



DECISION MEMORANDUM FOR THE CHIEF

THROUGH: Christopher B. French *(L B French)* Date:
Deputy Chief
National Forest System

FROM: Gregory C. Smith *(G Smith) 6/26/19* Date: **6/27/2019**
Director
Lands and Realty Management

SUBJECT: Sanhedrin Donation from Trust for Public Land under Authority of the
Wilderness Act

FILE CODE: 5420

ISSUE:

The Trust for Public Land (TPL), a California non-profit public benefit corporation, has offered to donate all right, title and interest to approximately 3,000 acres of land within the proclaimed boundary of the Mendocino National Forest in Mendocino County, California. TPL stipulates that the donation, if accepted, must be incorporated into the adjacent Congressionally-designated Yuki Wilderness under Section 6(a) of the Wilderness Act of 1964 (16 U.S.C. §1135(a)).

The Wilderness Act Compatibility Evaluation supports the following conclusions:

- The property is adjacent to a designated wilderness;
- The site is essentially undeveloped except for the presence of abandoned roads;
- The landscape appears natural to the average observer;
- The acquisition would offer outstanding opportunities both for solitude as well as primitive and unconfined recreation;
- The area has multiple significant other features of value; and,
- The donation, when accepted, can be managed as wilderness.

RECOMMENDATION

Request that the Chief approve the Sanhedrin donation, since the 60-day notification period to Congress concluded on June 23, 2019. The U.S. Department of Agriculture's Forest Service was not advised of any objections to acquisition during this period, so we will accept this donation for incorporation into the Yuki Wilderness and Mendocino National Forest.

BACKGROUND:

Section 6(a) of the Wilderness Act requires the Forest Service to notify the Speaker of the House of Representatives and President of the Senate 60 days in advance of accepting such a donation. Per Title 7, Section 2.60(a)(2) of the Code of Federal Regulations, the Forest Service Chief has



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delegated authority from the Secretary of Agriculture through the Under Secretary for Natural Resources and Environment to accept donations of land or interests in land.

TPL used philanthropic funds to acquire approximately 3,000 acres of land, and the landowner donated an additional 700 acres. This land is referred to as the Sanhedrin Donation. This property is part of the larger 11,800-acre Sanhedrin Acquisition Project. When completed, the Sanhedrin Acquisition Project will improve recreational access to approximately 60,000 acres of Federal land; protect critical habitat for the federally-threatened Northern California steelhead; ensure greater habitat connectivity and wildlife migration between the Yuki and Sanhedrin Wildernesses; and provide numerous efficacies for landscape-scale management. A restoration plan has already been approved for the removal of all non-conforming structures within the donation area. Using California Wildlife Conservation Board funding through TPL, in the fall of 2018, approximately 70 road culverts and two railroad car bridges were removed. Hydrologic function has been reestablished on 30 miles of road which will prevent future resource damage and accelerate natural recovery.

The Sanhedrin Donation is remarkably free of encumbrances or title issues that could impact the Forest's ability to manage the donation as wilderness. Mineral rights will be conveyed to the Forest Service with the fee ownership.

Congressman Jared Huffman, who represents the district where the parcel is located, has expressed strong support of the donation. Additional congressional support comes from Congressman Mike Thompson, who previously represented Mendocino County, and most recently, Senator Diane Feinstein.

There is also a coalition of support from State and local governments along with a broad spectrum of user and conservation groups. The Forest is unaware of any opposition.

DECISION BY THE CHIEF:

Approved: Victoria Christiansen

Disapproved: _____

Discuss with Me: _____

Date: June 27, 2019

Enclosures (3)

Wilderness Act Compatibility Evaluation Land Donation
Sanhedrin Ranch, Wilderness Tract
Date: 8/1/2018

This evaluation is prepared to document whether the parcels proposed for addition to the wilderness through donation under the provisions of Section 6(a) of the Wilderness Act (Public Law 88-577) are compatible with the terms and requirements of the Wilderness Act. The evaluation draws on the full Wilderness Compatibility Report, approved by Mendocino National Forest staff, prepared for this project by the California Wilderness Coalition under contract to The Trust for Public Land,.

