



California Wilderness Coalition ~ 1814 Franklin Street, Suite 510 ~ Oakland, CA 94612

August 25, 2016

Forest Supervisor Ed Armenta Forest Supervisor Kevin Elliot Forest Supervisor Dean Gould
Inyo National Forest Sequoia National Forest Sierra National Forest

Via email: r5planrevision@fs.fed.us and <https://cara.ecosystem-management.org/Public/CommentInput?Project=3375>.

Re: Comments on 8/25/16

Dear Supervisors Armenta, Elliot, and Gould:

The California Wilderness Coalition (CalWild) is pleased to submit these detailed comments in response to the Inyo-Sequoia-Sierra Draft Forest Plans and DEIS Volumes 1-2. Our comments are primarily focused on the evaluation for potential wilderness and eligible wild and scenic rivers (DEIS Vol. 2, Appendices B and C), as well as on the wild and scenic river components in each draft plan and in DEIS Vol. 1. CalWild contributed to the joint comments submitted separately by Sierra Forest Legacy (SFL) et al. Since SLF's joint comments address many other important issues, we hereby incorporate the SFL comments by reference in order to avoid duplication.

CalWild supports adoption of an improved Alternative C for the Sequoia and Sierra Forest Plans and an improved Alternative B for the Inyo Forest Plan. We believe that both alternatives should be improved in regard to specific wilderness boundaries recommendations, as well as some additional rivers and streams that should be re-evaluated for wild and scenic river eligibility. Our comments include the specific improvements we recommend be incorporated into an improved Alternative C for the Sequoia and Sierra Forest and an improved Alternative B for the Inyo Forest.

Thank for soliciting public comments on these important draft forest plans. We are looking forward to working you to finalize the plan and protect wild places on these outstanding public lands.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Henson".

Ryan Henson
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A handwritten signature in black ink, appearing to read "Steven L. Evans".

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I. Wilderness Evaluation and Recommendation Comments DEIS Vol. 2, Appendix B

A. Areas Improperly Excluded from Alternative C on the Sierra and Sequoia National Forests

We request that the following roadless areas be recommended for wilderness in a revised and improved version of Alternative C.

1. Cat's Head Mountain (Sierra NF polygon 304) – 5,888 acres: Cat's Head is something that is quite rare in the Sierra Nevada: a low-elevation roadless area that is over 5,000 acres in size. Most federal wild places are at mid- to high-elevations because of the homesteading, logging, mining, and other development activities that removed low-elevation lands from the public domain. The roadless area ranges in elevation from 3,460 feet atop Cats Head Mountain to 1,124 feet near Sycamore Creek. The area's rugged slopes are covered with oak woodlands, grasslands and chaparral, with small groves of cedar and ponderosa pine in shaded pockets. The area includes over 1,800 acres of oak woodland. Given its low-elevation and plentiful forage, the area is important winter deer habitat. Deep Creek dominates the central portion of the area, and despite its seasonal nature, pools of water can be found in the canyon year-round.

According to the California Natural Diversity Database, the area includes habitat for Bald eagle, California condor, California spotted owl, Cooper's hawk, Farnsworth's jewel-flower, fisher, Fresno ceanothus, great gray owl, northern goshawk, osprey, prairie falcon, sharp-shinned hawk, streambank spring beauty, thread-leaved beakseed, western mastiff bat and western pond turtle. The USFS notes that the vast majority of the area contains habitat types that "have less than 20 percent of their national extent protected in the National Wilderness Preservation System. The most prevalent are California Central Valley mixed oak savanna, California lower montane blue oak-foothill pine woodland, Mediterranean California mixed oak woodland, and Mediterranean California mesic mixed conifer forest and woodland." DEIS Appx. B at 142.

The roadless area contains the popular Deep Creek Trail and Bobs Flat Trail. Unlike many of the SNF's trails, these routes remain open when other trails are covered in snow. The USFS notes in the DEIS that the area is of ongoing cultural importance to local Native Americans. DEIS Appx. B at 188-189.

2. Golden Trout Wilderness Additions (Sequoia NF polygon 1387) – At least 58,166 acres: The Forest Service improperly excluded 58,166 acres of the Golden Trout Wilderness Additions (polygon 1387) from Alternative C. The agency's rationale for not carrying this area forward is unclear, but appears to be based on the presence of motorized trails and some roads identified as unneeded through travel analysis, as well as potential associated impacts on opportunities for solitude and primitive recreation (see DEIS Appendix B, pg. 370). As explained elsewhere in this comments, these rationales are faulty and represent a misapplication of Chapter 70 criteria. We believe that the entire 89,627-acre polygon should be analyzed in Alternative C.

Much of this area was part of the original Golden Trout Wilderness proposal and conservationists and some Forest Service personnel (notably former Sequoia Forest Supervisor Norman Norris) have advocated for its protection for decades. This addition is part of the Rincon IRA, which represents a significant chunk of the largest complex of unroaded lands in the Sierra Nevada, stretching from the Tioga Pass Road in Yosemite National Park in the north to the Sherman Pass Road (22S05) on the Sequoia NF in the south—a distance of more than 150 miles. The Rincon

region has great ecological diversity due to its wildness, size, and elevations ranging from 3,000 feet along the Kern River, to almost 10,000 feet atop Lookout Mountain. Our recommended wilderness addition contains critically-important oak woodlands, old-growth mixed conifer forests and other ecosystems that are poorly represented in both the NWPS and in the Sequoia NF. Protecting this area would preserve a continuous uninterrupted transition of ecosystems from the drier brushy areas along the North Fork Kern River to the conifer forests of the Kern Plateau. Protecting such transition zones is especially important during a time of climate change. Because it includes Rattlesnake and Durwood Creeks and other major tributaries to the North Fork Kern, adding this area to the Golden Trout Wilderness will help protect the North Fork Kern Wild and Scenic River's water quality and biotic integrity.

The USFS notes that the "The area is important for habitat connectivity for the Pacific fisher, several species of slender salamander, mountain yellow-legged frogs and soon to be reintroduced Kern River rainbow trout." DEIS Appx. B at 154. Durrwood Creek is an untouched watershed that contains golden trout. The proposed additions are also summer range for deer migrating from Sequoia-Kings Canyon National Park. According to the California Natural Diversity Database, the Rincon region includes habitat for Abram's onion, American peregrine falcon, bald eagle, black-backed woodpecker, Blandow's bluish spike-moss, California spotted owl, California wolverine, clustered-flower cryptantha, Cooper's hawk, cut-leaf checkerbloom, Dedecker's clover, Fairview slender salamander, few-flowered eriastrum, fisher, foothill yellow-legged frog, golden eagle, Greenhorn fritillary, grey-leaved violet, Hall's daisy, hidden rockcress, Kern Canyon clarkia, Kern ceanothus, Kern County milk-vetch, Kern Plateau bird's-beak, Kern Plateau horkelia, Kern Plateau milk-vetch, Kern Plateau salamander, Kern River daisy, Lewis' woodpecker, limestone dudleya, Little Kern golden trout, Madera leptosiphon, marsh claytonia, marten, Mount Pinos sooty grouse, Nine Mile Canyon phacelia, northern goshawk, northern sagebrush lizard, osprey, prairie wedge grass, pygmy pussypaws, relictual slender salamander, San Joaquin kit fox, sharp-shinned hawk, Shevock's milk-vetch, Shevock's rockcress, short-bracted bird's-beak, Sierra marten, Sierra Nevada monkeyflower, Sierra Nevada red fox, Sierra Nevada yellow-legged frog, southern mountain yellow-legged frog, southern Sierra woolly sunflower, spotted bat, The Needles buckwheat, Transverse Range phacelia, Tulare County rockcress, willow flycatcher, Wright's jeffueliobryum moss, and Yosemite lewisia.

Recreation use in the area is increasingly limited due to the lack of maintained trails. However, the jewel-like meadows with their aspen groves and the area's larger streams attract hikers, anglers, hunters and other visitors. Securing wilderness protection for this area is priority for conservationists because much of it is allocated to semi-primitive motorized use under the Forest Service's preferred Alternative B.

3. Oat Mountain (Sierra NF polygon 227) – 10,922 acres: In our proposal, we have excluded all private inholdings and motorized vehicle routes that are open to the public in order to develop a viable wilderness recommendation that does not pose the kinds of conflicts described in the DEIS. Our proposed boundary is therefore the private land and powerline and the associated unnamed road on the west, Pine Flat Reservoir, private lands, and Road 12S01 on the north, Road 12S01 on the east, and private lands and Roads 13S86, 13S94 and 12S19 on the south.

During this planning process conservationists worked hard to emphasize the importance of protecting low-elevation habitats in the Sequoia and Sierra, particularly oak woodlands, in order to maintain and restore habitat connections across the landscape, increase the ecological diversity of the Forest Service's system of protected areas, and to provide protection to critically important habitat types that have historically been overlooked in favor of alpine or subalpine landscapes. In fact, the USFS notes in the DEIS that the entirety of this roadless area consists of habitat types

that “have less than 20 percent of their national extent protected in the National Wilderness Preservation System. The most prevalent are California Central Valley mixed oak savanna, California lower montane blue oak-foothill pine woodland, Mediterranean California mixed oak woodland, and Mediterranean California mesic mixed conifer forest and woodland.” DEIS Appx. B at 142.

