

**Wendy Brown  
Yosemite For Everyone  
2684 East Westfall Road  
Mariposa, CA 95338**

**The Subcommittee on Public Lands and Environmental Regulation  
“Public Impacts of Closing Amenities at Yosemite National Park.”  
July 9, 2013**

I am here to provide information to the Committee on the public impacts of closing amenities at Yosemite National Park. I am an official representative of Mariposa, authorized by the community to speak for them, and many more like us in and around Yosemite National Park. I am a founder of Yosemite For Everyone. We are regular people who have joined together who believe in a common sense approach to preservation where visitor use is balanced with protecting the environment. We are horsemen, past park employees, a builder, hikers, campers, business owners, retired Yosemite Magistrates, and attorneys. I am also a member in good standing in The Mariposa Mountain Riders, Backcountry Horsemen of California, and the Mariposa County Arts Council. I am an outdoor enthusiast, a horse owner, and stock user and have a good understanding of our public lands and Yosemite National Park. Through the years I have spent quality time with family and friends in Yosemite. I have enjoyed personally most of the recreational activities, camping, and amenities that the park offers. I am a cowboy poet. I published my book of original cowboy poetry “Mountain Majesty” in 2011. For over thirty eight years I have been employed at a family owned and operated restaurant in downtown Mariposa. During my employment I served visitors from all over the world that were coming to visit Yosemite. I enjoy telling them of all the things they can see and do in the park, what amenities are offered, and directions to get where they want to go. Over the span of four decades the restaurant struggled through many catastrophic events, such as floods, rock slides, and wildfires that closed the “all weather highway” to Yosemite for extended periods of time. All of this has put me in close contact with the citizens of our small gateway community of Mariposa. What affects Yosemite National Park absolutely affects the outlying communities in regards to their economy, employment, and visitor experience.

Our citizens, local merchants, and those employed by them are concerned about their futures and the future of our community if any of the proposed Alternatives, except the No Action Alternative 1, of the Merced River Plan are implemented. Alternatives 2-6 will be remove and eliminate almost all of the traditional, historical, recreation activities, facilities and services that have been enjoyed by visitors to the park for one hundred and fifty years. I am appearing before you today to ask you to direct the National Park Service to take these actions:

- Develop a Plan that retains the activities they are proposing to eliminate under any of the Action Alternatives. Only the No Action Alternative 1 is acceptable because it retains all of the activities.
- Exclude Yosemite Valley from the Wild and Scenic Rivers Act. This segment is recreational and allows these activities to continue.

Chapter 5, page 21 of the Environmental Impact Statement Management Standard states, “*the Wild and Scenic Rivers Act provides for existing structures as of designation to remain.*”

### Impacts To Visitors

- People come from all over the nation and all over the world to visit this national treasure. Many of the residents of California who visit Yosemite, do so annually to enjoy traditional family oriented activities year after year. All of the visitors have come to expect to continue to be offered the activities that they have enjoyed for many years. We are told that many of these activities will still be allowed, such as horseback riding, rafting, and cycling. This is only true if you own a horse, a bicycle, or raft, and can bring the “activity” into the Park with you. It appears it is not the activity itself that is harmful to Yosemite, but only if it can be rented in the park by visitors who are unable to see the Park from a hiking trail or shuttle bus. This is nearly impossible for most visitors as transporting these items from a long distance away would be unreasonable, and difficult. Yosemite is a World Heritage Site and draws visitors from all continents, none of whom can bring their own bicycle or horse. The management proposal is unfair to these international visitors, much less citizens from across the Nation who may visit Yosemite only once, only to find they have no access beyond the roadway.
- With seventeen thousand tourists using wranglers to pack them in every year and thirty four thousand people who hire private rafting companies, recreation will be severely limited. Many people will not be able to have the “Yosemite Experience” if they can’t hike or walk. All of the Alternatives, except the No Action alternative 1, are focused on “self-reliant, nature based experience.” The Plan discriminates against minorities, those of modest means, the very young, the elderly, and the disabled. For example, many visitors are unable to hike the trails due to disabilities. Many lack outdoor experience and have concerns for their safety, and many visitors are unwilling to venture out on their own. The availability of stock outfitters encourages Park visitors to get out of their cars, get close to nature and enjoy a once-in-a-lifetime National Park experience. Seeing Yosemite on horseback is an experience that cannot be replicated by other means. For the vast majority of visitors, that opportunity can be provided to them only through the services of commercial guides. The same holds true for bicycling, and river rafting. Bicycling in the National Parks supports the National Park Service’s Healthy Living Initiative and offering bike rentals is a positive visitor experience. Bicycling through Yosemite Valley is a unique way to experience the scenery, and is an appropriate alternative to driving cars, promoting the reduction of vehicle congestion in the Valley. Providing handicap bike rentals meets accessibility requirement for the National Park Service. They also provide safety orientation and trail map, helmet, helmet sanitation, daily inspection and bike repair, fitting seats, assistance with child carriers, wheelchairs, motorized scooters and recumbent bicycles. Rafting also provides Yosemite’s visitors with a quality recreational experience directly connecting them to the Wild and Scenic River and a unique way to view the majesty of Yosemite Valley. Congress never intended to exclude river use from the Merced, and in fact, recognized use of the River as a “value” to be emphasized. Raft rentals are only operated during safe river conditions. All participants are provided with life vests and are given a safety talk and river orientation prior to the trip. Most people coming to the park cannot provide these services for themselves, the result being, less visitation due to the lack of recreational activities. The National Park Service should retain visitor services because their removal seems to have no direct benefit to the river values. The activity is not said to be harmful to the river. Yet, in this proposed “river management plan” somehow a raft brought in by a visitor is good, but a raft rented by a visitor is bad. It is not required by the Wild and Scenic Rivers Act, and the public greatly values these services.
- I have also received much concern from horsemen over stock use in Yosemite National Park. Under the Preferred Alternative, there would be no more pack trips into Merced Lake, and bed space would be reduced. Alternative 2 even suggests the removal of the whole camp and all the infrastructure, and designated camping would be eliminated.