Issue Summary

Section 6(a) of the Wilderness Act states,

“The Secretary of Agriculture may also accept gifts or bequests of land adjacent to wilderness areas designated by this Act for preservation as wilderness if he has given sixty days advance notice thereof to the President of the Senate and the Speaker of the House of Representatives. Land accepted by the Secretary of Agriculture under this section shall become part of the wilderness area involved.”

The Trust for Public Land, a California non-profit public benefit corporation, has offered to donate all its rights, title and interest to approximately 3,000 acres of land in Mendocino County, California, to be incorporated into the Yuki Wilderness on the Mendocino National Forest (MNF). The land, known as the Sanhedrin Wilderness Tract, is within the Congressionally-designated boundary of the MNF, and is adjacent to the Congressionally-designated boundary of the wilderness. See Attachment A, for Vicinity Map, and Attachment D for letter offering the donation.

I. Name, Size, and Location of the Parcels Proposed to be Included in the Adjacent Wilderness:

Sanhedrin Wilderness Tract: 3000+/- acres located in T. 19 N., R. 11 W., and T. 20 N., R. 11 W., Mt Diablo Meridian, Mendocino County, California. Parcels as identified on the attached map, and legally described on the attached title report.

II. USFS Unit:

Mendocino National Forest

III. County

Mendocino County, California

IV. Congressional District:

2nd Congressional District, Representative Jared Huffman

V. Narrative of Wilderness Compatibility:

1) Adjacency to Wilderness

The Sanhedrin Ranch is adjacent to the 53,339-acre **Yuki Wilderness** designated in 2006 by Public Law 109-362, the Northern California Coastal Wild Heritage Wilderness Act.

2) Undeveloped

The property is unimproved and appears to be affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable, except for a number of abandoned logging and ranch roads. The vast majority of the area appears natural to the casual observer. The mix of plant and animal species in the area is natural, with no observed invasive species despite logging four decades previous.

Abandoned roads constitute the only improvements in the proposed donation area. Unroaded areas include significant canyon bottoms, riparian areas and lands that were never accessed for logging because they are dominated by oak woodlands, chaparral, grasslands or other non-commercial vegetation types. (The last known timber harvests were approximately 40 years ago.) 7 miles of the roads, particularly those accessing Elk Creek and Sportsman Glade, would make good foot and horse trails. An additional 16 +/- miles of roads are naturally revegetating and many are almost completely overgrown. Vehicle access to all of the closed and abandoned roads is blocked by intact gates that effectively prevent vehicle trespass and have done so for at least the last 30 years.

The Mendocino National Forest has requested the removal of a number of old culverts and bridges, which will be completed by The Trust for Public Land by October 15, 2018. Other than this, the area will not require significant restoration in order for it to appear natural and to be manageable as wilderness.

There is no evidence of mining activity within the property. Mineral rights are intact and will be conveyed to the Forest Service.

3) Natural

Ecological systems are substantially free from the effects of modern civilization, in spite of some timber harvesting at least four decades ago. Remarkable valley oak woodlands occur in several areas and are substantially pristine, as is the valley of Elk Creek, a large and remote stream with active steelhead and Chinook salmon runs.

An active search was conducted for non-native plants, including Klamath weed, yellow star thistle, Medusa head and pampas grass. None were observed.

Native tree species observed in the area by staff and contractors were diverse, and included white fir, knobcone pine, Jeffrey pine, sugar pine, ponderosa pine, grey pine, Douglas-fir, bigleaf maple, California buckeye, white alder, Pacific madrone, Pacific dogwood, Oregon ash, tanoak, black cottonwood, canyon live oak, blue oak, Oregon white oak, California black oak, valley oak, at least one variety of willow, interior live oak, Pacific yew, California torrey and California bay. Some of the native shrub species observed include coyote brush, bush chinquapin, leather oak, California coffeeberry, multiple varieties of manzanita, tobacco brush, California lilac and other varieties of ceanothus, mountain mahogany, toyon, chamise and wild rose. Native bunchgrasses were quite abundant.

