

APPENDIX C

WILD AND SCENIC RIVERS:

STATUS OF EVALUATIONS AND COMPREHENSIVE RIVER MANAGEMENT PLANS

Eldorado National Forest

The planning record shows that a comprehensive eligibility evaluation was part of the 1988 Eldorado Forest Plan, although suitability studies and recommendations were not completed for several eligible streams. The Plan/ROD recommended a segment of the Rubicon River for designation, found eligible but did not recommend the North and Middle Forks of the Cosumnes River, and deferred the suitability determination of the eligible segments of the North Fork Mokelumne upstream of Salt Springs Reservoir to the Stanislaus Forest Plan (which subsequently recommended the upper segment). The North Fork Mokelumne below Salt Springs was studied in a separate EIS. This separate study/EIS was published in 1994, recommending 6.5 miles of the North Fork for designation, but not recommending another 10.5 miles further downstream due to a perceived conflict with the potential Devil's Nose dam project.

In response to appeals (see decision for appeals #89-13-00-0008 and 0016, dated 7/16/91), the Forest Service agreed to consider eligibility of additional rivers. In a letter dated 3/3/98, the Forest found 11 additional streams to be eligible. In addition, the appeals decision remanded the Forest Plan decision not to recommend segments of the North and Middle Forks of the Cosumnes River and the Forest was directed to reevaluate the suitability of the river segments in either a plan amendment or project level NEPA analysis. To date, no suitability analysis has been completed for the North and Middle Forks of the Cosumnes or the 11 other eligible streams identified in 1998.

In addition, changed circumstances requires revisiting the decision not to recommend the lower 10.5 miles of the North Fork Mokelumne River, since the FERC application for the Devil's Nose dam project was dropped by its proponents due to its poor economics. In addition, the BLM in 2007 recommended Wild & Scenic protection for 20.2 miles of the North Fork Mokelumne downstream of the Forest boundary due to its outstanding cultural, water quality, and scenic values. In contrast, the Forest Service using pre-1996 criteria, found its upstream segment to possess only outstanding cultural values. The demise of the Devil's Nose project, the adoption of 1996 eligibility criteria, and the eligibility findings and recommendation for the downstream BLM segment should prompt the Forest Service's reevaluation of the 10.5 mile segment of the North Fork not recommended in 1994.

The Eldorado Forest Plan Revision should carry through and include all existing recommended rivers (including the Rubicon River and North Fork Mokelumne), include complete suitability studies, and provide recommendations for all previously identified eligible streams.

Inyo National Forest

The 1988 Inyo Forest Plan/ROD did not assess any rivers or streams for Wild & Scenic, except for a portion of the South Fork Kern River identified in the Nationwide Rivers Inventory (NRI). In response to appeals, the Inyo Forest conducted an eligibility assessment that identified 15 eligible rivers and streams. A public notice was released on June 7, 1993 stating that the Inyo's "...proposed action is to recommend 15 streams or portions of stream for designation" and the notice solicited public input on the suitability of the streams. Unfortunately, no

suitability study was actually completed or final recommendations provided. Some of the eligible streams, including Glass Creek, Deadman Creek, Big Springs, Owens River, and Cottonwood Creek (in the White Mountains), were subsequently designated by Congress in the Omnibus Public Lands Protection Act in March 2009.

The Inyo Forest Plan Revision should complete the suitability studies and provide recommendations for the remaining eligible streams. In addition, the plan should commit to completing as soon as possible comprehensive river management plans for the streams designated in 2009.

Lake Tahoe Basin Management Unit

No Wild & Scenic River studies were included in the 1988 Lake Tahoe Basin Plan. In response to concerns expressed by Friends of the River, Basin staff released eligibility determinations for upper and lower segments of the Truckee River in 1992. A suitability recommendation for the upper river segment and a non-suitable finding for the lower segment were documented in the 1999 Eight Eastside Rivers FEIS/ROD produced by the Tahoe Forest. No comprehensive evaluation of other streams in the Lake Tahoe Basin has been completed. In addition, changed circumstances require reconsideration of the lower Truckee River because the Humboldt-Toiyabe Forest found in 1998 the lower Truckee River to be eligible.

The Lake Tahoe Basin Revision should not only carry forward the existing recommendation for the main stem of the Upper Truckee River, it should consider including the Upper Truckee's tributaries, which share and contribute significantly to all of the Upper Truckee's outstandingly remarkable scenic, recreation, fish, and wildlife values. The plan revision should conduct a comprehensive evaluation of all streams, complete suitability recommendations for any additional streams determined eligible, and include a reevaluation of the suitability of all segments the lower Truckee on the Lake Tahoe Basin, Tahoe Forest, and Humboldt-Toiyabe Forest.