According to the California Natural Diversity Database, the Oat Mountain area offers habitat for American manna grass, American peregrine falcon, bald eagle, Berry's morning-glory, California spotted owl, Call's angelica, elongate copper moss, fisher, flammulated owl, foothill yellow-legged frog, golden eagle, great gray owl, Kaweah monkeyflower, Kings River buckwheat, limestone dudleya, Madera leptosiphon, osprey, Sierra Nevada red fox, southern Sierra woolly sunflower, streambank spring beauty, thread-leaved beakseed, Tompkins' sedge, Townsend's big-eared bat, valley elderberry longhorn beetle and western pond turtle.

The proximity of Oat Mountain to Pine Flat Reservoir provides the Sequoia National Forest with an opportunity to build one or more foot and horse trails from the reservoir to the interior of the area. This would enhance the recreation opportunities available at Pine Flat and offer a low-elevation trail that can be enjoyed in winter and spring when most of the region's paths are still snowbound. The area is already known for its spring wildflower displays.

4. Piute Mountains – Bright Star Additions (Sequoia NF polygon 1426) – 49,759 acres: The actual acreage may vary given that we propose that the USFS use a collaborative process with stakeholders to develop a wilderness recommendation.

This extremely rugged portion of the Piute Mountains rises like a series of uneven steps from desert washes at about 3,200 feet to Inspiration Point at 7,800 feet. The Piute Mountains are noted for offering breathtaking vistas in all directions, distinctive rock formations and, most of all, astonishing ecological diversity.

This diversity results from the fact that four radically-different ecological regions come together in this roadless area, including the Sierra Nevada, Transverse Range, Mojave Desert and Central Valley. As a result, visitors to the Piute Mountains can see a mixture of plants whose ranges rarely overlap, such as blue oak and Mojave tarweed. This extremely unusual mixture of plant and animal communities makes the Piute Mountains an excellent location for scientists to study rapid evolution and ecosystem development. Studying these processes and protecting such critical habitat linkages as the Piute Mountains will only become more important in the years ahead as we struggle to cope with the impacts of climate change.

According to the California Natural Diversity Database, the Piute Mountains are home to a long list of species of interest or concern, including Adobe yampah, alkali mariposa-lily, American badger, Bacigalupi's yampah, Bendire's thrasher, Breedlove's buckwheat, California androsace, California spotted owl, coast horned lizard, Comstock's blue butterfly, Death Valley sandmat, fisher, foothill yellow-legged frog, fragile pentachaeta, golden eagle, grey-leaved violet, inland gilia, Kelso Creek monkeyflower, Kern Canyon clarkia, Kern Canyon slender salamander, Kern County evening-primrose, Kern County milk-vetch, Kern red-winged blackbird, Kern River evening-primrose, large-flowered nemacladus, limestone dudleya, lodgepole chipmunk, long-legged myotis, Mojave paintbrush, Mojave tarplant, Mount Pinos larkspur, northern goshawk, pallid bat, Palmer's mariposa-lily, Palmer's spineflower, Parish's checkerbloom, Piute cypress, Piute Mountains jewelflower, Piute Mountains navarretia, prairie falcon, rose-flowered larkspur, round-leaved filaree, San Bernardino aster, San Joaquin pocket mouse, Shevock's golden-aster, Sierra Nevada monkeyflower, Tehachapi monardella, Tehachapi Mountain silverspot butterfly,

Townsend's big-eared bat, Tracy's eriastrum, Transverse Range phacelia, tricolored blackbird, unexpected larkspur, western pond turtle, white pygmy-poppy, willow flycatcher and yellow-eared pocket mouse. In its wilderness evaluation, the USFS notes that the area offers “important habitat connectivity for the Pacific fisher.” (DEIS Appendix B pg. 171).

The Pacific Crest National Scenic Trail (PCT) briefly enters the Bright Star Wilderness Additions in its southeastern corner. Other than the PCT, all non-motorized recreation use in the Piute Mountains is either cross-country or on one of the area’s low-grade vehicle routes. Despite the presence of these routes, the region maintains a high degree of wildness due to its ruggedness, large size and the very minor nature of most of the motorized trails crossing the area. Efforts in Congress to designate all or portions of the roadless area as wilderness have included:

- The Sequoia Ecosystem and Recreation Preserve Act of 1996 introduced by Representative George E. Brown, Jr. It would have added 30,398 acres of the roadless area to the Bright Star Wilderness. It was reintroduced twice (in 1997 and 1999) before Mr. Brown retired from Congress.
- The California Wild Heritage Act of 2002 introduced in the Senate by Senator Barbara Boxer (as S. 2535) and in the House by Representative Hilda Solis (as H.R. 4947). It would have added 48,000 acres of the roadless area to the Bright Star Wilderness. It was reintroduced in 2003, 2006 and 2007 before Senator Boxer switched from working on statewide wilderness legislation to House district-specific measures.

Conservationists will continue to fight to protect the wildest remaining portions of the Piute Mountains as wilderness. Given that the USFS is currently engaged in transportation planning for the Piute Mountains, the agency could decide to work with conservationists, OHV enthusiasts, mountain bikers and others to develop a wilderness recommendation for the Bright Star Additions as part of that process. Such a proposal could guide future legislation even as it promotes the kind of collaboration among stakeholders that is supposed to be at the heart of the new planning regulations. We request that the Sequoia NF commit to this process in the final version of the Preferred Alternative. Securing wilderness protection for this area is priority for conservationists because much of it is allocated to semi-primitive motorized use under the Forest Service’s preferred Alternative B.

5. Soaproot Mountain (Sierra NF polygon 357) – 5,888 acres: While small, the Soaproot area nevertheless offers a rare resource: a low-elevation (2,000-4,000 foot) Sierra Nevada roadless area. It is characterized by chaparral, dry meadows, blue oak woodlands and patches of conifers along drainages. Large granite outcrops occur throughout the area. According to the California Natural Diversity Database, the area offers habitat for gregarious slender salamander, foothill yellow-legged frog, Sierra Nevada yellow-legged frog, Coast Range newt, northern goshawk, sharp-shinned hawk, bald eagle, osprey, American peregrine falcon, great gray owl, California spotted owl, willow flycatcher, Sierra Nevada red fox, Sierra marten, fisher, long-legged myotis, Yuma myotis, western pond turtle, southern Sierra woolly sunflower, orange lupine, tree-anemone, marsh claytonia, Yosemite lewisia, Fresno County bird's-beak, slender-stalked monkeyflower, small-flowered monkeyflower, cut-leaved monkeyflower, Madera leptosiphon, Ewan's larkspur, Fresno ceanothus and Yosemite ivesia. While it has no trails, it offers opportunities for the USFS to develop low-elevation foot and horse paths that are closer to Fresno and other communities and that will be open in winter and spring when most trails in the Sierra National Forest are covered by snow.

B. Comments on Alternative C Recommended Wilderness Areas – Sequoia and Sierra National Forests

Sequoia National Forest

1. Cannell Peak (polygon 1384), pgs. 287-288: The proper spelling of “Cannel” appears to be “Cannell” according to most maps. The RARE II boundary was adjusted southward in Alternative C to exclude much of Salmon Creek from the recommended wilderness. Salmon Creek is a key water feature of this scenic area. The Alternative C boundary also excludes almost the entire Salmon Falls Trail, an important primitive recreation feature in a virtually trail-less area. The boundary should be moved northward to include the Salmon Falls Trail, Salmon Creek, and the rugged, unroaded, and unlogged north slope of the canyon. The boundary should be established south of Road 23S41, its spurs, and the adjacent logged areas. The road to the Salmon Falls Trailhead should be cherry-stemmed. The northwestern and southern boundaries of the Cannell Peak recommended wilderness are unnecessarily set back more than a half mile from the Rincon and Cannell Meadow motorized trails. More of the North Fork Kern River canyon and portions of Cannell Creek could be added to the recommended wilderness if the motorized trail setbacks were reduced. Including more of Salmon Creek in the recommended wilderness would contribute to water quality and biotic integrity of the North Fork Kern Wild and Scenic River. These areas seem to have been excluded due to illegitimate “sights and sounds” criteria (pg. 368). Securing wilderness protection for this area is priority for conservationists because much of it is allocated to semi-primitive motorized use under the Forest Service’s preferred Alternative B.

2. Dennison Peak (polygon 190), pgs. 290-291: No maps of the recommended Moses Wilderness in the Giant Sequoia National Monument seem available to the public. It would be useful if the public knew where the recommended Moses area is in regard to the recommended Dennison Peak wilderness. Are they adjacent? If they are contiguous, shouldn’t the narrative note that these areas together make up a much larger wilderness recommendation? In addition, motorized use of Road 19S09 ends at a locked gate near Jenny Creek. If the road upstream of the gate leading to Dillonwood Grove is no longer used for motorized access, the evaluation should consider adding the adjacent segment of the North Tule River to the recommended wilderness. This would add important recreation values associated with the North Fork’s catch and release trout fishery as well as scenic waterfalls and cascades in the river and lower Jenny Creek. In addition, the interesting history of the Dillonwood Grove adds to the overall value of the recommended wilderness.

