South Fork Merced rivers are places to experience a wild and scenic river in one of America's first</p>				

and most revered national parks. The Merced Gorge (SCENIC classification) As it plunges some 2,000 vertical feet through the Merced Gorge, the Merced River provides a dramatic backdrop for a variety of visitor activities. This segment is undeveloped except for the adjacent road. The road's proximity to the river provides for scenic auto touring and easy access to pools, many of which are tucked away among gigantic granite boulders. These pools, beaches, and other areas are popular for activities such as swimming, fishing, and picnicking. Overall, this segment consists of a largely natural setting and provides excellent opportunities for solitude. El Portal and Wawona (RECREATIONAL classification) The Merced River through El Portal and the South Fork Merced River through Wawona provide a largely natural setting for visitors to easily connect with the river through a variety of active, creative, and contemplative river-related recreational pursuits. Readily accessible, the pools and beaches on these river stretches are visited repeatedly and contribute to strong place attachment for local residents and visitors alike. Swimming and relaxing along the river are common, providing respite from the summer heat. Similarly, fishing is popular along these segments, with various holes treasured for their combination of scenery, fishing success, and solitude. Finally, camping along the South Fork in Wawona allows visitors to be close to the river overnight. Yosemite Valley (RECREATIONAL classification) Drawn to Yosemite Valley's incomparable setting, people come from around the world - sometimes many times, sometimes across generations - to recreate along the Merced River. Focusing many of their activities around the Merced, a sublime foreground for El Capitan, Yosemite Falls, and Half Dome, people form strong personal associations and traditions. The scenery is unarguably iconic; the recreational experiences, moving and memorable. Visitors form these associations through a wide variety of activities. Some river experiences focus on active pursuits, such as hiking, biking, rock climbing, swimming, camping, boating, or fishing. Others see visitors expressing themselves creatively, whether through writing, painting, photography, or other art forms. Educational experiences appeal to others interested in the Yosemite setting, the natural processes that created it, or the park's history. Many activities have integral social elements, like picnicking or relaxing with friends or family in a beautiful setting. Finally, contemplative or reflective activities call to others; sitting alone on the riverbank in quiet enjoyment is one way some visitors experience the Valley's exemplary recreational values. These exemplary experiences are characterized by close contact with the river's resources and the ability to experience the river in different light, weather, and seasons. Overall, people of all ages and abilities find a variety of exceptional and easily accessible recreation opportunities to experience the Merced River in Yosemite Valley. Attracted to the river, visitors can immerse themselves in their surroundings, taking in the sights, sounds, and feel of the river and its dramatic backdrop, relieving stress and connecting to the natural world. Merced River above Nevada Fall, and South Fork Merced River above and below Wawona (WILD classification) Wild segments of the Merced River and South Fork Merced River flow from the heart of the Sierra Nevada, with its towering granite peaks and impressive forests. The spectacular, rugged expanses along these segments provide exemplary landscapes for wilderness experiences characterized by solitude, personal reflection, closeness to nature, independence, and self-reliance. Activities are oriented toward primitive travel, camping, exploration, and adventure. Of the many exemplary recreational activities, a few are particularly distinctive. Hiking and backpacking close to the river, visitors can experience spectacular cascades in different seasons, from the sight, sound, and feel the power of the crashing waters in spring to the delicate beauty of plumes in drier months. Backpacking on a major segment of the John Muir Trail offers access to an internationally renowned multi-day Sierra Nevada wilderness trip, with gorgeous riverside views, undeveloped settings, and opportunities for solitude along the trail and at riverside camps. Off-trail hiking and the potential for class V kayaking along the South Fork of the Merced below Wawona are also relished. In light of the 9th Circuit ruling, special attention must be directed to clearly defining the Recreation ORV to prioritize the protection and enhancement of low impact and resource-focused activities conducive to the National Park experience while significantly reducing/eliminating the proliferation of profit-driven commercialized applications (e.g., raft/bike rentals, trail rides, special events, etc.) and resort-style facilities. Yosemite cannot be all things to all people. To quote from the Ruling: "To illustrate the level of degradation already experienced in the Merced..., we need look no further than the dozens of facilities and services operating within the river corridor, including but not limited to, the many swimming pools, tennis courts, mountain sports shops, restaurants, cafeterias, bars, snack stands and other food and beverage services, gift shops, general merchandise stores, an ice-skating rink, an amphitheater, a specialty gift shop, a camp store, an art activity center, rental facilities for bicycles and rafts, skis and other equipment, a golf course and a [High Sierra Camp] dining hall accommodating 70 people. Although recreation is an ORV that must be protected and enhanced, see 16 U.S.C. ' 1271, to be included as an ORV, according to NPS itself, a value must be (1) river-related or river dependant, and (2) rare, unique, or exemplary in a regional or national context. The multitude of facilities and services provided at the Merced certainly do not meet the mandatory criteria for inclusion as an ORV." The Recreation ORV in Yosemite Valley is where battle lines will be drawn. The definition of this particular ORV must be tightened up with as much specificity as possible'more than a couple of paragraphs'to adequately serve as a filter when it comes to the Park making decisions as to what facilities/activities will stay or go as well as the focus of such activities. Some specific comments: ? Map on page 15 designates "Campgrounds" in Yosemite Valley. The Upper Rivers and Lower Rivers Campgrounds as well as the Group Campground are not shown on this map. There is no legally valid plan in place that has authorized their removal. They are currently not being used as campgrounds because they are in need of repairs following the 1997 flood, but technically and legally they are still considered campgrounds and should be noted as such.

? "Some river experiences focus on active pursuits, such as hiking, biking, rock climbing, swimming, camping, boating, or fishing." Why is "boating" mentioned? Have never seen boats on the Merced River in Yosemite Valley.

? "Educational experiences appeal to others interested in the Yosemite setting, the natural processes that created it, or the park's history." The term "educational" is a concern. "Education" can be interpreted as something more formal, perhaps of an institutional nature. There is a big difference between an interpretive experience such as a nature walk, listening to a presentation about the Buffalo Soldiers, or sitting in on a ranger talk vs. use of the term "educational" experiences which could be construed as a more formal process, thereby justifying the ever-expanding activities/programs of YI or the Sierra Nevada Research Institute. Please consider changing the wording to "Interpretive experiences." ? "These exemplary experiences are characterized by close contact with the river's resources and the ability to experience the river in different light, weather, and seasons." This sentence is too generic and basically meaningless, not really describing the characteristics of any activity or denoting the extent of the human-built environment.

Suggestion : "Activities should provide an opportunity to relieve stress and to get away from a human-built environment; preferred activities should be resource dependent (e.g., wildlife viewing, nature study, hiking, camping, picnicking) with opportunities to see, hear, and smell natural resources and occasions to enjoy periods of solitude; moderate evidence of development, human activity, and natural resource modifications that are designed to be harmonious with the natural environment; presence of others is

expected and tolerated with encounters ranging from low to moderate; well-managed, conventional motor vehicle use is permitted on paved, graveled, and unsurfaced roads; settings should offer a sense of independence and freedom over comfort and convenience; the challenge and risk associated with more primitive types of recreation are not very important; practice and testing of outdoor skills are important." With respect to the Recreation ORV in Wilderness. ? "Backpacking on a major segment of the John Muir Trail offers access to an internationally renowned multi-day Sierra Nevada wilderness trip, with gorgeous riverside views, undeveloped settings, and opportunities for solitude along the trail and at riverside camps." Please consider using the word "campsites" instead. "Camps" can be construed as a way to justify retaining the High Sierra Camps when the Park has yet to complete a Wilderness Management Plan Update that is supposed to evaluate whether the High Sierra Camps are even appropriate in proposed wilderness as required by the 1984 California Wilderness Act.