Lassen National Forest

No comprehensive evaluation of potential Wild & Scenic Rivers was conducted in the 1992 Lassen Forest Plan. In response to public comments, nine streams were assessed, leading to eligibility determinations and recommendations for Antelope, Mill, and Deer Creeks. The six remaining streams were determined ineligible at that time but may now be eligible under 1996 eligibility criteria in the FSM. In addition, changed circumstances warrant consideration of additional stream segments since segments of four streams (Chips Creek, Indian Creek, Squirrel Creek, and Yellow Creek) determined eligible by the Plumas Forest in 1994 originate on the Lassen Forest. None of these streams were considered in the 1992 Lassen Plan.

The Lassen Forest Plan Revision should carry forward the existing recommendations for Deer, Mill, and Antelope Creeks and complete a comprehensive evaluation (including eligibility and suitability) of other potential Wild & Scenic Rivers. Where streams cross multiple jurisdictions (including the Plumas Forest and Lassen Volcanic National Park), a joint evaluation should be conducted by the appropriate agencies.

Modoc National Forest

A comprehensive evaluation of potential Wild & Scenic Rivers was conducted as part of the 1991 Modoc Forest Plan. Two streams – Willow and Boles Creeks – were determined eligible. Although the plan promised a

suitability study for these eligible streams by 1994 (pg. 2, Modoc LRMP, 1991), no suitability study has been completed. Fifteen other streams primarily located in the Warner Mountains were determined ineligible in the comprehensive evaluation.

The Modoc Forest Plan Revision should reassess the streams determined ineligible in 1991 using the 1996 FSM eligibility criteria and new information concerning sensitive, threatened, and endangered species. In addition, the Modoc Forest Plan Revision should complete the suitability studies and make recommendations for Willow and Boles Creeks.

Plumas National Forest

The 1988 Record of Decision for the Plumas Forest Plan found a segment of the Fall River to be eligible and promised to initiate a suitability study as part of plan implementation. It is unknown whether this suitability study was ever conducted. As part of an appeal settlement agreement (Appeal #3044 of the 1988 Plumas Forest Plan, see settlement letter dated 2/4/91 from Forest Supervisor Mary Coulombe to Robert Dreher, Sierra Club Legal Defense Fund), the Plumas conducted a comprehensive eligibility evaluation of potential Wild & Scenic Rivers in 1994. Twenty-six stream segments were identified as eligible (including four stream segments that originate on the Lassen National Forest, and the Fall River segment), but no suitability study of the eligible segments has been completed. The Plumas Forest Plan Revision should complete the suitability study and recommendations for the 26 eligible river segments, including the Fall River.

Tahoe National Forest

In response to an appeal settlement agreement, the Tahoe Forest completed a comprehensive evaluation in 1991, finding 30 streams to be eligible. Suitability recommendations for five of the eligible streams, including the Upper Truckee River (actually located in the Lake Tahoe Basin Unit), Sagehen Creek, North Yuba River, Canyon Creek, and South Yuba River, were released in two separate documents – the Eight Eastside Rivers FEIS/ROD (February 1999) and the 22 Westside Rivers FEIS/ROD (May 1999).

Changed circumstances in the past decade, such as a significant increase in recreational use on the Downey River, Lavezzola Creek, and Pauley Creek, and recent acquisition of inholdings in Perazzo Canyon, the Little Truckee River, and on other eligible streams, should prompt a reassessment of some of the eligible streams for suitability. In addition, the Tahoe Forest Plan Revision should carry through and include the existing recommended rivers, including Canyon Creek, North Yuba River, South Yuba River, and Sagehen Creek.

Sequoia National Forest

The 1998 Sequoia Forest Plan did not include a comprehensive eligibility evaluation of all potential Wild & Scenic Rivers, but it did evaluate rivers identified in the Nationwide Rivers Inventory (NRI). The NRI rivers were subsequently designated by Congress, including portions of the North and South Forks of the Kern River, and the South Fork and main stem of the Kings River. A 13.2-mile segment of the lower Kern River was also determined eligible in the final 1988 Sequoia Forest Plan/ROD but no suitability study was completed or recommendation provided. In response to appeals of the plan, the Forest Service completed a separate study for a one mile segment of the South Fork Kern River and recommended it for designation in 1988. As part of the 1991 Kings River Special Management Area Plan, the agency found a 13-mile segment of the main stem of the

Kings River downstream of the designated segment (shared by the Sierra and Sequoia Forests) to be eligible, but did not complete a suitability study.