4) Outstanding Opportunities for Solitude

The property offers outstanding opportunities for solitude and primitive and unconfined recreation. The tract includes a deep stream valley, presently inaccessible, surrounded by floodplain and oak woodlands. Alone, the property would become a major attraction of the Yuki Wilderness in providing primitive and unconfined recreation. The potential donation area is located behind locked gates an hour's drive from Pillsbury Reservoir and is adjacent to the vast, trackless Yuki Wilderness. The nearest legally open road is 19N51, which does access the southern tip of the proposed wilderness. The road is gated about $\frac{3}{4}$ mile from the boundary. The other public access road is 20N04 and provides the only public access point to the Sanhedrin Wilderness. This route is roughly two air miles from the parcel. As a result of these factors, the parcel is quite remote.

Solitude is aided by the extensive "vegetative screening" provided by the riotous vegetative growth typical of this well-watered area of the Coast Range. The only signs of development one can observe in the area are occasional views of the communication site on Big Signal Peak roughly 2 air miles to the west. Most views from within the area are dominated by the Yuki Wilderness, including Monkey Rock, Long Doe Ridge and the vast meadow system in the Mendenhall Creek drainage. The silence is remarkable. While visiting the area for three days, the only sounds of civilization noted by this observer were aircraft in the distance.

5) Opportunities for Primitive and Unconfined Recreation

At least 7 miles of the area's abandoned roads would make for a good trail network. This is important given that, currently, the Yuki Wilderness has no designated trails. For example, visitors could park at the gate near Smokehouse Creek and walk to Elk Creek on a moderate grade, passing through lovely Sportsman Glade along the way. There is a fine swimming hole in Elk Creek at the end of the old road. This would be the easiest way for visitors to legally access Elk Creek. Presently, the only access, which is very difficult, is to float down the Middle Fork Eel River to its confluence with Elk Creek and hike upstream over private lands for ten miles, or to plunge cross-country down to Elk Creek from Etsel Ridge. The old road to Elk Creek and the newly-acquired lands along the stream would offer important opportunities for horseback riding, hiking, backpacking, angling, camping, swimming, wildlife viewing and a multitude of other experiences. The large meadow known as Sportsman Glade may also serve as a popular camping destination.

The parcel could provide the foundation for a trail system for the Yuki Wilderness and would greatly improve public access to spectacular Elk Creek. It would therefore provide outstanding opportunities for primitive and unconfined recreation. The type of activities engaged in are expected to be hunting, horseback riding, hiking, backpacking, and wildlife and nature viewing.

6) Other Features of Value

The parcel contains significant supplemental values, including:

- Several sensitive wildlife species, including designated critical habitat for steelhead trout;
- Eleven sensitive plant species, with the possibility of more given the presence of potentially suitable habitat;
- Highly-valued plant communities, including oak woodlands, grasslands, riparian woodland and outcrops of serpentine soil;
- Several small wetlands;
- Elk Creek and its tributaries;
- A significant number of cultural sites along Elk Creek; and
- Outstanding views of the Yuki Wilderness.

According to the California Department of Fish and Wildlife's California Natural Diversity Database, the following sensitive plant and wildlife species occur in the area:

- American badger (a **California Species of Special Concern**, or **CSSC**)
- Amethyst stickseed
- Baker's globe mallow (its California Rare Plant Rank, or CRPR, is 4.2, which means that it is "uncommon in California" and "fairly endangered in California," and its state rank, or SR, is S3, which means that it is "vulnerable")
- bald eagle (a SFPS and a state Endangered Species)
- bay buckwheat (its CRPR is 4.2, and its SR is S3)
- cylindrical trichodon (its CRPR is 2B.2, which means that it is "endangered in California," and its state rank is S2, which means that it is "imperiled")
- fisher (a CSSC, a state Candidate for Threatened listing, or SCTL, and a federal Proposed Threatened species)
- foothill yellow-legged frog (a CSSC)
- glandular western flax (its CRPR is 1B.2, and its state rank is S3)
- Humboldt marten (a CSSC)
- marsh checkerbloom (its CRPR is 1B.2, and its state rank is S3)
- northern goshawk (a CSSC)
- northern spotted owl (a CSSC, a SCTL and a federal Threatened species)
- Purdy's fritillary (its CRPR is 4.3, which means that it is "uncommon in California," and its state rank is S4, which means that it is "apparently secure within California")

