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For Immediate Release

April 27, 2012

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Hikers' Group Urges Compromise on Packer Permits at Sequoia and Kings Canyon National Parks

Berkeley, CA — The High Sierra Hikers Association recently filed court papers detailing a compromise that would allow permits to be issued to commercial outfits that provide pack and saddle stock services in Sequoia & Kings Canyon National Parks (SEKI).

The National Park Service has for decades issued permits to numerous commercial enterprises, known as “packers,” who provide saddle horses, pack mules, guides, chefs, and camping gear to clients who take wilderness trips in SEKI. The Park Service suspended all such permits in March, after a federal court ruled that the permits were unlawfully issued. Until the Park Service lifts the suspension, the packers and their clients face uncertainty about the approaching summer season. The hikers’ group had asked the court to allow commercial packing to continue.

The High Sierra Hikers Association filed a lawsuit in 2009 alleging that the Park Service has violated the Wilderness Act of 1964 by allowing excessive and harmful levels of commercial activity in the parks. The hikers’ group does not oppose horse use, and has never aimed to eliminate commercial packing, as some have falsely claimed.

“The lawsuit we filed in 2009 makes crystal clear that we seek only reasonable limits and controls to protect these magnificent national parks from harm,” said Peter Browning, president of the hikers’ group. “And we repeatedly have told both the Park Service and the court that we don’t want the packers to be shut down.”

In court papers filed on April 5, the hikers’ group asked the judge to allow the packers to continue doing business at SEKI, along with a few modest limits and protections in place until the Park Service complies with the Wilderness Act. For example, the hikers’ group requests that commercial packstock not be allowed to graze in the parks’ most fragile high-elevation meadows. Such rules are already in place at other national parks. But instead of accepting this reasonable compromise, the Park Service filed a court brief on April 24 rejecting the hikers’ proposal. Meantime, the permits remain suspended, causing gridlock and uncertainty.

The U.S. House of Representatives reportedly passed a bill today that would overrule the Park Service's decision to suspend the permits, and require the Park Service to issue permits for the coming summer season at levels that occurred in 2011. The hikers' group has not yet seen the final language of the House-passed bill, but Browning said: "We support what we understand to be the main thrust of the bill—that until the court case is resolved, commercial stock use should be allowed to resume at levels not to exceed those of last year."

While Congress considers the issue, and the Park Service resists the hikers' proposal, the court has scheduled a hearing for May 23. But Browning hopes the issue can be settled sooner. "The proposal we filed with the court on April 5 is a reasonable compromise. If the Park Service would accept those few temporary limits, everyone could move forward."

Browning points out that the Park Service has for many years known about the legal violations and the damage caused by unlimited stock use, but has failed to take action. "The Park Service has knowingly violated the law for years. It even admitted to the court that it has violated the Wilderness Act. And now it's the packers and their clients who suffer."

The hikers' group tried for decades to get the Park Service to obey laws related to commercial packstock at SEKI. It sued in 2009 as a last resort, after the Park Service broke numerous promises to address the issues.

"The Park Service's own rangers and scientists have for decades documented the extensive harm to these parks' meadows, trails, wildlife, and scenery caused by stock use," said Browning. "Park meadows have been overgrazed, eroded, and invaded by non-native weeds because of excessive and inappropriate stock use. And university researchers have documented pollution of once-pristine mountain streams caused by pack animals."

The Park Service has admitted in court filings that it has never limited commercial packstock services as required by the Wilderness Act. Prior to the current suspension, packers operating in SEKI simply needed to obtain a permit, and they could run as many trips as they wanted.

"It's regrettable that the Park Service's defiance of the law is now adversely affecting the packers and their clients," said Browning. "Our group has made every effort to resolve these issues in a timely manner so that commercial packers could continue their operations without interruption, and we hope that the permit suspension is lifted soon."

The High Sierra Hikers Association is a registered nonprofit public benefit organization that represents thousands of citizens from 28 states. The HSHA seeks to educate its members, public officials, and the public-at-large about issues affecting hikers and the High Sierra, and seeks to improve management practices on federal lands in the Sierra Nevada for the public benefit.

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