Also in the appeal settlements, the Forest Service agreed to conduct a limited screening of 11 rivers and streams in the Sequoia Forest and complete eligibility and suitability studies within an agreed upon timeframe. The Forest Service completed the assessment of the 11 streams in 1994 and determined four to be eligible. These eligible segments include the Little Kern River, additional segments of the lower Kern upstream and downstream of the segment already determined eligible, as well as the North Fork Tule River and North Fork Middle Fork Tule River. No suitability studies were completed or recommendations made for these eligible segments. In addition, the BLM reportedly will recommend its 3-mile segment of the lower Kern River for Wild & Scenic protection in final Bakersfield RMP (due out in late 2012).

The Sequoia Forest Plan Revision should complete suitability studies of the existing eligible streams and conduct a comprehensive evaluation (including eligibility and suitability) of other streams.

Sierra National Forest

The 1991 Sierra Forest Plan/ROD assessed NRI rivers but no comprehensive evaluation of other streams was conducted. Six segments of the Merced and San Joaquin Rivers were determined eligible and recommended, some of which (the Merced and SF Merced) were designated by Congress in 1987. A portion of the main stem of the Kings River (shared with the Sequoia Forest) was determined eligible in the 1991 Kings River Special Management Area Plan, but no suitability study was completed. The BLM has recommended a three-mile segment of the North Fork Kaweah River in the 2011 Bakersfield Resource Management Plan (RMP). Upstream segments of the North Fork are shared by the National Park Service (as part of the Sequoia-Kings Canyon National Park) and the Sierra Forest.

The Sierra Forest Plan Revision should complete the suitability study and recommendation for the main stem Kings River (in coordination with the Sequoia National Forest) and conduct a comprehensive evaluation to determine if any non-NRI rivers are eligible and suitable. High on the list of likely eligible/suitable rivers on the Sierra Forest is Dinkey Creek. The Forest Service should take special care in planning and analyzing impacts to current Wild and Scenic River eligibility in the recommended Dinkey Creek segments until it is officially designated in the Wild and Scenic River system. In addition, the plan should include a joint evaluation of all of the North Fork Kaweah River, including segments managed by the NPS, Sierra Forest, and BLM.

Stanislaus National Forest

The 1991 Stanislaus Forest Plan ROD included a comprehensive evaluation that identified 24 eligible river segments, of which eight river segments were recommended for designation. The Clavey River and its two tributaries, Bell and Lily Creeks, were determined eligible but initially not recommended because of an active FERC hydro license application on the river. Friends of the River and other groups appealed the non-suitability recommendation for the Clavey River. While the appeal was pending, FERC denied the Clavey hydro license application in 1994. Consequently, the Forest Service began a reassessment of the Clavey's suitability in 1995 and recommended the river and its tributaries for designation in 1996.

The 11 recommended river and stream segments, including the Clavey and its tributaries, should be carried through and included in the Stanislaus Forest Plan Revision.

Table C-1. Summary of evaluations and recommendations for action by national forest.

National Forest	Comprehensive Evaluation?	Eligible (# segments)	Suitable (# segments)	Proposed Plan Revision Action
Eldorado	Yes	14	2 completed 11 incomplete	Carry through existing recommendations. Complete suitability study for 11 eligible streams. Reconsider lower NF Mokelumne due to new info.
Inyo	No	15	Incomplete	Complete suitability study of eligible streams.
Lake Tahoe Basin	No	2	2	Conduct comprehensive evaluation.
Lassen	No	3	3	Carry through existing recommendations. Conduct comprehensive evaluation.
Modoc	Yes	2	Incomplete	Complete suitability for 2 eligible streams. Conduct comprehensive evaluation using 1996 criteria.
Plumas	Yes	26	Incomplete	Complete suitability studies.
Sequoia	No	13	5 completed 8 incomplete	Complete suitability for remaining 8 eligible streams.
Sierra	No	7	6 completed 1 incomplete	Complete suitability for 1 remaining eligible stream. Conduct comprehensive evaluation.
Stanislaus	Yes	24	11	Carry through existing recommendations.
Tahoe	Yes	30	5	Carry through existing recommendations. Reconsider some ineligible streams due to new information.

Status of Comprehensive River Management Plans on National Forests in the Sierra Nevada

For rivers designated by Congress after January 1, 1986, the National Wild & Scenic Rivers Act requires the federal management agency to prepare a comprehensive river management plan (CRMP) within three years of designation to provide for the protection of river values. The plan shall address resource protection, development of lands and facilities, user capacities, and other management practices necessary or desirable to achieve the purposes of the Act. The plan shall be coordinated with and may be incorporated into resource management planning for affected adjacent Federal lands and shall be prepared in consultation with State and local governments and the interested public. For rivers designated before January 1, 1986, all boundaries, classifications, and plans shall be reviewed for conformity with the Act within ten years through regular agency planning processes.