3. Domeland West Addition (polygon 1394), pgs. 292-295: The boundary of this recommended wilderness appears to accidentally include a short segment of the Cannell Meadow motorized trail in sections 17-20, T23S, R34E. We assume that the Forest Service doesn’t intend to close a portion of this trail to motorized use. We strongly support the inclusion of the Siretta Pass Trail and much of the Twisselman Botanical Area in this recommended wilderness. The statement that “The Siretta Trail is identified in the Mediated Settlement of 1990 for removal and/or replacement” is not quite correct. It was identified for closure to *motorized use*. Recent field checking of the Siretta Pass Trail found no evidence that motorcycles or any wheeled vehicle had recently traveled the Siretta Trail beyond the first hundred yards of its junction with the Cannell Meadow Trail. The “Wilderness Characteristics” section should be revised to note that inclusion of Trout Creek and its tributaries (Little Trout, Machine, and Snow Creeks) will protect one of the last remaining old growth forests in the southern Sierra and many wildlife species dependent on this habitat. It should also note that the addition will protect much of the watershed of Trout Creek, which supports the sensitive California golden trout. Protecting Trout Creek in the

recommended wilderness will also help protect water quality and biotic integrity of the South Fork Kern Wild and Scenic River.

4. Golden Trout Additions (1) (polygon 1387), pgs. 298-301: The small addition north of Lion Meadows is all that remains of a much larger addition initially recommended in the preliminary evaluation released for public input in late 2015. More than 58,000 acres encompassing Rattlesnake and Durwood Creeks – both which flow into the North Fork Kern Wild and Scenic River – were eliminated as recommended wilderness in Alternative C. Please see our comments (Appendix A) about areas excluded from Alternative C.

5. Long Canyon (polygon 162), pgs. 309-310: The narrative for this recommended wilderness should note that elevation ranges from slightly above 1,500 feet to 6,000 feet. Due to this elevation range, the area includes ecosystems and vegetation types underrepresented in the NWPS. Wilderness protection for the area will also help protect water quality in the South and Middle Forks Tule River. Because it is a tribal fuels emphasis area, Long Canyon represents an excellent opportunity to reintroduce a natural fire regime in protected wilderness.

6. Slate Mountain (polygon 160), pgs. 315-316: The “Wilderness Characteristics” section for this recommended wilderness in Alternative C fails to document the area’s obvious wilderness qualities. These include the presence of the Summit National Recreation Trail, which bisects much of the area, and other trails that access its outstanding giant Sequoia groves in the northern portion of the area. Another wilderness characteristic is the Slate Mountain Botanical Area, which supports an unusually large variety of very rare wild plants concentrated on the rocky outcrops and crevices along the 9,000-foot high ridge of Slate Mountain. Most of the plants are found only in a few high alpine areas of Tulare County. The Quaking Aspen, Belknap, and Coy Flat Campgrounds are directly adjacent to the area and provide ideal basecamps for hikers and backpackers to explore the recommended wilderness. Securing wilderness protection for this area is priority for conservationists because much of it is allocated to roaded natural use under the Giant Sequoia National Monument Plan (despite the fact that the area is administratively protected under the Roadless Area Conservation Rule).

7. Stormy Canyon (polygon 1408), pgs. 320-321: While recommended as wilderness in Alternative C, the “Wilderness Characteristics” section notes that “Sounds from motorized activities outside the area could interfere with opportunities for solitude.” Again, “sights and sounds” is not a legitimate criterion to use when evaluating wilderness. It is true that there are heavily used recreation areas adjacent to the eastern boundary of the area. But the description fails to note that the visitors using those recreation areas appreciate the undeveloped view across the river of the Stormy Canyon recommend wilderness. This contributes significantly to the outstandingly remarkable scenic and recreation values of the North Fork Kern Wild and Scenic River. Protecting the area as wilderness would also protect the North Fork’s water quality and biotic integrity. Securing wilderness protection for this area is priority for conservationists because much of it is allocated to semi-primitive motorized use under the Forest Service’s preferred Alternative B.

Sierra National Forest

8. Ansel Adams Addition (polygon 819), pgs. 324-326: This rather oddly shaped recommended wilderness deserves some explanation. It primarily encompasses the steep slopes and deeply-incised glaciated canyon of the San Joaquin River. Even though it appears quite narrow on a map, a visitor isn’t aware of the adjacent developed areas high above and out of sight on and beyond the canyon rim. The “Wilderness Characteristics” section notes the presence of Mammoth Pool

Reservoir within the area and hydroelectric facilities adjacent to the area. This is not unusual – there are a number of reservoirs located within existing wilderness areas and their appurtenant facilities (powerlines, etc) are often found just outside the boundaries. The narrative should be revised to note that the recommended wilderness will help protect segments of the San Joaquin River found eligible for wild and scenic river status and provide an important protected corridor for the migration of species in response to climate change.

9. Ansel Adams Granite Creek Additions (polygon 822), pgs. 327-330: The “Summary of Factors Considered” section should be revised to note the wilderness protection of this area under Alternative C will help protect water quality and biotic integrity of the segments of the West and East Forks of Granite Creek determined eligible for wild and scenic river protection.

10. Ansel Adams Mt. Raymond Additions (polygon 821), 9,117 acres, pgs. 332-333: This roadless area borders the Wild and Scenic South Fork Merced River and Yosemite National Park on the north. It contains several large lakes and meadows and rich old-growth forests of pine and fir. Six trails cross through the area and access Chiquito Lake, South Fork Merced River, Iron Creek, Dutchman Lake and other destinations both in the roadless area and Yosemite National Park. According to the California Natural Diversity Database, the areas include habitat for Alkali ivesia, American pine marten, bald eagle, California spotted owl, fisher, fringed myotis, great gray owl, hoary bat, long-eared myotis, long-legged myotis, mud sedge, northern goshawk, pallid bat, Sierra Madre yellow-legged frog, silver-haired bat, spotted bat, three-ranked hump moss, western mastiff bat, western red bat, Yosemite toad and Yuma myotis.

The wilderness evaluation for the area did not offer any disqualifying comments, such as legally-open roads or other developments that are actually within the polygon. The boundaries are acceptable, except that the Star Lakes, Iron Lakes and Red Top OHV trails are given quarter-mile wide non-wilderness setbacks. This is excessive given that Congress usually applies much smaller non-wilderness setbacks from motorized vehicle routes, rarely extending beyond 300 feet, even for a highway. We request that the Forest Service replace this unnecessarily large setback with one that more accurately reflects actual maintenance and management needs.

The narrative fails to note that recommended wilderness addition includes a segment of the South Fork Merced Wild and Scenic River, several of its tributaries, and a good chunk of its watershed. It should be revised to note that the recommended wilderness helps protect the river’s outstandingly remarkable values, water quality, and biotic integrity.

11. Bear Mountain (polygon 539), pgs. 334-336: The narrative fails to note that a segment of Dinkey Creek determined eligible for wild and scenic river protection flows through the heart of the recommended wilderness. It also doesn’t mention that Bear Mountain is essentially an extension of the Dinky Lakes Wilderness addition recommended in Alternative C, as well as the existing Dinkey Lakes Wilderness. The Bear Mountain recommended wilderness will not only expand the core wildlife habitat protected in the existing and recommended additions to Dinky Lakes, it will also help protect the outstandingly remarkable scenic and recreation values of Dinkey Creek, as well as its water quality and biotic integrity. Securing wilderness protection for this area is priority for conservationists because much of it is allocated to semi-primitive motorized and roaded natural uses under the Forest Service’s preferred Alternative B.

12. Devil Gulch-Ferguson Ridge (polygon 772), 45,125 acres, pgs. 337-339 and 344-345: The roadless area is composed of steep slopes rising up from the banks of the Wild and Scenic South Fork Merced River from 1,398 feet to 6,989 feet. The area borders Yosemite National Park on the east. The roadless area is both a rare and extremely valuable priority for conservation because it is

one of the lowest-elevation wild places in the southern Sierra where most protected landscapes are sub-alpine or alpine and most low to mid-elevation areas have been mined, logged, developed or roaded. For example, according to an analysis conducted by The Wilderness Society, the area includes over 6,000 acres of oak woodlands.

The Bishop Creek drainage in the roadless area contains a particularly fine stand of old-growth ponderosa pine forest. The South Fork Trail follows the river and is very popular for its spectacular spring wildflower displays. The Merced is also popular among rafters, kayakers and swimmers. The area's low-elevation habitat would increase the ecological diversity of the lands managed as Wilderness in the SNF. Managing the area as recommended Wilderness would also increase the recreational diversity of the Wilderness experience available on the SNF by including an area that has trails that are accessible when the Sierra highcountry is blanketed by snow.

The area's size, topographic diversity and its role as an ecotone results in its having a long list of species of interest or concern. According to the California Natural Diversity Database, the area includes habitat for Bacigalupi's yampah, black swift, California spotted owl, coast horned lizard, Congdon's woolly sunflower, cut-leaved monkeyflower, fisher, flammulated owl, Fresno ceanothus, fringed myotis, great gray owl, Hall's daisy, hoary bat, Jepson's dodder, long-legged myotis, mountain lady's-slipper, pallid bat, short-bracted bird's-beak, Sierra bolandra, Sierra clarkia, Sierra Madre yellow-legged frog, Sierra pygmy grasshopper, Sierra starwort, silver-haired bat, small bur-reed, spotted bat, thread-leaved beakseed, Tompkins' sedge, Vaux's swift, western mastiff bat, western pond turtle and Yuma myotis.