- scabrid alpine tarplant (its CRPR is 1B.3, which means that it is “rare, threatened, or endangered in California and elsewhere” but “not very endangered in California,” and its state rank is S3)
- Siskiyou fritillaria (its CRPR is 4.2, and its SR is S3)

In addition, the MNF *Land and Resource Management Plan* (LRMP) notes that the rare local endemic plant species Anthony Peak lupine (CRPR 1B.3 and SR S2) may occur in the area and that Stebbins' lewisia (CRPR 1B.2 and SR S2) does occur there.¹

Judging from the plethora of tracks on the parcel's abandoned roads, deer, black bear, fox and bobcat are especially common in the area. Elk tracks were observed along Elk Creek. Western pond turtles were observed (and photographed, see below) along Elk Creek. The species is a CSSC.

The Sanhedrin Tract is in the Middle Fork Eel River watershed, the largest sub-basin in the Eel River drainage. The Wild and Scenic Middle Fork Eel supports what is presently considered to be the southernmost population of summer steelhead on the West Coast and the largest single run of summer steelhead in the state. The stream also supports salmon, lamprey and rainbow trout. The tract itself is drained by Sanhedrin, Sulphur Springs, Sportsman and Crocker creeks. These streams are tributaries of Elk Creek, a key feeder stream for the Middle Fork Eel. The Middle Fork Eel River is designated critical habitat for northern California steelhead, as is Elk Creek and its tributaries Crocker Creek, Sportsman Creek and Sulphur Springs Creek, all of which are in the Sanhedrin Tract.

Little information is available on the area's Native American cultural resources. The proposed donation is in the ancestral territory of the Yuki people. The nearest known permanent village was at the southern end of Eden Valley, 7 miles to the northwest. The village was known as “Witukom” and anthropologist Dr. Alfred Kroeber notes that the people of this village “owned the adjacent parts of the Sanhedrin Range.” There were additional villages along the Eel River in Gravelly Valley, 6 miles to the southeast under what is now Pillsbury Reservoir. The presence of oak woodlands, meadows and significant riparian areas make the parcel worthy of further archaeological examination.

7) Manageability

The potential donation area borders the Yuki Wilderness on the north and east, and can easily be identified in the field since an existing road will largely be used as the proposed boundary; this well-laid out, largely ridgetop road will be easily recognizable for the foreseeable future. There are no state or federal laws that would impede the MNF from effectively managing the parcel as part of the Yuki Wilderness. Forest Service Road 19N70 will provide needed access to the tract for public, as well as administrative and management purposes.

Adjacent federal lands are managed as late-successional reserve and wilderness. Adjacent private lands are all zoned TPZ, or “timber production zone”, which effectively prohibits development.

¹ MNF LRMP, page IV-139

There are no development projects or other activities proposed on other adjacent lands. There are two small inholdings within the proposed wilderness donation. These tracts are unimproved, zoned “TPZ”, and, per an exhaustive search of land records, have no recorded rights of access across the tract proposed for donation. Access to public roads from these inholding parcels has been blocked by gates for over 30 years. The current landowner has never requested to visit or access these parcels.

VI. Finding

As documented above, the area:

- Is adjacent to designated wilderness;
- Appears natural to the average observer;
- Offers outstanding opportunities for solitude;
- Offers outstanding opportunities for primitive and unconfined types of recreation;
and
- Has multiple significant supplemental values.

The ecological condition of the property is substantially free from the effects of modern civilization. The opportunities for solitude and a primitive and unconfined form of recreation on the property are consistent with designation as wilderness. The property contains scenic and ecological features of exceptional value.

We conclude that the portion of the Sanhedrin Ranch proposed for donation to the MNF by the Trust for Public Land is compatible with the requirements of the Wilderness Act of 1964 and is consistent with the provisions of Section 6(a) of the Act. Donation to the MNF as an addition to the Yuki Wilderness is consistent with the intent of the donor.

Prepared by

Reviewed and Approved by

Attachments:

Attachment A –Location Map

Attachment B – Letters of Support

Attachment C – Preliminary Title Report

Attachment D – Letter from The Trust for Public Land offering land in donation