? Additionally, there needs to be more specificity concerning the importance of the lack of a human-built environment. Suggestion : "Primitive settings are characterized by an unmodified natural environment of fairly large size. Interaction between users is low and evidence of others is minimal. The area is managed to be essentially free of man-made "improvements" and facilities. Experiencing isolation from sights and sounds of humans is probable. Opportunities for independence, closeness to nature, tranquility, and self-reliance through the application of outdoor skills abound and present high degrees of challenge and risk."

Inherent in this discussion is the question "at what point does too much use of the Recreation ORV diminish the ORV itself?" What is the quantity and mix of an activity that an area can sustain without adversely impacting this ORV as well as the other ORVs? When does one person's recreational interest intrude on another person's right to solace? Can an activity be mitigated to the level where it only impacts those in the immediate vicinity of the activity? What guidelines will prevent an activity from reaching critical mass where it can potentially impact nature, history, and large volumes of people? To what degree does commercializing an informal activity significantly increase the impacts? Should the NPS (and by extension, the concessionaire) even be in the business of "marketing" or commercializing recreation (e.g., raft rentals, bicycle rentals, commercial trail rides, fishing/backpacking rentals and sales) or merely be "accommodating" recreational activities for those who supply their own equipment? Does the current park practice of site hardening and erecting fencing and other obstructions to contain and control large volumes of people impact the individualized, self-guided experience free from the bustle of crowds? What levels of noise drown out the sounds of the River and the wildlife'numerous tour buses, RVs, RV generators, loud radios, supply trucks, motorcycles, loud partying, barking dogs, too much construction in the name of trying to "improve" or "exploit" nature? Does the smell of diesel fumes or the stables byproducts from activities that serve a few impact the sensual experience of the many? Is the future of Yosemite to be a "nature center," or will it continue its march toward becoming a "profit center"? Geologic/Hydrologic Processes The Merced River and South Fork Merced River represent geologic and hydrologic processes that continue to shape the landscape. Glacial pathways, which the river partly determined and continues to follow, resulted in the rivers' variable gradients, featuring dramatic changes in river speed and volume. The rivers start in high alpine settings, drop down sheer cliffs and steep cascades at high speeds with large springtime volumes, and then calm in lakes and meandering segments before tumbling down more steep gradients. This hydrologic variability exemplifies classic stair-step river morphology. Merced River Wilderness Above Nevada Fall (WILD classification) This segment of the Merced River is characterized by a large-scale, U-shaped glacially-carved canyon. The section of the Merced River above Bunnell Point especially illustrates the relationship between geology and river course with a sweeping, glacially-sculpted granite canyon cradling the river. Yosemite Valley (RECREATIONAL classification) This river segment, famous for its glacially-carved landforms, is unique in the scale, variety, and sheer grandeur of its celebrated rock and water features: --The Giant Staircase, which includes Vernal and Nevada Falls, is one of the finest examples of stair-step river morphology in the country. This feature also illustrates the variability of the Merced's hydrology due to abrupt elevation changes. --El Capitan Moraine, located in the western part of the Yosemite Valley, marks a textbook example of a recessional moraine. --Glacial action removed the slopes across which tributaries had formed, creating hanging valleys with world-renowned waterfalls. These include Bridalveil Fall and Yosemite Falls, the tallest waterfall in North America. --From Happy Isles to Table Rock, the Merced River meanders quietly. This alluvial river is characterized by a gentle gradient, a robust flood regime, natural woody debris accumulation, and complex riparian vegetation. There are few examples in the Sierra Nevada of similar river morphology of this scale at this elevation (about 4,000 feet). It is difficult to believe there is nothing geologically or hydrologically significant with respect to the River as it flows through the Merced River Gorge and El Portal. Among some of the oldest rocks found in the Sierra Nevada are those just east of El Portal, in the walls of the Merced River Gorge. These rocks are metamorphic and are remnants of ancient sedimentary and volcanic rocks that were deformed and metamorphosed, in part by granitic intrusions (Huber 1989). It would seem that the transition from igneous to metasedimentary rocks would be considered a geologic ORV. The area at Hennessey's Ranch is one of the few flat, alluvial floodplain sections adjacent to the Merced River at El Portal. And with the 2000-foot drop into the Merced River Gorge, the River transitions to Class III-V rapids. It is also difficult to believe there is nothing geologically or hydrologically significant as the South Fork of the Merced flows through Wawona. Upstream from Wawona, tributaries enter the steep-walled glacial gorge of the South Fork from the north and south. In the Wawona area, the river meanders through a large floodplain meadow (part of a deep alluvial valley), building substantial gravel bars within the channel. The Upper stretch of the South Fork (16 miles long) is classified as Class V+ rapids. We trust that it was only an oversight that analysis of the geologic/hydrologic ORV in these two important sections of the River was somehow left out of the draft ORV Report??? The question remains unanswered as to whether Hydrologic is really an ORV by segment at all; thinking outside the box, should hydrology be discussed instead in terms of the larger comprehensive "free flow" process that caused the River to be designated Wild and Scenic in the first place? Past and current actions have dealt with the River in small segments, even down to linear feet of shoreline, as part of numerous stop-gap measures. Planners need to step back and view the River as a complete free-flowing system as part of a long-term vision, not one to be controlled by rip rap, fencing, bank stabilization, re-vegetation, diversions, road construction, El Capitan moraine, etc. As the primary artery of Yosemite National Park, the entire 81 miles of the Merced River should be studied and evaluated as a comprehensive living ecosystem. Scenery Throughout its length, the Merced River flows through a scenic landscape that has few parallels. Whether these are views from the river or its banks and whether the views include El Capitan, Half Dome, Triple Divide Peak, or any of the other landmarks along the river, the Merced River provides a natural complement to Yosemite's world-renowned scenery. Depending on the stretch of river, the Merced provides a foreground of a flat valley, a rushing and boulder-strewn river, tall waterfalls, or serene lakes. Merced River Wilderness above Nevada Fall (WILD classification) Starting at the headwaters on the Triple Peak Fork, the Merced River passes through chains of "paternoster" lakes, enters the upper Montane forest, and becomes walled in by a classic U-shaped glacial valley. Scenic landmarks visible from the river and its banks include Washburn and Merced lakes, Echo Valley, Bunnell Point, Little Yosemite Valley, Nevada Falls, and Liberty Cap. The long river segment of great visual variety and its uncompromised natural setting

provide diverse, exceptional scenery, all with the river in the foreground.