The Hite Cove Trail is given a quarter-mile non-wilderness "buffer." This is excessive given that Congress usually applies much smaller non-wilderness setbacks from motorized vehicle routes, rarely extending beyond 300 feet, even for a highway. We request that the Forest Service replace this unnecessarily large setback with one that more accurately reflects actual maintenance and management needs.

The wilderness evaluation for the area did not offer any disqualifying comments, such as legally-open roads or other developments within the polygon. All of the concerns cited in the DEIS such as the presence of non-native plants, the general observation that ecosystems are out of the natural range of variation as a result of fire exclusion and the presence of sights and sounds that are outside of the area, have never been considered acceptable reasons for not recommending an area for wilderness designation.

The Devil Gulch and Ferguson Ridge recommended wilderness areas are actually one area (please note they consist of one polygon), divided by a jeep trail. The southern portion of the jeep trail to Hite Cove is a legal public OHV route, although the Forest Service should probably consider its closure to protect the outstandingly remarkable values of the South Fork Merced Wild and Scenic River. The northern portion of this jeep trail from Hite Cove to Highway 140 appears to provide access to some private inholdings and mining claims but seems to be officially closed to public use (It's not marked on the 2011 Sierra National Forest map and the MVUM for this area doesn't appear to be available on the Sierra Forest web site.). We recommend that the southern segment of the jeep trail be closed or at least cherry-stemmed in the recommended wilderness. The northern segment is at best a non-conforming use providing non-public access for landowners that should not require a cherry stem. This would connect the Ferguson Ridge area to the west with Devil Gulch to the east, allowing the entire area to be treated as one wilderness. In addition, the cherry stem for the legal segment of the Hite Cove OHV trail is unnecessarily wide and should be narrowed. Congressional wilderness setbacks on roads are seldom wider than 300 feet on each side.

There is also what appears to be a non-public road that begins at Highway 140 and climbs south to and a bit beyond Pinoche Ridge. The map for the Devil Gulch area cherry stems this road even though it doesn't appear to be available for public motorized use (again, it's not shown on the 2011 Sierra National Forest map) and it does not appear to access any private inholdings. If there is indeed no public use or need for this road, it should be permanently removed and the roadbed restored to natural contours. The cherry stem eliminated from the recommended wilderness. The narrative should be revised to note that the entire Devil Gulch-Ferguson Ridge recommended wilderness helps protect the outstandingly remarkable scenic and recreation values of the South Fork Merced Wild and Scenic River, as well as its water quality and biotic integrity. Securing wilderness protection for this area is priority for conservationists because much of it is allocated to semi-primitive motorized use under the Forest Service's preferred Alternative B.

13. Dinkey Lakes Wilderness Additions (polygon 539), 28,813 acres, pgs. 340-342: The area contains dozens of lakes and meadows situated in glacier-carved bowls. Between these flow cold, gushing streams surrounded by forests of hardwoods and old-growth conifers. The roadless area serves as a habitat connection between the John Muir and Kaiser Wilderness areas. Dinkey Creek is a V-shaped, deep whitewater stream with waterfalls and is a major tributary of the North Fork Kings River. Dinkey Dome and Marble Point and are both large, impressive edifices that rise above Dinkey Creek and one of its tributaries. Trails in the area access Hatch Lake, Mystery Lake, Rockhouse Meadow, Weldons Camp, Big Creek, Beryl Lake, Tocher Lake and other features. Rancheria Falls is a scenic wonder accessed by a popular trail.

According to the California Natural Diversity Database, the area includes habitat for American marten, American peregrine falcon, bald eagle, California condor, California spotted owl, California wolverine, Cooper's hawk, fisher, Fresno County bird's-beak, great gray owl, gregarious slender salamander, Lahontan cutthroat trout, marsh claytonia, northern goshawk, osprey, Sierra Madre yellow-legged frog, Sierra Nevada red fox, three-ranked hump moss, Volcano Creek golden trout, western pond turtle, White-headed woodpecker, willow flycatcher and Yosemite toad.

The wilderness evaluation for the area did not offer any disqualifying comments, such as legally-open roads or other developments that are actually within the polygon. The Alternative C boundaries are acceptable, except that the Swamp OHV Trail is given a quarter-mile non-wilderness buffer. This is excessive given that Congress usually applies much smaller non-wilderness setbacks from motorized vehicle routes, rarely extending beyond 300 feet, even for a highway. We request that the Forest Service replace this unnecessarily large setback with one that more accurately reflects actual maintenance and management needs.

The narrative should be revised to reflect that protection of the Dinkey Lakes Addition and the adjacent Bear Mountain area will greatly enhance the core habitat protected by the existing Dinkey Lakes Wilderness.

14. John Muir Wilderness Additions Southwest, West 1 & 2 (polygons 781, 795, 797, 1378), 5,864 acres, pgs. 346-350: These small roadless areas are adjacent to the John Muir Wilderness and are thus part of a vast network of wild lands that extends unbroken for hundreds of square miles. All four roadless areas are covered with meadows, streams and very rich old-growth forests that provide clean water and important habitat links to the Wilderness and lands beyond. Trails to the Rancheria Creek drainage, Corbett Lake and Statham Meadow pass through the roadless areas. According to the California Natural Diversity Database, the areas include habitat for American pine marten, American peregrine falcon, aquatic felt lichen, bald eagle, California

condor, California spotted owl, California wolverine, cascades frog, Cooper's hawk, fisher, Fresno ceanothus, Fresno County bird's-beak, golden eagle, great gray owl, Howell's tauschia, Kings River slender salamander, Lahontan cutthroat trout, northern goshawk, osprey, prairie falcon, sharp-shinned hawk, Sierra Madre yellow-legged frog, Sierra Nevada red fox, streambank spring beauty, thread-leaved beakseed, three-ranked hump moss, Tulare County bleeding heart, western pond turtle, willow flycatcher and Yosemite toad.

The wilderness evaluation for the area did not offer any disqualifying comments, such as legally-open roads or other developments that are actually within the polygon. The boundaries are mostly acceptable, with two exceptions. The Spanish Lakes OHV Trail is given a quarter-mile non-wilderness buffer. This is excessive given that Congress usually applies much smaller non-wilderness setbacks from motorized vehicle routes, rarely extending beyond 300 feet, even for a highway. We request that the Forest Service replace this unnecessarily large setback with one that more accurately reflects actual maintenance and management needs.

The other exception is the cherry stemmed underground tunnel that divides JM West in areas 1 and 2. There is no surface sign of this tunnel on Google Earth. The upper portion of the underground tunnel is not cherry stemmed in the existing John Muir Wilderness. We see no valid reason to cherry stem a tunnel that is not apparent on the surface. We recommend that areas 1 and 2 be combined.

15. Monache Wilderness Addition West (polygon 1378), pgs. 351-353: An area south of Verplank Saddle, east of the 27E03 motorcycle trail, and north of the Kings River has been excluded from the recommended wilderness. According to the Sequoia National Forest MVUM, it has no authorized motorized roads or trails and it should be added to the wilderness. The narrative should be revised to state that this wilderness addition will help protect the outstandingly remarkable scenic and recreation values, water quality, and biotic integrity of the segment of the Kings River eligible for wild and scenic protection. It should also note the presence of giant Sequoias in the far southern portion of the recommended area, which adds to its wilderness qualities.

C. Alternative C Recommended Wilderness Areas, Inyo National Forest

These comments includes descriptions of some but not all of the areas on the Inyo National Forest that are highly deserving of recommended wilderness designation in the final plan. The areas described are in no way exclusive of the areas in Alternative C that warrant protection as recommended wilderness. Some of the areas described are also included in Alternative B and should be retained as recommended wilderness in the final plan.

1. Ansel Adams Addition (polygon 1179) > than 7,212 acres, pgs. 237-238: This addition represents the transitional slope from the floor of the Mono Basin to the mid-slope boundary of the Ansel Adams Wilderness. Lands in this polygon support mature, mixed conifer forests in Gibbs, Bloody and especially Sawmill canyons. Extensive, old-growth mixed conifer forest of this transitional zone is currently poorly represented in Wilderness on the Inyo National Forest. This mixed conifer zone is also unique for its diversity and inclusion of relatively rare conifer species in this zone of the Inyo National Forest – namely healthy limber pines in Bloody Canyon. The southern section of the Parker Bench Inventoried Roadless Area includes extensive aspen groves, old-growth lodgepole forests and numerous isolated riparian systems. Of note, an isolated population of Southern Alligator Lizards (historically documented and recently rediscovered) exists in aspen groves along the Parker Bench trail (Inyo NFST 2603).

The recommended wilderness should be expanded eastward to include lands south of the Bloody Canyon-Walker Lake Trailhead Road (1S23) and north of Parker Creek (portions of sections 12-13, T1S, R25E, and sections 7-8, 17-19, T1S, 26E). This would add to the ecological diversity of the wilderness addition by including lower elevation Jeffrey pine forest and rich meadowlands. Road 1S24 which leads up Sawmill Canyon is gated and closed to public motorized use and the upper portion of it on National Forest land is unused and no longer needed. The only legitimate use for this road is for access by LADWP to its private lands in the meadows north of Parker Creek. The boundary could be drawn to exclude the LADWP property and the portion of Road 1S24 needed to access it. In addition, this property could be acquired and added to the recommended wilderness, as LADWP no longer operates its diversions from Parker Creek. There is some minor sign of past logging on the National Forest lands on the north slope of upper Sawmill Canyon but the overall appearance is natural and wild. Walker Lake should be excluded from the wilderness.