There are 578 miles of designated Wild & Scenic Rivers on the National Forests in the Sierra Nevada. Designation dates range from 1968 to 2009. Existing CRMP for designated rivers were prepared more than 18 years ago and the level of detail and sophistication of the CRMPs vary significantly. In the Forest Plan Revisions for the Sierra Nevada National Forests, the Forest Service should include a CRMP for rivers that lack

one and update all existing CRMPs. At the minimum, the Forest Plan Revisions should commit to provide a new CRMP or CRMP update as part of plan implementation.

Designated Wild & Scenic Rivers and CRMPs on the National Forests in the Sierra Nevada include:

Middle Fork Feather River (Plumas National Forest) – The Middle Fork Feather is one of the first eight rivers designated when Congress passed the National Wild & Scenic Rivers Act in 1968. There is an undated “River Plan” produced by the Plumas Forest that is 20 pages long, quite general in nature, and fails to meet CRMP standards as outlined by Congress. The plan was produced prior to 1976 because the maps in the plan include the braided Sierra Valley segment of the river, which was removed from the system by Congress in 1976. A major problem with the plan is that it fails to identify the specific outstandingly remarkable values of the river. At the minimum, the Plumas Forest Plan Revision should review this river plan for conformity with the Act and either include an updated CRMP in the Revision or commit to completing a CRMP during forest plan implementation, consultation with the State of California (which manages Middle Fork fisheries as a state-designated Wild Trout Stream).

North Fork American River (Tahoe National Forest, BLM) – Designated by Congress in 1978, there is a “Management and Development Plan” for the river produced by the Forest Service and BLM. The plan is quite short and general when compared to more sophisticated and detailed CRMPs produced today. The CRMP should be updated in the Tahoe Forest Plan Revision, in consultation with the BLM and with the State of California (since the North Fork is a state-designated Wild & Scenic River as well and its fisheries are managed by the State as a designated Wild Trout Stream). At the minimum, the plan revision should commit to completing a CRMP during forest plan implementation.

Tuolumne River (Stanislaus National Forest, BLM) – Designated by Congress in 1984, a management plan was produced for this river in 1987. The CRMP should be updated in the Stanislaus Forest Plan Revision in consultation with the BLM (which manages a short segment of the river) and the State of California (which manages Tuolumne fisheries as a state-designated Wild Trout Stream). At the minimum, the Plan Revision should commit to completing a CRMP during forest plan implementation.

Merced River (Sierra National Forest, BLM) – Designated by Congress in 1987, the Forest Service produced a CRMP for main stem and South Fork in 1991. The BLM also produced a draft CRMP for the lower Merced in 1990 but it is unclear whether this plan was ever finalized. The CRMP for the entire river on National Forest and BLM lands should be updated in the Sierra Forest Plan Revision in consultation with the BLM. At the minimum, the Plan Revision should commit to completing a CRMP during plan implementation.

Kings River (Sierra National Forest, NPS) – Designated by Congress in 1987, the Forest Service addressed Wild & Scenic River issues generally in a broader plan for the Kings River Special Management Area produced in 1991. The National Park Service (NPS) addressed classifications, boundaries, and outstanding values for the upstream segments of the Kings (including the Middle and South Forks) in the 2006 Sequoia-Kings Canyon General Management Plan. But no detailed CRMP has been produced for the Kings River. A CRMP for the entire river on National Forest and National Park lands should be included in the Sierra Forest Plan Revision in consultation with the NPS. At the minimum, the Plan Revision should commit to completing a CRMP during plan implementation.

Kern River (Sequoia and Inyo National Forests, NPS) – Designated by Congress in 1987, the Forest Service produced a CRMP for the North and South Forks of the Kern in 1994. The NPS addressed classifications,

boundaries, and outstanding values for its upstream segment of the North Fork Kern in the 2006 Sequoia-Kings Canyon General Management Plan. The CRMP for the North and South Forks should be updated in the Sequoia Forest Plan revision in consultation with the NPS (in regard to the upper North Fork). At the minimum, the Plan Revision should commit to completing a CRMP during plan implementation.

Owens River Headwaters (Inyo National Forest) – The Owens River Headwaters, including segments of Glass Creek, Deadman Creek, Owens River, and Big Springs, was designated by Congress in 2009, which makes 2012 the three-year congressionally set deadline for a CRMP. The Forest Service should either initiate the CRMP process for this river or at the minimum, include the CRMP in the Inyo Forest Plan Revision.

Cottonwood Creek (Inyo National Forest) – Cottonwood Creek in the White Mountains was designated by Congress in 2009, which makes 2012 the three-year congressionally set deadline for a CRMP. The Forest Service should either initiate the CRMP process for this river or at the minimum, include the CRMP in the Inyo Forest Plan Revision.