Yosemite Valley (RECREATIONAL classification) The river enters Yosemite Valley at Nevada Falls, flowing through Emerald Pool and then over Vernal Falls. Once in the flat valley, the Merced provides the foreground to many of Yosemite's most famous landmarks. From the river and its banks, views consist of Yosemite and Bridalveil Falls, El Capitan, Half Dome, and other named and unnamed parts of the cliffs rimming the valley. Meandering through a sequence of compound oxbows, wetlands and meadows, the river and its related features provide broadened panoramas. Throughout the valley, views from the river and its banks encompass the lower Montane forest as it rises up to sheer rock faces of granite cliffs and talus slopes, with a flat valley bottom serving as a contrasting foreground. The juxtaposition of granite domes and waterfalls is unique, as is the intensity of the river-related views found in Yosemite Valley. The Merced Gorge (SCENIC classification) Descending from Yosemite Valley, the river becomes a continuous cascade in a narrow gorge littered by massive boulders and Arch and Elephant rocks rising above, all visible from the river and its banks. Dropping 2,000 feet in 14 miles, canyon walls rise steeply from the river and have many waterfalls cascading down to the river. Spring and fall bring special parades of colors, from redbuds and other flowering plants in spring to maples and other colorful trees in fall. South Fork Merced River, both above and below Wawona (WILD classification) The river in these stretches is largely inaccessible, with just a few trail crossings above Wawona and none below it. The scenery from the river and its banks is that of an unspoiled Sierra Nevada river valley, with views dominated by forest-cloaked hills, distant peaks, and an untamed river. These are some of the wildest views possible in the Sierra Nevada. Some of the phraseology for the Scenery ORV might also be appropriate to enhance the definition of the Geologic/Hydrologic ORV. Cultural The continuum of human use along the Merced River and South Fork Merced River encompasses thousands of years of diverse people, cultures, and uses. American Indians and pioneering Euro-American groups flourished along these rivers because they provided reliable, year-round water in extraordinary settings. Evidence that reflects trade, travel, and settlement patterns include archeological resources, American Indian cultural resources, historic structures, and historic cultural landscapes. Today, these features are protected in place for their cultural and historic significance. Laws are in place to restrict public disclosure of specific locations of archeological sites and American Indian cultural resources. El Portal (RECREATIONAL classification) El Portal's location between Yosemite Valley and the San Joaquin Valley made it an important place of settlement, subsistence, and trade along the Merced River. The steep, narrow canyon at El Portal includes river terraces with level lands on which villages were built. The presence of Great Basin and PacificCoast artifacts indicate that El Portal was a location of continuous, far-reaching traffic and trade. In fact, the El Portal Archeological District contains some of the oldest deposits in the Sierra foothills, with data important to interpreting cultural history as old as 9,500 years. Particularly significant is the Johnny Wilson Ranch, a rare example of an American Indian homestead. Yosemite Valley (RECREATIONAL classification) Many sites in the Yosemite Valley Archeological District are river related and reflect the wide variety of human needs that the river and valley have accommodated for thousands of years. Whether it was drinking water, a sheltering climate, building or weaving materials, or abundant food sources, the Merced River united the threads making the Valley a hospitable place for people to live for thousands of years, well into the twentieth century. The Yosemite Valley Traditional Cultural Property (TCP) represents a rare occurrence of continuing connection of places and people from before 1851 to the present, with the river at the heart of this cultural system. The contributing elements of this TCP include river-related and traditionally used plant species, prehistoric village sites, and spiritual areas. American Indian groups assign strong spiritual values to the river and Yosemite Valley, attaching names and stories to geological and other special features in the Merced River corridor. These groups maintain their rights to practice their religion and ceremonies as they have for thousands of years. The historic circulation patterns and spatial organization of Yosemite Valley provide a designed visitor experience to and across the river. River-related environmental variables drove the siting and development of the vehicular, pedestrian, and equestrian routes connecting buildings, campgrounds, road, and trails within the scenic landscape. Today, the circulation system of vehicular, pedestrian, and equestrian routes in the Yosemite Valley retains a high degree of integrity to the historic period from 1851 to 1942. Wawona (RECREATIONAL classification) Built in 1868 by Yosemite's first guardian, Galen Clark, the Wawona Covered Bridge boasts state significance within transportation, entertainment, and recreation contexts. The bridge embodies the distinctive characteristic of a unique type of construction and is the only historic covered bridge in the western region of the National Park Service. Cultural ORVs are unique among ORVs in that once a cultural site is destroyed or desecrated it is an irretrievable, irreversible loss. Furthermore, WSRM mandates that 'Archaeologic' and 'Historic' are primary emphasis elements. Consequently, we remain concerned that Park management has yet to resolve the deep-seated controversy concerning Yosemite's lineal descendants (Paiute vs. Miwok). The Paiute people have reams of documentation validating their ancestral ties to Yosemite which the Park Service has continued to ignore. Meanwhile, Park managers continue to sign cooperative agreements with, hire as site monitors, and rely heavily on negotiations with the American Indian Council of Mariposa County/AICMC (Southern Sierra Miwok), a non-recognized tribe functioning as a non-profit organization. From the Paiute perspective, the National Park Service is committing "cultural genocide" against their people by refusing to accurately recognize their ancestral ties in the Park's historical archives. There are still no updates on the study launched in May 2009 by Acting Superintendent Ueberuaga that was supposed to resolve the concerns --has the study even started, what outside experts have been contracted to perform the reexamination, what methodology will be used. Without a clear understanding of the Cultural Values specific to the Paiute people, how can the Park guarantee protection of those Values? And what objective criteria will be used when there's a conflict between ORVs? If the Park resorts again to "net gain," we remain concerned that the Miwok Indian Cultural Center currently under construction will provide sufficient "net gain" points to allow desecration of other cultural sites along the River Corridor. This would be a tragic loss especially in light of the justifiable concerns of the Paiutes and the failure of the Park Service to recognize their ancestral ties to the Park. Additionally, Yosemite Valley and El Portal are home to shrubs and under-story plants of special significance to Native Americans for gathering of basket making and other cultural materials as well as for food. Indian hemp, bracken fern and Redbud are found mostly in Yosemite Valley while Willow, buckeye, Redbud, bracken fern and Indian hemp can be found in El Portal. Elderberry is significant for flute making and acorns for food. The cultural importance of these plant materials must be protected by both the Meadow and Riparian Complex ORV as well as the Cultural ORV. Native American values must be embraced by the Park and embedded in park plans. Tribal representatives (not just those employed or contracted by the Park Service) must be included as a critical part of the planning team not as window-dressing but as a highly valued resource. GENERAL COMMENTS? In the past, there have been numerous projects proposed where ORVs have been in conflict. Decisions as to which ORVs to protect and which are pushed aside using the "net gain" argument appear to have been made in an arbitrary and inconsistent manner based on existing commercialization and infrastructure as well as laying the groundwork for future, perhaps already funded, pet projects. With this new Plan, will ORVs be weighted? Do some have greater priority than others and why? There must be clear and objective methodology with respect to protection of ORVs that can be explained to the public and consistently applied. A comment was made at the Oakhurst workshop that this ORV Report may not contain all the information the public would like to see included that additional information may be part of a future document.