2. Adobe Hills, Huntoon Creek, South Huntoon Creek, Pizona-Truman Meadows (polygons 1355, 1361, 1377, 1339) At least 44,719 acres, pgs. 235, 251, 275, 267: As visitors to this remote area of the Forest know, the Excelsior Inventoried Roadless Area lives up to its name. An amazingly wild, untouched chunk of the western Great Basin, this area contains extensive pinyon-juniper woods, isolated ephemeral lakes, dune systems, and locally limited but ecologically critical springs and associated riparian systems. When taken together with the contiguous inventoried roadless areas on the Humboldt-Toiyabe National Forest east of the CA-NV line, this roadless complex contains over 200,000 acres of primeval public lands rich in Native American and settlement area history. The Excelsior area, especially when viewed at the landscape level with the adjacent roadless areas in Nevada, offers solitude, primitive recreation, habitat connectivity, and ecosystem representation in the wilderness preservation system.

3. Dexter Canyon (polygon 1068), approximately 8,000 acres, pgs. 244-245: Dexter Canyon is perhaps the most geographically varied and ecologically rich roadless area on the north zone of the Inyo National Forest. A landscape of rough-hewn granite knobs, rolling uplands, and flat volcanic mesas deeply incised with steep-walled canyons reminiscent of the desert southwest, Dexter is unlike anywhere on the Forest. The western portion supports old-growth lodgepole and Jeffrey pine forests dotted with sedge/rush-dominated meadows (Crooked Meadow, Dead Horse Meadow, Sagehen Meadow Sentinel Meadow, Johnny Meadow), while the northern and eastern portion are defined by open sagebrush plains, extensive snowbank aspen groves, and narrow riparian aspen filled canyons. Free-flowing North Canyon Creek, Dexter Canyon Creek, Wild Cow Creek, and Wet Canyon Creeks support locally-limited but ecologically critical riparian habitat.

Goshawk, greater sage grouse, black-backed woodpeckers, willow flycatchers, and nesting golden eagles join badgers, abundant mule deer, and brook trout as wild citizens of this area. Scattered across the area are abundant upland snowbank aspen groves. Isolated from any surface water source, these groves are distinct from riparian aspen. Extensive groves exist on northeast facing slopes east of Sagehen Peak and Dead Horse Meadow, as well as the walls of upper Dexter Canyon east of Crooked Meadows.

This area contains a set of two parallel, 500-foot-deep canyons supporting a unique mix of conifers and flowing streams (Dexter and Wet Canyon creeks). From the bottom of these canyons, one would be hard pressed to describe the surrounding aspen groves and sheer volcanic walls as anything but wilderness. This southwest portion is not only the wildest and wettest

portion of the roadless area, but it also has the highest ecological value and provides outstanding opportunities for primitive recreation.

The current boundary presented in alternative C improperly excludes the southwestern corner of the roadless area, which includes Crooked Sentinel, and Wet Meadows. Adding these meadow systems would greatly increase the ecological diversity of the recommended wilderness. The western end of the meadow systems are defined by Road 1S17, but the meadows east and downstream are undeveloped and quite scenic. Some old roads exist, but these have been closed to motorized use. If the meadows were included, the recommended wilderness would appear on a map to be unusually narrow in section 28, T1S, R29E between Roads 1N02 and 1S17. But both Dexter and Wet Canyons are quite deep at this point and wilderness users would not perceive the roads up on the canyon rims. The Forest Service need look no further than lower Pine Creek in the John Muir Wilderness for an example of a narrow but deep river canyon already protected as wilderness on the Inyo Forest. Securing wilderness protection for Dexter Canyon is a priority for conservationists since much of the area is allocated to semi-primitive motorized management under the Forest Service's preferred Alternative B.

4. Glass Mountain (polygon 1012), approximately 17,000 acres, pgs. 246-247: Unique for the Eastern Sierra, the Glass Mountains form a transverse highland. Unlike most ranges in the Eastern Sierra, the Glass Mountains run east-west, connecting the Sierra Nevada biogeographic province to the Great Basin. Inclusion of a portion of this large roadless landscape would fill a current wilderness gap geographically, biologically, and recreationally in the heart of the Inyo National Forest. At this polygon's core, the 2,041-acre Sentinel Meadow RNA is already closed to motorized use and is surrounded by inaccessible, heavily forested sheer slopes. We know of no sagebrush within this limber pine RNA and the polygon boundary should be extended to include the entire RNA.

5. Golden Trout East Addition (polygon 1391), pgs. 248-250 –

At least some of this area seems to have been excluded because of illegitimate "sights and sounds" criteria (pg. 336). There is no reason not to include the roadless lands north of this addition, and west, north and east of Bakeoven Meadows. It would expand the ecological diversity of the area by including important meadowlands, springs, and lower elevation forest. Much of the old road system in this area no longer legal motorized routes. Road 20S06, which divides the recommended addition from this area should be gated and used only to provide access to legitimate inholders. Road 20S03 (and spurs C, D) seem to have no legitimate use, but it could be cherry-stemmed if needed.

6. Piper Mountain Additions 1, 2 (polygons 1242, 1246), 13,336 acres, pgs. 264-266: These two potential additions are contiguous to the existing Piper Mountains Wilderness managed by the Bureau of Land Management and offer unique opportunities to conserve an east-west corridor for species moving from the Mojave to the Sierra. This opportunity to safeguard habitat connectivity and include under-represented ecosystems, such as blackbrush and xeric shrubland, in the wilderness preservation system is extremely important in this era of drought and environmental stress, as species will be moving and adapting as conditions and habitats change.

This area has high ecological integrity with few alterations to natural conditions. The combination of alkali flats (an under-represented ecosystem type) and old growth pinyon-juniper is a unique feature of this area worthy of protection as recommended wilderness. Other significant species found in this area include Little Cutleaf, Mojave Fishhook Cactus, Compact Fleabane, Inyo Milkvetch, Pinyon Beardtongue, and Inyo Onion. The area is also known for its exceptional prehistoric cultural resources.

7. Deep Springs North (polygon 1258), 34,146 acres, pgs. 241-243: This area encompasses a significant portion of the congressionally designated Ancient Bristlecone Pine Forest. Birch Creek is a lush riparian corridor at the boundary of the Mojave and Great Basin deserts. Its rich birch-cottonwood riparian forests host a recently discovered isolated population of black toad, a California Protected Species. In addition to the Ancient Bristlecone Pine Forest, there is extensive pinyon-juniper forest and transitional desert habitat from saltbrush scrub to sagebrush steppe.

8. Soldier Canyon (polygon 1246), 10,037 acres, pgs. 273-274: Straddling the low gap between the highlands of the White Mountains to the north and the Inyo Mountains to the south, the Soldier Canyon roadless area presents a unique designation opportunity to conserve both an east-west corridor for species moving from the Mojave to the Sierra, and also a north-south bridge connecting the Whites and Inyos. The area's topography is varied (steep to gentle slopes) and this terrain as well as the area's canyons provides excellent opportunities for solitude. Recreation opportunities include backcountry activities such as hiking, horseback riding, hunting, wildlife observation, photography, spring wildflower observation, and cultural/historical resource exploration. Ecosystem types include pinyon-juniper, sagebrush, xeric shrublands, and blackbrush, which are not well represented in designated wilderness on the Inyo National Forest. Significant species found in this area include Mojave Fishhook Cactus and Little Cutleaf.

9. Inyo Mountain Addition (polygon 1236), 6,775 acres, pgs. 253-245: A portion of this proposed addition is contiguous with the Inyo Mountain Wilderness, enhancing the existing wilderness and provide additional habitat connectivity and protection. Ecosystem types include pinyon-juniper, sagebrush, subalpine forest, xeric shrublands, and blackbrush, which are currently under-represented in wilderness on the Inyo National Forest. The topography includes canyons, including the scenic and geologically unique Marble Canyon, extremely rugged terrain, and high elevation plateaus with steep to gentle slopes along the eastern side. The area offers opportunities for solitude and quiet recreation. Significant species found in this area include Townsend's Big-eared Bat, Pinyon Beardtongue, Inyo Milkvetch, Pinyon Rockcress, Mohave Fishhook Cactus, and Bristlecone Pines.

10. South Sierra East Addition East 1 (polygon 1391), 25,249 acres, pgs. 277-279: Encompassing the transition zone from the Mojave Desert up to the Sierra, this addition would add wilderness quality lands along the steep sierra escarpment. The area contains outstanding scenic variety and ecological diversity – from Joshua trees and creosote bush to alpine sierra. The area is contiguous with both the South Sierra Wilderness and the Sacatar Trail Wilderness to the south and presents an outstanding and conflict free addition to the National Wilderness Preservation System.

II. Comments on DEIS Volume 2, Appendix C: Wild and Scenic Rivers Evaluation

The Forest Service deserves recognition for conducting a comprehensive evaluation of potential Wild & Scenic Rivers (WSRs) in the Forest Plans Revision (FPR) process. We appreciate that the agency incorporated its previously completed inventories, eligibility findings, and suitability recommendations. We also greatly appreciate that the Inyo and Sierra Forests determined additional streams to be eligible.

However, we identified a number of problems with Appendix C that require attention – not the least of which is the Sequoia Forest's dismal (in comparison to the Inyo and Sierra) inventory and evaluation results, which failed to identify any new eligible stream segments.