In other words it would be returned to wilderness. The Tuolumne River Plan intends to reduce the bed space at Glen Aulin High Sierra Camp as well. If the Park Service succeeds in doing this it will sever a major historical trail system. At this time the camps are more or less equal in capacity, which allows for the best hut-to-hut experience. The system is historic, traditional, and many of the camps are eligible for listing on the National Register. The High Sierra Camp loop system is one of a kind in the Sierra, and is a unique experience for Yosemite visitors. When ninety five percent of Yosemite was designated as wilderness in 1984, the High Sierra Camp Loop System was not included. The camps are not part of the designated wilderness, and they all retain a buffer around them that is not wilderness. They are havens in Yosemite National Park that enhance visitor comfort and enjoyment, and should remain for present and future generations to enjoy. Stock use is historical and is allowed by law in the Wilderness Act. Wranglers on the trail provide extra eyes and ears for the Park Service, and can be instrumental in search and rescue efforts. The stock users I am affiliated with all practice the "Leave No Trace" principles, and believe in gentle use of the wilderness. The Park Service should retain all commercial stock use within Yosemite National Park.

### The Effect of the Wild and Scenic Rivers Act in Yosemite Valley

We are aware that the Wild and Scenic Rivers Act has three designations, "wild, scenic and recreational." The portion of the Merced River that runs through Yosemite Valley is designated "recreational." However the Park Service is treating it like it is "wild" by creating a river corridor and turning everything within the corridor back into wilderness. Yosemite Valley is not and never has been a wilderness, unless you go back to glacial times. The Native Americans settled in Yosemite Valley thousands of years before the White man saw it. Yosemite Valley was a developed area devoted to recreation for over one hundred years after being designated public property, and fifty years after becoming a National Park. The Merced River Plan is contradictory.

- It does not meet the intent of the Grant signed by President Lincoln and passed by Congress in 1864 that states Yosemite Valley and the Mariposa Big Tree Grove were "to be held, for public use, resort and recreation, inalienable for all time."
- It also contradicts the Organic Act of 1916, that was created by the National Park Service for the purpose of promoting a system of national parks. We think that both of these acts should take precedence over the Wild and Scenic River Act. We would point out that these recreational activities existed in the Valley before the Merced River was designated "wild and scenic." We also know that it was not the original intent of the Wild and Scenic Rivers Act to remove almost all recreation and services within the river corridor. It was put in place to prevent developers from building dams on the river.

It is also interesting to note that none of the activities slated for removal degrade the river in any way.