That's a concern. The entire Merced River Plan is based upon the protection and enhancement of well-defined ORVs; as such, the ORV Report must be comprehensive in its approach including justification for selection and denoting goals for protection. As the primary building block, everything should be assembled in one document rather than piecemealed throughout a variety of documents. ? A question was raised at the Oakhurst workshop as to whether the Park's decision to move forward with development of site-specific plans (e.g., the Half Dome Stewardship Plan EA) in advance of completion of the comprehensive Merced River Plan would ultimately predetermine/prejudice the capacity outcome of the MRP. Planners responded that any site-specific EAs issued in advance of the MRP would be amended to comply with the MRP. Usually a site-specific EA will result in a Finding of No Significant Impact (FONSI). How many 'No Significant Impacts' equal or add up to a Significant Impact or Cumulative Impacts? Moving forward with site plans without the visionary plans in place to provide management direction and guidance would appear to be an exercise in frustration for both the public and for planners. Why not focus on the MRP and bring that to successful completion before becoming distracted with follow-on plans that will have to be redone? ? At the Oakhurst Workshop, it was revealed that due to personnel changes the MRP Planning Team has been newly-redesigned. Planners said they would post the new Planning Team on the Park's MRP website. It's been nearly a month, and still there has been no such posting. Please follow through and post the names of Team members on the Park's website as a courtesy to the public. ? Concern continues as to the degree of interaction (and mutual respect) between the Resource Management and Science (RMS) staff and the Planning staff as well as between RMS staff and the public at large. Having recently attended the RMS Visitor Use and Monitoring Symposium on April 7 (which was opened to the public at the very last minute), the question came up as to how the Park's scientific research is informing the planning process and management decision-making and what is being done to keep the public in the loop other than some scientific mandate showing up in a future plan. The response was that the Symposium was for the purposes of sharing science; any discussion of planning and impacts on future management decisions were outside the scope. A similar question was asked at the Oakhurst ORV workshop; this time the response was that science is peer-reviewed and does not have to be reviewed by the public. We certainly respect peer review as an integral part of the scientific process but RMS staff cannot insulate themselves from the public. Aside from an occasional newspaper article, there has been little to no communication or outreach to the public with respect to resource conditions along the Merced River corridor. Not all visitors coming to Yosemite have the keen eye of the scientist. And though visitors deeply love Yosemite and want to see it protected, they may be viewing resource concerns raised by the NPS through a different lens of urgency. Consequently, it is very important for planners AND scientists to bridge the gap. Most likely, interested members of the public will comprise few biologists, hydrologists, anthropologists, historians, or other scientific experts but they will definitely include "experts" in the kinds of activities experienced at Yosemite that have shaped their lives and are the source of life-long memories. Therefore, it is critical that explanations of resource conditions both existing and desired be communicated on a regular basis in clear, easy-to-understand language in an on-going effort to educate the public and in a way that the visitor can relate the information to what s/he likes to do on the ground. The dots need to be connected between ORVs, management prescriptions and visitor experiences; if not, this Plan will face the same difficulties as other plans where the public perceives the Park is just using (even manipulating) the science, ORVs, etc. as an excuse to do what management wanted to do all along. So the question remains: How does the scientific research currently being conducted by Resource Management and Science (RMS) blend/integrate with the planning process, the ultimate development of Park Plans, and Park management decision-making? Where is the point when the public has an opportunity to learn about the science and ask questions before decisions just show up in a planning document? ? According to the Milestones Calendar, the next steps after finalizing the ORVs are: "establishing methodology for assessing ORV condition and defining thresholds for degradation; evaluating past and ongoing effects from existing facilities and uses within the river corridor; and preparing a Draft ORV Condition Assessment Report." When assessing ORV condition, how will the Park take into consideration degradation caused by management actions or a lack of management actions? (i.e., allowing 30 people in a campsite; allowing the concessioner to degrade Sentinel Beach in the name of commercial rafting, etc.)? Will there be some kind of a sliding scale (e.g., as management actions are enforced and conditions improve, will a "hot spot" be reevaluated) or will the MRP use poor management decisions in the past as justification to implement permanent action now? Who will be "assessing the ORV condition and defining thresholds for degradation"? Will it be planners or will it be RMS personnel? Upon what baseline will that assessment be based? For example, there is no legally valid Plan in place that authorizes removal of the Lower River Campground, the Upper River Campground, the Group Campground, or a considerable portion of Lower Pines Campground. Though the Park has arbitrarily closed off these campgrounds following the 1997 flood failing to do the necessary repairs, they still technically and legally exist as campgrounds. The Recreation ORV recognizes camping as an appropriate resource-focused activity. Additionally, the GMP states: "activities such as picnicking, hiking, and camping, which take advantage of the park's natural features?are the most appropriate uses?" The map on page 11 of the Draft ORV Report does not seem to indicate meadows or wetlands in the vicinity of these campgrounds. So will the assessment of ORVs in these locations be based on the 1980 GMP designation as campgrounds (thereby protecting/enhancing the Recreation ORV) or will the ORVs be assessed based on a wilderness standard or pre-Euro American contact? If the baseline is the latter, what is the justification and what objective methodology was used? Perhaps underlying this discussion is the disturbing quote from NPS Director Jon Jarvis in an interview with the San Jose Mercury (10/06/09): "And he said he'd like to see Yosemite Valley campsites destroyed in a 1997 flood rebuilt out of the valley, on Tioga Road and other locations, rather than in the valley along the sensitive Merced River. "Unfortunately, the public's perception is that Yosemite is just the valley," he said. "There are plenty of opportunities to end up with a no-net loss of campgrounds."" Such a pre-decisional comment from the top Park Service official is clearly inappropriate and has the potential to poison this entire planning process which has been touted as being open and transparent. Will assessments and evaluations of ORVs in campground areas be biased in favor of the NPS Director's apparent wishes? Additionally, his comment fails to consider the transfer of impacts to another area of the Park, higher elevation/colder temperatures not conducive to camping, and putting additional pressure on day visitation by turning thousands of displaced campers into "day visitors" or commuters to Yosemite Valley from their out-of-Valley campsites. Who will be "evaluating past and ongoing effects from existing facilities and uses within the river corridor"? Scientists or planners? One of the research studies at the Science Symposium on April 7, involved River Bank Erosion from Happy Isles to 1 mile west of Pohono Bridge. In the study, Sentinel Beach was highlighted as "high use," yet high usage is a result of a management action allowing commercial rafting to be run through the area. The study also states that the "East end of Yosemite Valley has been identified for comprehensive river restoration." Does such a stated goal already predetermine actions (elimination of facilities or uses) for the new MRP? Yet how much of this "crisis" is a result of poor enforcement of park rules and how will the Park management's previous actions be factored in? As has been stated by hydrogeologist David Cehrs: "The NPS does not seem to be cognizant of the fact that the river has infinitely more power than the NPS will do whatever it wants, whenever it wants to any and all anthropogenic structures within Yosemite Valley." "The meandering Merced channel migrates laterally across the Valley floor and over time the channel occupies all locations within the Valley, talus slope to talus slope, and this action forms the floodplain. Channel migration is natural river behavior and is the result of river hydraulics within the channel curves." When does the RMS goal of "comprehensive river restoration" interfere with the MRP's (and GMP's) previously stated