We also appreciated the opportunity to review and comment on the preliminary inventory and evaluation in February 2016. However, we are disappointed to find that few of the points raised in our 26 pages of detailed comments were addressed in Appendix C. So these comments are somewhat duplicative to the ones submitted by CalWild et al dated Feb. 1, 2016, which are hereby incorporate by reference. Be advised that new additional points are included in these comments.

A. WSR Inventory/Evaluation Comments Applicable To All Three Forests

1. Unnamed Streams Not Inventoried (DEIS Vol. 2, App. C, pg. 379) –

The inventory process appears to be restricted to rivers and streams named on 7.5-minute USGS quad maps. There is nothing in the Forest Service Handbook (FSH), federal guidelines, or in federal law that limits WSR inventories and evaluations to only named streams. Unnamed tributaries can significantly contribute to the free flowing condition and outstanding values of an eligible named stream. Unnamed tributaries of the upper Truckee River were ultimately found eligible because they provide habitat for and contribute to the recommended river's outstandingly remarkable Lahontan cutthroat trout fishery value.

For determining eligible river segments, segment termini, and boundaries, the FSH advises to "Consider the entire river system, including the interrelationship between the main stem and its tributaries and their associated ecosystems which may contain outstandingly remarkable values." (FSH 1909.12_82.61.2, pg. 8) The FSH guidelines indicate that the inventory should include named rivers on USGS 7.5 quad maps, but it does not limit the inventory only to those named streams.

2. Public Input on the Inventory (pgs. 379-380) –

The public sources cited provide useful information about streams that should be studied. However, there are other sources that also should be consulted, including the Forest Service's list of Critical Aquatic Refuges, Potential Aquatic Diversity Management Areas in the Sierra Nevada (SNEP Report Vol. III, Chapter 9), and American Whitewater's National Whitewater Inventory.¹ It should be noted that comprehensive inventories conducted by knowledgeable local Forest Service resource staff nearly always identify eligible streams in addition to those identified by the public.

3. Inventory Maps (pgs. 381-384) –

Public review and understanding would be vastly improved if the forest-wide inventory maps in Appendix C included the names of the inventoried segments, as well as the background hydrological system (to better facilitate understanding of the connections to non-eligible streams). The maps should also depict existing and recommended WSRs, so that the public would be able to recognize that some of the newly-identified eligible streams are tributaries and contribute to the flow and outstandingly remarkable values of designated and recommended WSRs. Appendix C should include more detailed maps of each eligible segment showing the proposed river corridors, segments, and classifications. Considering the 15 year or more lifespan of the FPRs, it is essential that segment details be fully documented in the FPRs so that the agency can fully meet its responsibility to protect their free flowing condition and outstandingly remarkable values.

4. Region of Comparison (pgs. 385-386) –

¹ <http://www.americanwhitewater.org/content/River/state-summary/state/CA/>

Establishing the region of comparison helps determine whether a specific value is outstandingly remarkable. Consistent use of the region of comparison is critical to an adequate assessment. But care should be taken to avoid intentionally or unintentionally using the region of comparison to artificially winnow down the list of potentially eligible rivers and streams. The FSH provides broad discretion for determining the regions of comparison for each value. Consequently, each Forest used significantly different regions of comparison to identify outstanding values in for streams assessed in Appendix C. This may have contributed to the widely varying results (many eligible streams identified on the Sierra, a few new eligible streams identified on the Inyo, and no additional streams other than the four identified in the 1991-95 inventory process on the Sequoia).

The inventory should use precise terms when identifying the region of comparison. For example, the Sierra and Sequoia Forest evaluations in Appendix C used the “Sierra Nevada Bioregion” and “Sierra Nevada Province” (respectively) to assess scenery, recreation, and geology values. We assume the Sierra Nevada Bioregion used to assess these values (and two others) on the Sierra Forest is the same bioregion depicted on a map in the Forest Service’s Final Bioregional Assessment. The reviewing public may be tempted to assume that “Sierra Nevada Bioregion” and “Sierra Nevada Province” are the same, but they are not. The Forest Service’s Final Bioregional Assessment has a map of the bioregion that includes the Modoc and Lassen Forests, small portions of the Klamath and Shasta-Trinity Forests, as well as portions of the White, Inyo, and Tehachapi Mountains. The Sierra Nevada geomorphic province does not include the Modoc, Lassen, Klamath, and Shasta-Trinity Forests or the White and Inyo Mountains. In addition, Sierra Nevada Bioregion maps available on the Internet are widely varying, so Appendix C should clearly indicate it is using the Bioregion depicted in the Bioregional Assessment.

5. Previous Inventories (pg. 386-387) –

Both the Inyo and Sequoia Forests had previously completed at least partial WSR evaluations in the 1990s. The background information from these previous efforts is not generally available to the public and should be made available as supporting documents on the Forest Plans website. Although Appendix C references these previous evaluations, it does not provide the level of detail needed for a reviewer to determine why certain decisions were made concerning eligibility or ineligibility. Further, neither of these previous evaluations were subject to full formal public review. The Inyo Forest solicited public feedback in 1993 on its previous evaluations, but the project was then shelved and background information as to why streams were not determined eligible was not made available to the public. The 1991-95 Sequoia Forest evaluation was never formally made available for public comment. Since many of the ineligibility decisions from these previous evaluations have been incorporated into Appendix C, it is important that all the information that led to ineligibility decisions be available for public review and comment.

B. Inyo Forest Evaluation Results

Although we greatly appreciate that Appendix C includes streams previously inventoried as well as new ones, delineating this distinction in separate sections makes this document unnecessarily difficult for public review. We recommend that the Appendix C evaluation be re-organized into three primary sections: (1) All streams assessed, (2) those found to be free-flowing, and (3) those found to be free flowing and to possess one or more outstandingly remarkable values. Footnotes or italics can be used to distinguish between previously and newly inventoried streams. But what is truly important to the public is whether all streams were considered and which ones were included or excluded in this evaluation using FHS criteria.

1. Free Flowing Streams List (pgs. 391-392) –

Some streams nominated by the public in scoping comments are not included on the list of free-flowing streams, including Black Canyon, George Creek, and Independence Creek. But Appendix C provides no information as to why the Forest Service apparently determined them to be not free flowing. It should be noted that the BLM found segments of George and Independence Creeks downstream of the National Forest boundary to be free flowing and to possess outstandingly remarkable values. We know of no existing diversions that would cause the agency to find them to be not free flowing.

2. Screening for Outstanding Prehistory/History/Cultural Values (pg. 393)

The paragraph defining criteria to determine outstanding Prehistory and History values fails to consider current cultural values and uses of local Native American Tribes. In comparison, the inventories on the Sequoia and Sierra Forests considered current cultural uses, as do many other WSR assessments conducted on other Forests. Many sites along rivers are sacred and important to current Native American cultural uses. These ongoing uses should be considered in determining historical/cultural values.

3. History/Prehistory Region of Comparison (pg. 394)

The reasoning that no outstanding history/prehistory values can be identified because a majority of cultural sites on the Inyo Forest have not been formally researched and evaluated is faulty logic (see additional discussion of this issue under “New Inventory Streams Determined Ineligible”). Lack of cultural research and surveys is chronic on virtually all National Forests, and yet other Forests manage to identify outstanding cultural/historical values. The Inyo Forest is unique in that it was a major trading crossroads between indigenous people from the Great Basin, Mojave Desert and from the western Sierra. As such, we recommend that the Forest itself be the region of comparison for historical/cultural values.

4. New Inventory Streams Determined Eligible (pgs. 395-397) –

We appreciate the new inventory and eligibility finding for Fish Creek. The FSH directs the agency to “Consider the entire river system, including the interrelationship between the main stem and its tributaries and their associated ecosystems which may contain outstandingly remarkable values.” (FSH 1909.12_82.61.2) Fish Creek is located on both the Inyo and Sierra Forests. Accordingly, the narrative should be revised to note that Fish Creek is a major tributary to the Middle Fork San Joaquin River (a recommended WSR in the 1992 Sierra Forest Plan Record of Decision) and that the draft Sierra Forest Plan identifies four of Fish Creek’s tributaries as eligible (Silver, Sharktooth, Long Canyon, Minnow Creeks).

5. New Inventory Streams Determined Ineligible (pgs. 397-398) –

The generic examples provided as to why some streams were found ineligible due to a supposed lack of outstanding values does not provide sufficient information for meaningful public comment. Some of the narrative about outstanding fish, wildlife, prehistory, and history values is not based on the Act, federal guidelines, or the FSH. For example:

Outstanding Fish & Wildlife Values –There appears to be an attempt to limit findings only to those species found primarily in streams and rivers and not in springs, wetlands, wet meadows, and even lakes. The National Wild & Scenic Rivers Act defines “river” as a “flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, rills, and small lakes.” Please note that the list of waterways after the word “including” is not exclusive. Springs, small lakes, and even wetlands and wet meadows may indeed be considered “rivers” eligible for protection. Given the broad definition of water bodies eligible for WSR consideration, this narrative uses faulty logic to explain

ineligibility findings for streams that provide important, in some case crucial, habitat for sensitive, threatened and endangered fish and amphibian species.