- In Chapter 7 of the Environmental Impact Statement, the Facilities and Services chart shows that the Curry Village Raft Rental, the Curry Village Ice Rink, the Curry Village Bike Rental, the Horseback Day Rides in Yosemite Valley, and the Ahwahnee Swimming Pool, do not affect the River Values, and that there is no required action or mitigation measures. We do not believe that the Wild and Scenic Rivers Act intended to take away something that was already there if it was not causing degradation. Attached is a letter from Former Congressman Tony Coelho to Director of the National Park Service, Jon Jarvis that states, "*the Wild and Scenic Rivers Act was never intended to apply to the Merced River within Yosemite National Park at all. The Merced River within Yosemite National Park is protected and regulated by the National Park Service and has never needed an overlay of inconsistent and confusing regulation. The Wild and Scenic Rivers Act was intended to apply to the Merced River outside the Park to the west.*"

- We also discovered in Chapter 5, page 23, Protecting and Enhancing Free-flowing Condition that *“The free-flowing condition of the Merced River is determined to be absent of adverse effects, degradation and management concerns, and that the overall water quality of the river was exceptionally high, with relatively few impacts caused by development and visitor use.”* There is no requirement in the Wild and Scenic Rivers Act to make a river that was free-flowing at the time Congress designated it to somehow “enhance” it or make it even “more free flowing” by the management plan. The National Park Service is, on its own, taking the Act and turning it into something Congress never intended for either the Wild and Scenic Rivers Act or Yosemite. The American River through our State Capitol, Sacramento, is a wild and scenic river. Does this mean that the Wild and Scenic Rivers Act requires their bridges to be removed and their commercial activities to be curtailed?
- The activities listed are only a few of the things slated for removal. They also plan to eliminate the Ahwahnee Tennis Courts, the historic Sugar Pine Bridge, Curry Village Pizza Deck and Bar, retail stores, the Garage Facility, the historic apple orchard, the Housekeeping camp grocery store, the Yosemite Village Sport Shop, the Art Activity Center, and overnight lodging in the Valley would be reduced by 7.5%.
- Nature Bridge, which connects youth to Yosemite in a unique way is also threatened. Participants from underserved populations who are in their programs have greater reliance on equipment that is rented or provided by Nature Bridge. It was John Muir’s intention to welcome the visitor to Yosemite to be educated and inspired. Educational opportunities in Yosemite are very important, as they will encourage visitors to take care of their Park.
- Parking and traffic congestion in Yosemite Valley is another issue that affects visitation to the Valley. Since 1980 and especially after the 1997 flood, the Park Service incrementally removed parking places creating some of their own traffic problems. There are estimates of three to six thousand fewer parking spaces. The Park Service should be using the pre-1997 flood numbers as a baseline to accurately gauge what is added and what is being taken away. Limiting access to fix a problem that the Park Service created is not the answer.

#### Economic Impacts

- The Merced River Plan will also be detrimental to a vast number of people. It will eliminate many jobs, and many livelihoods will be threatened, not just in Yosemite and the gateway communities, but clear to the Central Valley and beyond. This will create a ripple effect. The businesses that supply them will suffer. This will have negative economic effects to other businesses as well as lessening local, state, and federal tax revenues.

#### Outreach

- We also feel that the outreach to the visitors to Yosemite National Park was inadequate. The Draft Environmental Impact Statement (DEIS) was released in January 2013. It is a four thousand page document including exhibits that is sandwiched between two other plans, The Tuolumne River Plan and The Mariposa Grove Restoration Plan. This is much more information than the average citizen can absorb and comment intelligently on in the ninety days allowed. A bi-partisan group of Congressmen concurred that an extension was necessary, and requested that the National Park Service extend the public comment period by ninety days. However, the Park Service extended the comment period by only twelve days. The public meetings were not published in a timely manner to allow citizens to arrange for the time off from work to attend them, and sometimes the times and dates were incorrect.

They did not encompass an adequate cross section of visitors to the Park. The meetings were held primarily in the gateway communities. The only cities that were visited were San Francisco and Los Angeles. There were no public hearings in the central valley, and the visitors from out of state and Europe were completely ignored. I attended many of the public hearings in our area and became painfully aware as time went on that the Park Service really didn't want to hear what we had to say, and provided less and less time for public questions and comments. Attached is a letter to Superintendent Neubacher expressing our frustration of being shut out of the process. It felt like the Park Service had already made up their minds and was just going through the motions. They are not hearing what the more than three million visitors a year to Yosemite are saying.

In conclusion a very large number of citizens are opposed to the Merced River Plan and all that it implies. We think the Park Service has taken the Wild and Scenic Rivers Act way too far. It will absolutely change the way visitors experience Yosemite. Please take steps to insure that traditional, time honored experiences will continue in Yosemite National Park for generations to come. On behalf of Yosemite For Everyone, we thank you for your consideration.