goal of "letting natural processes prevail?" ? The Record of Decision (ROD) for the Environmental Education Campus at Henness Ridge states: "...224 students would be housed at the Henness Ridge campus and approximately 266 in Yosemite Valley (approximately 74 fewer students than in historic programming)." Buses would...shuttle students between the Henness Ridge campus and accommodations in Yosemite Valley (Curry Village/Boystown)." However, the Settlement Agreement states: "?the NPS has made the Boystown employee housing area into accommodations available for approximately 237 YI students (leading to an average reduction of more than 100 YI students per night) and will make that area available for visitors when not used by YI. The CMP will also treat the YI accommodations at Boystown as a temporary fix to an immediate problem and will consider alternatives for a permanent solution." First, there appears to be a "creep" in the numbers of students to be housed in Yosemite Valley (237 to 266) even though the YI ROD claims "consistency with the September 29, 2009 Settlement Agreement for the Merced River Plan." Second, the Settlement Agreement clearly states that Boystown is a "temporary fix to an immediate problem" and that alternatives will be considered for a permanent solution. By naming Boystown as YI's Yosemite Valley accommodations in the YI ROD--does that predetermine future land-use decisions in the MRP??? Capacity decisions along the Merced River Corridor have yet to be determined. Will the YI numbers (i.e., shuttle trips, Valley-based students) predetermine/compromise future capacity decisions in the MRP? ? We do appreciate the Planning Team scheduling an ORV Workshop in Oakhurst in light of the formidable road construction taking place on the Wawona Road. Though the concept of Draft ORV workshops/roundtables was an excellent idea, did these gatherings result in the feedback planners were seeking? With respect to the Oakhurst workshop , it would seem very few members of the small audience even fully understood what an ORV is or its critical importance to the planning process. It would also seem that very few members of the audience had done their homework and reviewed the Report in advance and had come prepared to discuss it in detail. Everyone was handed the Report when they entered the room and if not reviewed in advance, it would have been impossible to absorb its full impact while sitting there. The brief presentation was more broad-based covering the history of the WSRRA, and the MRP and though the proposed ORVs and their definitions were mentioned, there was no in-depth discussion/examination. (Interestingly, I don't recall the opening slide of the ORV presentation labeled "Draft"? ) After the presentation, the audience was invited to ask questions. People didn't seem to understand the purpose of the workshop (in addition to their not having done their homework) and planners seemed to have trouble helping them focus--hence questions were all over the board focusing more on general park management issues. The meeting started 15 minutes late and because of scheduling issues, the goal was to end the meeting = hour early/too short a time for discussion of such an important issue and that was even with a very small audience. The rapid-fire scheduling of the workshops/roundtables would create wear and tear on the best of staff: Monday in San Ramon ending at 8PM; Tuesday in Fresno ending at 8PM; Wednesday in Oakhurst at 9AM, in the Park at 2:30PM, and again at 5PM; Thursday in Groveland; and Friday in Mono. That much travel plus 7 presentations in 5 days is tough on anyone; we hope such an arrangement doesn't burn out good people resulting in their "shutting down" because they're too tired to absorb anything. It begs an uncomfortable question, were planners really looking for information and feedback or was this just an exercise to hopefully sell the "Draft" as a done deal/check-off and move on? As an aside, with respect to the workshop minutes posted yesterday, it appears the italicized NPS responses have been carefully "wordsmithed"; and apparently there were no NPS responses at the Yosemite Valley session. A bit troubling? Your sincere consideration of the above-stated concerns is appreciated and we look forward to reviewing future revisions of this critically important document.

<b>Correspondence ID:</b>	32	<b>Project:</b>	18982	<b>Document:</b>	22564
<b>Project:</b>	Merced Wild and Scenic River Comprehensive Management Plan				
<b>Name:</b>	Adair, Greg				
<b>Outside Organization:</b>	Friends of Yosemite Valley Non-Governmental				
<b>Received:</b>	Jul,31,2010 00:00:00				
<b>Correspondence Type:</b>	E-mail				
<b>Correspondence:</b>	<p>We respectfully submit these comments with very serious concern about the course of the Park's planning process for the Merced WSR, evident in this Draft Report. We urge fundamental revision and expansion of this report. During Settlement discussions, the Park's representatives agreed to address the deficiencies of prior plans. Deficiencies in prior plans varied from large and conceptual elements, to those involving a lack of clarity, lack of detail, or omissions. The Settlement places great emphasis upon the need to focus on the identification, status, and geography of ORV's. Failure in this area ? due to a lack of underlying scientific knowledge, gaps in data, and by manipulation of ORV scope or definition for some locations (most obviously for El Portal) ? had a central role in the undermining of prior plans. With allowance for the river's free flow, the protection of a river's unique values is what a river plan is most fundamentally about. To the extent that ORVs are rendered vaguely, are ill defined, or are omitted, any river plan would be weakened or become meaningless. A plan with vague, ill defined, or omitted ORV's could create no demonstrable way to protect these values. Like building a house with an incomplete or weak foundation, the stresses of the overlying structure (analogous to weighty plan elements including user capacity, land use, etc.) could not be related to a resistant foundation. A river plan which does not relate later plan elements to well-defined ORVs would be doomed to collapse, in our opinion. The primary task of this Draft Report must be to properly identify, and properly define the Merced's ORVs. The WSRA Interagency Commission (2002) published the following management directive: "Thoroughly define the ORVs to guide future management actions and to serve as the baseline for monitoring." The Park ostensibly took the right approach when it set out to identify, study and define ORV's at the foundation of the Plan. But we are very concerned that the job was mishandled, as this Report lacks details, definition, and basic information. In our Scoping Comments in February we wrote: "The NPS needs to begin by focusing on the ORV's to be protected in this Plan. That work has not been done, but it must be. The 2008 ORV Report is far too general to be of any real use in this Plan. It lacks substance. That report and the former per-segment ORV lists lack details of the resources. They do not specify what goals NPS has for the ORV's. They do not say what measures will be matched to specific protection goals. NPS should focus its efforts on the directive of the Interagency Commission. There must be clear and objective methodology that can be explained to the public and consistently applied. " We respect the excellent and gifted staff of Yosemite's Resources Division. We do not wish to project blame to them. On the contrary, it is our deepest hope that the expertise of the staff will become the foundation of this Plan, and we are greatly discouraged that we cannot yet see whether or not it informs this ORV Report. We are outside, and cannot know whether suggestions of your Resources staff are being transmitted and used, or discouraged. We encourage the Merced core planning team to also welcome input from the many scientists in California who know and care about Yosemite and its environs, who have studied it, and who may be able to push the unanswered scientific questions over the difficult knowledge hump. The incorporation of outside scientific input was a key discussion in the Settlement,</p>				