Amphibian & Toad Populations – Use of this faulty logic appears to be particularly tortured in regard to fast-disappearing amphibian and toad populations. If “stream dwelling populations of frogs have all but disappeared” on the Inyo Forest (pg. 398), then any remaining stream dwelling populations are by definition outstandingly remarkable under FSH 1909.12_82.73a criteria. Nor should populations largely dependent on wetlands or small lakes be discounted as ineligible simply because these waterbodies are not streams or rivers.

Further, the statement that “Yosemite toads are dependent on meadow and upland systems” (pg. 398) implies that this species is not dependent on adjacent flowing water systems, even though the very next sentence admits that “Small pools of low flowing water provide breeding areas...” According to the U.S. Fish and Wildlife Service, Yosemite toads spend the majority of their life in the upland habitats proximate to their breeding meadows, but *usually not more than a hundred meters from permanent water* (https://www.fws.gov/sacramento/es_species/Accounts/Amphibians-Reptiles/es_yosemite-toad.htm). This clearly meets the FSH requirement that an outstandingly remarkable value be “river-related” (FSH 1909.12_87.73). Just because a toad population doesn’t live its entire life in flowing water doesn’t discount it for consideration as possible outstanding wildlife value.

Prehistory & History Values – National Register evaluation is not a requirement in the FSH. The fact that a majority of documented cultural resources have not been investigated, researched, or evaluated against National Register criteria on the Inyo Forest does not warrant the apparent lack of findings for outstanding prehistoric, historic, or cultural values for any Inyo Forest stream considered in Appendix C.

FSH 1909.12_82.3 requires the use of *professional judgment, best available scientific information, and public participation* to identify values. The 1993 Inyo inventory identified at least five streams with outstanding historical/cultural values even with the acknowledged lack of forest-wide of historical/cultural information. Other Forests have identified eligible streams with outstanding historical/cultural values even though incomplete cultural resource inventories are a chronic problem shared by virtually all National Forests.

Inyo streams with known and documented prehistory and history values should be recognized for these values. As more information becomes available, this information can be reconsidered in a future FPR. Further, the fact that the Inyo didn’t apparently consider or identify any current cultural values in the WSR evaluation is troubling. Recreation Place descriptions mention current cultural uses in the Bishop-Convict Creek and Glass Mountain Places (Inyo Draft Plan pgs. 69-70). It seems likely that some of this use may be associated with streams and could constitute an outstandingly remarkable cultural value. Cultural records should be reviewed and local Tribes consulted to identify any current river-related cultural and traditional use sites to evaluate potential outstandingly remarkable cultural values.

At the minimum, the list of new inventory streams found ineligible (pg. 397) should be reassessed for eligibility using the actual criteria in the FSH.

6. Specific Comments On Ineligible Streams – Inyo Forest

Birch Creek – Birch Creek was determined to be free flowing but apparently the Forest Service did not identify any outstanding values. Birch Creek supports a lush riparian corridor in the transition zone between the Mojave and Great Basin deserts. The creek’s small but rich birch-cottonwood riparian forest supports a recently discovered isolated population of black toad, a California Fully Protected Species (also state-listed as threatened). The toad has the smallest range of any North American amphibian,

especially considering that its requisite permanent aquatic habitat – marshes, springs, and slow-moving streams – is surrounded by desert. The presence of black toad is unique within the region of comparison. Black toads are highly aquatic, only leaving its watery habitat to migrate to other permanent water sources. The toads occupying this canyon are completely dependent on Birch Creek and are isolated from lower elevation populations at Deep Springs Lake and Cuna Springs.

Birch Creek also contains unique geology as recognized in the Deep Spring North Potential Wilderness Narrative: “A central feature in the area is the Birch Creek granite batholith, which is emplaced amidst the parent sedimentary rocks of the White Mountains. The Birch Creek drainage comprises the majority of the area. Portions of the creek have perennial flows, and the creek is noted for its travertine formations and the canyon it has formed through the granite batholith.”

We believe that Birch Creek possesses outstandingly remarkable scenic, geological, wildlife, and ecological values and it should be identified as eligible in Appendix C.

Dexter and Wet Canyons – Dexter and Wet Canyons were nominated by the public and Appendix C lists them on pages 391-392 as free flowing (although Wet Canyon may be mistakenly identified as “Wet Creek”). Dexter Canyon is subsequently listed on page 392 as not possessing any outstandingly remarkable values. There is no mention of Wet Canyon on this page. Again, because little information is provided on why streams failed various screenings, it is difficult to determine why Dexter and Wet Canyons fail the outstanding values test in both the 1993 Inventory and the current Inventory.

Public scoping comments identified outstanding scenic, ecological, wildlife, and other values for Dexter and Wet Canyons. The fact that these streams are located in a distinct transition zone between the Sierra Nevada bioregion and the Great Basin/Desert bioregion underscores the unique ecological values of these streams.

The relative wetness of Dexter and Wet Canyons in a distinctively dry area is due in part to the Pacific moisture plume that makes its way east over Deadman Pass in the Sierra crest to a unique in the eastern Sierra transverse range formed by Bald and Glass Mountains and their associated highlands. Dexter and Wet Canyons are the primary drainages in the most geographically varied and ecologically rich region of the northern Inyo National Forest. Flowing from broad headwater meadows, the streams have carved deeply incised steep-walled canyons reminiscent of the desert southwest, flowing through a landscape of rough-hewn granite knobs, rolling uplands, and volcanic mesas.

Major meadow complexes (Crooked Meadows, Sentinel Meadows, and Wet Meadow) are the sources of Dexter and Wet Canyons and their tributaries. Locally limited but ecologically critical riparian habitat, including aspen groves, willow thickets, bunch grasses, and sedges are thick along the banks of both creeks. The uplands are dominated by old-growth lodgepole and Jeffrey pine forests, open sagebrush plains, and extensive snowbank aspen groves (distinct from riparian aspens). The incredibly diverse habitat provided by these streams supports goshawk, greater sage grouse, black-backed woodpeckers, willow flycatchers, nesting golden eagles, badgers, abundant mule deer, and brook trout.

According to a report from Trout Unlimited, Dexter and Wet Canyons are a subset of drainages flowing northeast from the Bald-Glass transverse range that possess some of the highest aquatic integrity scores in the eastern Sierra region. Because they contribute significantly to the overall values of Dexter Canyon, we propose that the unnamed tributary that rises from Sentinel Meadow and Wild Cow Canyon be included in the eligibility assessment for Dexter Canyon.

At the minimum, it appears that Dexter and Wet Canyons possess outstandingly remarkable scenic and ecological values. No specifics are provided as to why the scenic values and features of these streams

were not considered notable or exemplary. In fact, the scenic values of these streams appear to be radically different than many other streams on the Inyo Forest. The generic explanation given as to why these streams do not apparently possess outstanding ecological values is also lacking specifics. Both streams and their surrounding canyons possess many of the potential natural vegetation types that could be outstanding, including pinyon-juniper, sagebrush shrub, Jeffrey pine, and special vegetation types such as aspen, cottonwood, and dry forb. In fact, it's the combination of these vegetation types that make these streams unique.

George Creek – George Creek was not determined eligible in the previous inventory (pg. 398) and apparently this finding was not re-evaluated in Appendix C, even though public scoping comments requested re-evaluation. The Bureau of Land Management (BLM) found 3.75 miles of George Creek to be eligible downstream from the National Forest boundary. The creek was found to possess outstandingly remarkable fish and wildlife, and ecological values. Forest Service and BLM WSR evaluation criteria are very similar. It seems unlikely that the upstream National Forest segment of the creek is not free flowing and does not possess outstandingly remarkable values if the downstream BLM possess these attributes. We recommend that George Creek be re-evaluated and found eligible.

Independence Creek – Independence Creek was not determined eligible in the previous inventory (pg. 398) and apparently this finding was not re-evaluated in Appendix C, even though public scoping comments requested re-evaluation. The Bureau of Land Management (BLM) found 2.5 miles of Independence Creek to be eligible downstream from the National Forest boundary. The creek was found to possess outstandingly remarkable recreational, fish and wildlife, and ecological values. Forest Service and BLM WSR evaluation criteria are very similar. It seems unlikely that the upstream National Forest segment of the creek is not free flowing and does not possess outstandingly remarkable values if the downstream BLM possess these attributes. We recommend that Independence Creek be re-evaluated and found eligible.

Little Hot Creek – According to Appendix C (pg. 398), the endangered Owens tui chub “now can only exist in *and above* (italics ours) impounded reservoirs,” where the dams creating the reservoirs provide a barrier against non-native predatory fish and hybridization with other species. A dam-created reservoir is not generally considered eligible, but the Little Hot Creek habitat upstream of the existing impoundment is eligible. The importance of this upstream habitat is underscored by the fact that the Forest Service and its partners have spent considerable effort to close and restore roads in the Little Hot Creek watershed to protect water quality and chub habitat.

The fact that a downstream barrier is needed to ensure the survival of this species in the stream segment upstream should not exclude the stream from consideration. The Inyo Forest need look no further than Cottonwood Creek in the White Mountains – found eligible by the Forest Service in 1993 and designated by Congress in 2009. Cottonwood Creek's outstandingly remarkable fishery value is its Paiute cutthroat trout habitat and population, which is protected from downstream predators by a man-made barrier *in the designated segment*.

Based on the Act's broad definition of rivers as any “flowing body of water” and in consideration of the real world example of a barrier protecting Cottonwood Creek's outstanding fish value, there is simply no valid reason to exclude Little Hot Creek upstream of the impoundment from eligibility if the Owens tui chub is or could be found “above” the impoundment and particularly since the creek is the source water that supplies habitat for one of only four populations of this species in existence.