and there is no need to consider this requirement met if needed input has not yet been obtained. The current Draft Report provides some uplifting prose, and we appreciate that this is a step towards thinking about the key relationships within the lists of ORV elements. But so far this prose seems renders ORVs in broad attributes, and poetic pictures. This should be corrected by including missing description of individual elements, their identity, location, and status. Although some things are best described as related wholes (plant and animal populations, ecosystems, cultural landscapes, scenic or interpretive landscapes, flood regime and/or free flowing river, and others), it is no less important to provide objective details of what is being described, or of individual and reasonably clear details in describing elements which stand alone. Lacking such description, details, and rigor, we have little confidence that the broad descriptions in this Report can be identified and protected on the ground. (We acknowledge that maps of some values have been added in this Report. But so far the maps are not detailed enough to be useful, in our opinion). BIOLOGY: For example, in the case of your description of "Meadow and Riparian Complexes"; what plants and animals make up the ecosystem you are describing, and where does it exist specifically? You mention 9 special status species and their habitat, and 1 rare plant. This is important information, and while we agree that these special status species deserve focus, we do not think you can safely define this category with such a limited description. This ecosystem is shared by an array of species which deserve mention, and their status needs to be moved from sui generis listing to some description of their status. Jeanne Aceto wrote: "What about the 90 species of mammals, the more than 150 regularly occurring species of birds, the 12 species of amphibians, 22 species of reptiles, and 6 native fish species? According to park statistics, "despite the richness of high quality habitats in Yosemite, approximately 40 species have a "special status" under California endangered species legislation." Additionally, the Park hosts 1,500 species of flowering plants and 35 species of trees, and of the flora, more than 75 species are listed as "sensitive." We think a more detailed approach along these lines is needed. Interrelated parts in the system should be described. We wonder; where is the description of the specific habitat requirements of special status species, and those of other species dependent upon this ecosystem? How are these habitat requirements related to meadow hydrology? How are they related to the dynamics of the river's free flow, and its ability to scour the channel, and to deposit alluvium seasonally and in flood events? What are the effects of trees and other vegetation on habitat for other plants and animals, or the creation of an "edge effect" on these systems? How are these systems influenced or modified by the proximity of human effects such as noise, traffic, development, or their bissection by roads and parking areas? (This question may help to talk about the system's limits: where does the system stop, or how is it impaired by human influence?) The relationship of a system or landscape should be described in relation to other ORV categories (scenic / free-flow/ cultural). How does the integrity of these systems relate to their supporting role in the Scenic ORVs; what is the relationship to the free flowing river; how are they related to ORV Cultural landscape? Individual ORV elements need definition in order to fill out the description of a category. We would have hoped to find the results of extensive scientific input concerning the makeup of these systems, and observation about their actual status. The Settlement terms suggest this is an indispensable step in coming to terms with what will actually be protected and enhanced in the Merced WSR. We feel the evidence of that input it is missing from this Report. With all of this said, and allowing that we are not scientists ourselves, we are already aware of some things in the Merced which have gone missing from this Report. We note in passing that planners have (again) omitted Yosemite Valley's black oaks. We think these trees are attributes contributing uniquely to the Valley's cultural landscape and to the scenic ORV. They should be considered and incorporated as ORV elements. All of Yosemite's bat species are river dependent as far as we know, and many have special status. We think these are not adequately accounted for in the Report as parts of the biological ORV. The largest white fir in the world exists at Merced Lake; why is it not discussed? At Merced Lake we are concerned that this Report uses the word "camps" in describing the recreation ORV and campsites in the Merced. As we have said, the NPS discuss the impacts of the Merced Lakes High Sierra Camps in this Plan. We think the NPS should be considering that camp's discontinuation due to impacts on water quality (an ORV), and wilderness values. We are alarmed at the complete omission of biological ORVs in the El Portal reach of the River, as well as the Gorge. We have made arguments based on science that the many special status species of plants and animals in these areas are worthy of ORV status. We incorporate those arguments by reference\*. There is no discussion of any plant or animal species in El Portal or the Gorge. Why? Scientists have identified wetland areas in El Portal. The NPS has omitted these from this report. We think the NPS should consider these wetland areas unique at this elevation in the Sierra, and despite impacts they should be valued and restored. Consideration should be given to the adjoining (currently blocked) channel running behind the new store, the motor cottages, the Hotel, the old store site, and Odgers. (We think the removal of Odgers makes sense as a first step on the way to re-creating integrity in this area in any case). You should also consider the ancient valley oak grove in El Portal which is a unique community in a central Sierra river canyon at this elevation (see concurrent comments by C.S.E.R.C.). The valley elderberry longhorn beetle; the Northwestern/ Southwestern pond turtle; Tompkins Sedge; Congdon's Woolly Sunflower; Congdon's Lewisia should be included in the description of the biological ORV for El Portal. Each of these is demonstrably rare or unique, and river-related. The NPS had begun to do relatively detailed surveys of these elements at El Portal, incorporating river-influenced side channel and inflow drainages. Are we to assume the results of what looked like a good start simply went missing? With great concern for this Merced WSR Plan we ask you; what happened here? We hope this was merely an oversight. This Plan needs to identify and define the biological ORV elements rich in the Gorge and El Portal, and to protect them in this Plan. RECREATION: With respect to the Biological and other natural ORVs in all reaches of Yosemite's Merced, there will be pressure from recreation. We urge the NPS to remember that while Recreational ORV aspects must be considered and incorporated, they are secondary emphasis aspects in the ORV system for a WSR. There would likely be very little "unique" about recreation in Yosemite's Merced WSR corridor which is not intimately related to or dependent upon the protected biological, cultural, scenic, and water quality aspects of the Merced WSR. The ORV aspect of a given recreational activity is deeply tied to the primary emphasis ORVs. We think that to achieve success with the Recreation ORV elements, and to avoid conflict over them, the NPS should therefore first clearly and objectively identify and define natural and cultural ORV aspects. If the Merced planners will engage the public about their experience in the Merced WSR, and provide good explanation with objectivity about what we mean by ORVs for the Merced, stakeholders (most, we hope) will accept that some of their activities are to be favored and even protected and enhanced in this Plan, but some activities cannot be. The Plan could then describe changes that need to take place in some measure, for good reasons, which can be discussed in the light of agreed facts and values. We have written many times about recreation. We believe that low-amenity, resource related, and individually supported activities (therefore those which de-emphasize commercially based recreation and amenities) can be harmonized with traditional park visitor experience. We think this is a simple connection. Yosemite's GMP did not avoid making this connection either. We have noticed the outlines of this thinking in relevant protective statutes governing the Park. The Ninth Circuit noticed it too, in relation to the WSRA. Jeanne Aceto wrote on this point:

"In light of the 9th Circuit ruling, special attention must be directed to clearly defining the Recreation ORV to prioritize the protection and enhancement of low impact and resource-focused activities conducive to the National Park experience while significantly reducing/eliminating the proliferation of profit-driven commercialized applications (e.g., raft/bike rentals, trail rides,

special events, etc.) and resort-style facilities. Yosemite cannot be all things to all people. To quote from the Ruling: "To illustrate the level of degradation already experienced in the Merced..., we need look no further than the dozens of facilities and services operating within the river corridor, including but not limited to, the many swimming pools, tennis courts, mountain sports shops, restaurants, cafeterias, bars, snack stands and other food and beverage services, gift shops, general merchandise stores, an ice-skating rink, an amphitheater, a specialty gift shop, a camp store, an art activity center, rental facilities for bicycles and rafts, skis and other equipment, a golf course and a [High Sierra Camp] dining hall accommodating 70 people. Although recreation is an ORV that must be protected and enhanced, see 16 U.S.C. ' 1271, to be included as an ORV, according to NPS itself, a value must be (1) river-related or river dependant, and (2) rare, unique, or exemplary in a regional or national context. The multitude of facilities and services provided at the Merced certainly do not meet the mandatory criteria for inclusion as an ORV." The definition of the Recreation ORV must therefore be more sharply focused, with added detail about which facilities and activities will be allowed to stay, or made to go, as well as the focus of the preferred activities. The writing of this Report, and the discussion of Recreation ORV elements present an opportunity for real, needed change. We are aware that the NPS has received many expressions of preference about recreation over time. How could it be otherwise? Many people will probably always imagine Yosemite as an extension of their desires, and will shape their visit around things they want which may conflict with the more appropriate activities of others, or conflict with what Yosemite needs. But the WSRA, and this Report provide planners with a new opportunity to speak clearly with the public about recreation from the position of Yosemite's own values. In this Plan the task is to optimize visitor experiences that really matter ? ones which are outstanding or unique -- in the Merced WSR corridor. The Report must therefore take a more focused, detailed description of what it means and does not mean by ORV Recreation. We encourage planners to keep an open dialogue with the public about recreation, but we hope that planners can more sharply focus upon the Outstandingly Remarkable Values of the Merced WSR as the basis for the discussion. If so, there could emerge an honest popular expression about how people experience these values, where they do, and under what social and environmental conditions they do. There is an inherent question of "how much" in any description of the Recreation ORV. "At what point does too much use of the Recreation ORV diminish the ORV itself?" Again, Jeanne Aceto wrote, and we concur: "What is the quantity and mix of an activity that an area can sustain without adversely impacting this ORV as well as the other ORVs? When does one person's recreational interest intrude on another person's right to solace? Can an activity be mitigated to the level where it only impacts those in the immediate vicinity of the activity? What guidelines will prevent an activity from reaching critical mass where it can potentially impact nature, history, and large volumes of people? To what degree does commercializing an informal activity significantly increase the impacts? Should the NPS (and by extension, the concessionaire) even be in the business of "marketing" or commercializing recreation (e.g., raft rentals, bicycle rentals, commercial trail rides, fishing/backpacking rentals and sales) or merely be "accommodating" recreational activities for those who supply their own equipment? Does the current park practice of site hardening and erecting fencing and other obstructions to contain and control large volumes of people impact the individualized, self-guided experience free from the bustle of crowds? What levels of noise drown out the sounds of the River and the wildlife/numerous tour buses, RVs, RV generators, loud radios, supply trucks, motorcycles, loud partying, barking dogs, too much construction in the name of trying to "improve" or "exploit" nature? Does the smell of diesel fumes or the stables/byproducts from activities that serve a few impact the sensual experience of the many? Is the future of Yosemite to be as a nature center, or will it move further in the direction of becoming a profit center?" Here are some specific objections to some of your writing on Recreation and human activity in the Report: About Boating: Why is "boating" in there? We think the commercial raft rental is an absolute problem in Yosemite Valley. At minimum, we ask that you explain what you mean by "boating", or, preferably omit this. Related to Camping: FOYV has long argued that some camping in Yosemite Valley is appropriate, and should be based upon a well-studied plan which focuses on protecting natural resources as an objective rationale for land use decisions. The NPS has so far never created a unified plan which worked to square natural ORV protection in the corridor with ORV aspects of the camping experience within the corridor. We think this can be done, and we are willing to provide our comments and impressions to help it succeed. At the moment, with respect to the inventory of existing sites, we think that it is not helpful for the NPS to omit the Upper Rivers, Lower River, and Group campgrounds from the map of existing campgrounds. People want an honest brokerage of the land use aspect in Yosemite Valley, and we think these omissions will polarize discussion. Concerning "Education": The use of the term education in this Report seems to displace the appropriate term interpretation, or "interpretive experiences", and this is troubling to us. Interpretation can take many forms, and we consider interpretation to be a highly appropriate park activity and experience. "Education" implies an institutional context. There are two formal educational institutions with MOUs in Yosemite. One, the Yosemite Institute, is of great concern because it is profitable in Yosemite, and because of this it has been seeking to expand its program in the Park for years. With all due respect for their work we oppose this, and we remain concerned that the ROD for the YI Campus describes temporary facilities currently being used in Yosemite Valley as if they are intentional and permanent. The Settlement Agreement clearly states that Boystown is a "temporary fix to an immediate problem" and that alternatives will be considered for a permanent solution. By naming Boystown as YI's Yosemite Valley accommodation, the NPS wrongly elevated that facility's status within existing uses. By naming "education" within the Valley's Merced ORV description, the NPS wrongly elevates institutional education in Yosemite as part of the River's ORVs. (The ROD also inflated the number of overnight YI guests at Boystown from 237 to 266, a change which directly contradicts the Settlement Agreement's terms). The Report should delete specific use of the term "education" in order to be more clear that we are talking about interpretation, and not one entity's individual interest. Concerning Yosemite Valley, you wrote: "These exemplary experiences are characterized by close contact with the river's resources and the ability to experience the river in different light, weather, and seasons." With agree with Jeanne Aceto that this sentence is too generic, and does not really describe the characteristics of any activity or denote the extent of the human-built environment. Please consider a description with more detail such as : "Activities should provide an opportunity to relieve stress and to get away from a human-built environment; preferred activities should be resource dependent (e.g., wildlife viewing, nature study, hiking, camping, picnicking) with opportunities to see, hear, and smell natural resources and occasions to enjoy periods of solitude; moderate evidence of development, human activity, and natural resource modifications that are designed to be harmonious with the natural environment; presence of others is expected and tolerated with encounters ranging from low to moderate; well-managed, conventional motor vehicle use is permitted on paved, graveled, and unsurfaced roads; settings should offer a sense of independence and freedom over comfort and convenience; the challenge and risk associated with more primitive types of recreation are not very important; practice and testing of outdoor skills are important." With respect to the Recreation ORV in Wilderness we note: You should be more specific about the importance of the lack of a human built presence in wilderness. We again quote Jeanne Aceto's good suggested language : "Primitive settings are characterized by an unmodified natural environment of fairly large size. Interaction between users is low and evidence of others is minimal. The area is managed to be essentially free of man-made "improvements" and facilities. Experiencing isolation from sights and sounds of humans is probable. Opportunities for independence, closeness to nature, tranquility, and self-reliance through the application of outdoor skills abound and present high degrees of challenge and risk." In this wilderness, river access for water, wading, and as a setting for hiking and camping are important. The river is also a constant scenic interest for wilderness travelers. These elements taken

together make hiking along and enjoying the River in this wild setting world class. **GEOLOGIC / HYDROLOGIC PROCESSES:** We earlier suggested that the NPS include direct reference to the free flow of the Merced as a whole in describing the Geologic/Hydrologic Processes ORV. We still think this idea has merit. Isn't the free flow of this river as a whole Outstanding and Remarkable in a regional and national context? We think it is , and therefore this attribute worthy of protection and enhancement. The main stem of the Merced within wilderness is armored by granite, yet as it reaches the Valley, the Gorge, and El Portal in its natural state it does amazing and interesting things though its energy and the relative lack of resistance of adjoining soils. Scientists have said much about this, and we know you are aware of them, and some are working with you. Your text references these processes of meandering and deposition in the Valley segment, and description of these processes and attributes is good. (We think you should provide more detailed description and locations .) The Merced outside of wilderness has been treated as a threat and a nuisance, an inconvenience in the presence of development. We think that the free flow of the Merced can be described as an ORV in a relatively natural state in some places, and it is in need of consideration for restoration in some other places. Those would be the questions this ORV attributes could lead to, and we hope you will consider such a focus an opportunity rather than as an new unknown which might present new, unwelcome problems, since decisions favoring free flow would be some of the most far-reaching protections the River Plan could contemplate. The River in a free flowing state is a primary driver of ecological renewal and health. Your text touches lightly on this fact. Because of this, we think free flow and the ability of the river to migrate should become part of your description of key biological factors in the biological ORVs as well. We are happy that the El Capitan Moraine is mentioned. We think further consideration of the problem and opportunity of its restoration should remain within the scope of this plan . We think you have missed important Geologic and Hydrologic ORV elements in the Gorge and El Portal. With respect to the Gorge , the sheer beauty of the river in its free movement, moving through the life zone that it travels is so extraordinary; we are surprised you did not mention this setting as being outstanding because of the river's steep descent and morphology, which it is. We think you should consider it in addition to its inclusion in the scenic description. With respect to El Portal, what seems apparent is that an entire landscape exists which, if interpreted correctly, may be unique in the Sierra. Here the glaciers ended (glacial polish on Parkline Slabs). The transition to metasedimentary rock occurs here. The glaciers and the river in this terminal location also deposited a massive terminal field of boulders and scour (if that is the right term). We can think of no other landscape in the Sierra that tells this story of the ends of glaciers so well, or so clearly. It is part of the same glacier story which makes the Yosemite Merced so extraordinary. We think this aspect of the river and of Geologic Processes should be considered as part of the geologic ORV's, and considered for El Portal . We are also aware of the very unique alluvial morphology at El Portal including benches, and cutoff channels, which we believe are now unique due to their persistence at this elevation of the Sierra. They have been destroyed elsewhere in the Sierra by development and road building. In all segments, we think that prior descriptions of water quality related something outstanding about the Merced to standards of quality which could be, and should be measured and maintained or improved. **SCENERY:** The discussion of the Yosemite Merced WSR should ultimately connect a comprehensive scenic assessment of those things you have begun to describe, with detailed knowledge and assessment of the impacts of modern civilization on scenery. Such an assessment should identify high quality opportunities to experience scenery, and identify where scenery has been degraded by human intrusions. **CULTURAL:** Natural and scenic attributes may elevate a river to protective status by being unique or exemplary, and a planner approaching the task of writing a River Plan would think both in detail and in overview to assess these outstanding and remarkable attributes. But because we are witness to a unique and ancient culture rooted deeply in the Yosemite Merced, we will need to have a very different approach. To say that the Yosemite Merced is culturally unique is an understatement. As a place with prehistoric culture, contacted late in "North American" history by Euro-Americans, and continuously surviving to the present day, all that makes this story complete is extraordinary, we think The WSRA mandates that 'Archaeologic' and 'Historic' ORVs are primary emphasis elements in a WSR Plan. Cultural ORVs are unlike the other ORVs in that when a cultural site is desecrated or destroyed, the loss is irreversible. As such, a strict non-degradation standard must be applied to all aspects of the archaeological and cultural landscapes. We reject any notions of "net gain" for cultural ORV elements of the Merced WSR. The continuing human story of Yosemite includes traditional plant use, gathering areas, village locations, burials, springs, sacred sites, petroglyphs, and more. Again we concur with Jeanne Aceto: "Yosemite Valley and El Portal are home to shrubs and under-story plants of special significance to Native Americans for gathering of basket making and other cultural materials as well as for food. Indian hemp, bracken fern and Redbud are found mostly in Yosemite Valley while Willow, buckeye, Redbud, bracken fern and Indian hemp can be found in El Portal. Elderberry is significant for flute making and acorns for food. The cultural importance of these plant materials must be protected by both the Meadow and Riparian Complex ORV as well as the Cultural ORV." We acknowledge the legitimate restrictions on public information about these cultural landscapes, sites, plants, and areas. The Report has tied the story of past times to a living present, and we think this is a crucially important thing for this plan to do. We are concerned that the Park should learn as much as is possible about the Cultural landscape in order to protect it. But this also means that to succeed in creating protection, planners must communicate in a respectful, empowering way with all members of Yosemite's native community, some of whom have been omitted and marginalized. We have expressed previously that the Park has a responsibility to communicate with all native American stakeholders, not merely those whom the park has sign cooperative agreements with, hired as monitors, etcetera, such as some within the American Indian Council of Mariposa County/AICMC (Southern Sierra Miwok). As the NPS is aware, the Paiute people have produced volumes of documentation demonstrating their ancestral ties to Yosemite. The Paiute perspective is that the NPS commits a form of cultural genocide by excluding them from Park archives, and marginalizing them from the key decisions which affect their cultural continuity with their Yosemite's prehistory and ancestral sacred places. It is time for the Park to reach out, to extend the respect of inclusion to all of Yosemite's native people. We wonder whether there has been any progress on the study launched in May 2009 by Acting Superintendent Uberuaga which intended to resolve the Paiute claims ? Thank you for the opportunity to comment. We look forward to communicating with you further on these important matters. Sincerely, Greg Adair, Director, Friends of Yosemite Valley

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**Correspondence ID:** 33      **Project:** 18982      **Document:** 22564  
**Project:** Merced Wild and Scenic River Comprehensive Management Plan  
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**Outside Organization:** Yosemite Valley Campers Coalition Non-Governmental  
**Received:** Jul,31,2010 00:00:00  
**Correspondence Type:** E-mail  
**Correspondence:** Dear Planning Team: Please regard this as a supplement to the comments made at the 06/30/10 Open House in Yosemite Valley

concerning ORV's and your Draft ORV Report Cultural: We remain skeptical that our (YVCC) comments from our previous scoping submittals and thousands of petitioners have had an affect on your work. Cultural ORV has to include family auto-based drive-in camping (in tents) which when putting aside the autos, builds upon the Native American manner in which the park was visited and is visited today. Since the few who ventured into the Valley in late 1800's to camp up to millions of visitors attempt each year now to enjoy this family cultured activity of camping. To say it is not a cultural ORV is to be either ignorant or have a purpose-driven disregard for the truth in visitation and enjoyment of the Valley resources. If all the children were able to write in, you would be swamped. The grandparents speak for them as they give their testimony of how they pass on the enjoyment of the river resources to their children and grandparents in legacy form. They pass on the stories from generation to generation: from marriage to marriage. You can read about their desires and experiences in the petition comments. They repeat a familiar theme with high regard for the family cultural experience of camping in the warmth of Yosemite Valley and in the chill of the Merced River on a float (in their own rafts). Often, the Draft mentions international famed activities; we suggest to you that family auto-based drive-in tent camping is of equal or greater international fame; yet, sadly, it is out of reach due to the Park removal of sites along the River. We believe that this activity deserves its rightful place on the list of priorities of study and enhancement as a Cultural ORV; that no other activity along 2 or 3 miles of the 81 mile Merced River matches the test of use with enjoyment and preservation of values set aside for the Park by President Lincoln. In a week's time in a riverside campsite, values are absorbed for the most part in similar repetitive fashion around the picnic table, in tents, around the campfire, and while floating on the Merced River as a family. The birds and coyotes are heard; the deer and the bear are seen; the bats at dusk are seen eating the moths; the dogwood is seen in bloom; the raccoons and squirrels are seen foraging. The stories of all these are revisited each year and retold each year to young and old. It truly represents a traditional family cultural experience beyond recreational. Maybe without some of the bike riding (personal equipment) or rafting (personal floatation devices), this activity is similar to our Native American families long in the tradition of riverside camping. This is where values of our fathers and mothers are passed. This is part of the Lure and Lore of Yosemite. So, how will you, the Planning Staff study this ORV in a fair way? How will you give it the fair shake it deserves? How will you distinguish the above from the fixed roof lodging and for-profit visitation? Will you come to conclude that this is the only acceptable park policy that fully appreciates the River resources balanced with its preservation and visitation? Will you make interpretive resources important to the camping public to teach how to preserve that which they love without fencing off river banks? Will you preserve this basic long standing ORV in its purity or will you conclude that it needs to be managed and further manipulated? For 30 years we have tried to illustrate what millions of camping visitors already have known. Team after team of Park planners plundered and scuttled it. You are urged to embrace the good and obvious in evaluating family auto based drive-in camping in our Yosemite Valley and study it in a cultural as well as recreational theater as originally intended and traditionally exercised. With all due respect, Brian H. Ouzounian, Yosemite Valley Campers Coalition

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