Appendix C already recognizes that the Owens tui chub as an outstanding fish value due to its rarity and federal endangered status, so it appears the only reason why Little Hot Creek was found ineligible is the presence of the existing reservoir. If the Owens tui chub is indeed dependent on the Little Hot Springs

Creek source water upstream of the impoundment, there is no reason why the short segment of Little Hot Creek upstream of the existing impoundment should not be found eligible due to its outstandingly remarkable fishery value.

Mammoth Creek – Mammoth Creek is listed as free flowing (pg. 392). But apparently, the creek was found to have no outstanding values. Historic mining sites along Mammoth Creek (Hayden Cabin, Consolidated Mine) have been interpreted for the public and attract recreational visitors. Current management direction is to “Maintain and enhance cultural resource interpretive sites” for these historic sites (1988 Inyo Forest Plan pg. 193). If these sites are of sufficient importance and interest to invest resources for public interpretation, then it seems likely they may possess combined outstanding historic and recreational values.

Mill Creek – It is unclear whether Mill Creek downstream of Lundy Lake is considered free-flowing or as possessing outstanding values. Mill Creek is the third largest tributary to Mono Lake. The segment downstream of Lundy Lake provides outstanding scenic vistas of both the lake and the high Sierra, offers a wide variety of stream-based recreation, and sustains riparian and wetland habitat that supports a high species composition of songbirds and nesting habitat for waterfowl. The lower segment should be found eligible with outstanding scenic, recreation, and wildlife values.

Nine Mile Creek – Nine Mile Creek is listed as free flowing (pg. 392). The route of the historic Jordan Toll Road follows almost all of Nine Mile Creek. Historic cabins and sites at Jordan Hot Springs and Casa Vieja Meadows are also adjacent to the creek. This constitutes an outstandingly remarkable history value.

O’Harrel Canyon Creek – O’Harrel Canyon Creek is free flowing but is listed as not possessing any outstanding values. Threatened Lahontan cutthroat trout were transplanted to the O’Harrel Creek. This should not automatically discount the clear outstandingly remarkable fish value. Lahontan cutthroat trout populations transplanted to creeks (some outside of the natural range of the species) have been previously found to possess outstandingly remarkable fish value (the Stanislaus Forest most notably). Eligibility would not hinder any on-going restoration efforts in the creek. In addition, the creek flows out of a rugged and scenic canyon on the south side of the Glass Mountains. We believe the creek possesses outstandingly remarkable fish and scenic values.

Olancha Creek – Olancha Creek is listed as free flowing (pg. 392). The route of the historic Jordan Toll Road follows Olancha Creek. This may constitute an outstandingly remarkable history value.

Parker Creek – A 4.5-mile segment of Parker Creek from its headwaters to the Ansel Adams Wilderness boundary is identified as eligible due to its outstanding scenery and recreation values (pgs. 425-426). Approximately 2 miles of Parker Creek from the Wilderness boundary to the Inyo National Forest boundary was inexplicably not determined eligible. This lower segment supports a rich riparian corridor and adjacent meadow ecosystem supporting aspens, cottonwoods, wetlands and grassland meadows, and sagebrush scrub vegetation types. Aspens along this stream segment display Basque carvings dating back at least 80 years.

Although the entire stream segment is within the National Forest reservation, only about half of it is actually managed by the Forest Service. The remaining half is owned by LADWP, which may be interested in relinquishing the property since it has lost its right to divert water from Parker Creek. Including the lower 2-mile segment down to the Forest boundary in the eligible segment would expand the diversity of the ecosystems protected in the stream corridor and add important target vegetation types.

All of Parker Creek within the federal reservation should be determined eligible for ecological and history values.

Rush Creek – Appendix C is confusing in regard to the eligibility of Rush Creek. A 3.7-mile segment of Rush Creek from its headwaters to Waugh Lake is listed as eligible in Table C-22 on pg. 571 and it appears eligible on the “North” Inyo map (Figure C-77, pg. 573). However, Rush Creek is included on a list of nine streams identified in the previous inventory that were determined ineligible (pg. 398). Nor is there a detailed narrative for Rush Creek in either of the sections in Appendix C that provide results for Inyo Forest New Inventory and Previous Inventory streams (pgs. 395-397 and 399-438 respectively). The Draft WSR Evaluation released for public feedback in December 2015 does provide a detailed eligibility narrative for the upper segment of Rush Creek in the New Inventory eligibility results section (pg. 20).

We recommend that Appendix C be corrected to show most of Rush Creek within the federal reservation boundaries to be eligible (headwaters to Grant Lake, Forest boundary to Mono Lake). Rush Creek is the largest tributary of Mono Lake – an outstanding natural feature of the Inyo National Forest that attracts thousands visitors from all over the world. Congress recognized the lake’s significance and the lower segment of Rush Creek and the other streams that feed into it by establishing the Mono Basin Scenic Area in 1984. The Scenic Area was established to protect the Basin’s geological, ecological, cultural, scenic, and other natural resources.

Mono Lake was in danger of drying up due to major diversions from its tributary streams until a series of historic court decisions and a landmark state water rights ruling required the restoration of fresh water flows in Rush Creek and other major tributaries to restore the health of the lake. Because of their statewide significance, these rulings represent an outstandingly remarkable historical value and the restored flow from Rush Creek into Mono Lake represents an outstandingly remarkable hydrological/ecological value.

We believe the segments of Rush Creek downstream of Waugh Lake also support outstanding geological, wildlife, cultural, and recreation values. There is nothing in the narrative in Draft WSR Inventory to support the contention that somehow all the outstanding scenic and recreation values of Rush Creek are confined to the stream upstream of Waugh Lake. As practical matter, the primary access for visitors to enjoy these values is to hike upstream from Silver Lake or by hiking the Pacific Crest Trail. It seems unlikely that people would hike five miles upstream from Silver Lake or many more miles on the PCT solely to enjoy the scenery and recreation values of the 3.7-mile stream segment above Waugh Lake.

Rush Creek downstream of the National Forest boundary and the Mono Basin Scenic Area boundary also possesses outstanding values. The creek cuts through an Ice Age lakebed as it flows into the Mono Lake, creating bottomlands habitat and a creek delta rare in the Great Basin. Riparian habitat along Rush Creek supports the highest concentrations of yellow warblers in California and is now attracting endangered willow flycatchers. Native Americans formerly used this section of Rush Creek as a summer home and for ceremonial purposes. The lower creek also attracts visitors seeking all types of recreational pursuits, including fishing, photography, and birding (particularly in the delta).

Although LADWP owns inholdings along Rush Creek, the Forest Service has full authority to assess streams within the boundaries of its federal reservation (which includes both the Inyo Forest and the Mono Basin Scenic Area). We believe the entire creek within federal reservation boundaries (including segments within inholdings) should be eligible, due to its outstanding historical, recreational, wildlife, hydrological/ecological values, and cultural values. At the minimum, Appendix C needs to be revised to correctly display the eligibility finding for the upper 3.7-mile segment.

7. Specific Comments About Eligible Streams On The Inyo Forest –

Cottonwood Creek (pgs. 401-405) – The segment descriptions are confusing and do not correspond to the segment classifications depicted on the map (Fig. C-79, pg. 576). The narrative classifies Cottonwood Creek segments 1-4 as wild, recreational, wild, and recreational (respectively). The Fig. C-79 shows five segments, two of which are classified as scenic. This discrepancy should be fixed.

Golden Trout Creek (pgs. 406-408) – Volcano Creek, a major tributary of Golden Trout Creek, is part of the Golden Trout/Volcano Critical Aquatic Refuge (CAR). Golden Trout are numerous in both streams. FSH 1909.12_82.61.2 directs the Forest Service to consider the “entire river system.” Volcano Creek clearly complements and is part of the outstanding fishery values of the Golden Trout Creek system and should be found eligible as a tributary to Golden Trout Creek.

Hot Creek (pgs. 407-408) – According to American Whitewater, Hot Creek provides an outstanding class II whitewater opportunity during the peak spring run-off. Boaters paddle through a unique canyon with stunning geology, hot springs, and plentiful wildlife. Whitewater boating should be included as part of the creek’s outstanding recreation value.

The narrative should also note that the BLM found a one-mile segment of this creek directly downstream of the Forest boundary to be eligible in recognition of its outstandingly remarkable geological, fish, wildlife, and hydrological values. The narrative should be revised to include the outstanding wildlife (exceptionally high value riparian habitat), as well as outstanding hydrological value (greatest average annual discharge of all Lahontan streams) identified by the BLM.

Lee Vining Creek (pgs. 409-414) – Segment 2 has two different segment descriptions. The first on pg. 410 describes the segment from headwaters to Greenstone Lake. On pg. 411, the summary of eligibility findings describes segment 2 as Saddlebag Lake to Highway 120, which is actually the segment 3 description on pg. 412. This discrepancy should be fixed.

The lower segment of Lee Vining Creek downstream of the LADWP diversion pond was not found eligible. In addition, the overall importance of this second-largest tributary to Mono Lake, in maintaining the lake’s health, is ignored. Like Rush Creek, diversions from Lee Vining Creek were contributing to the decline of Mono Lake and were limited by a series of landmark court and regulatory rulings with historic statewide implications. Lee Vining Creek clearly possesses outstandingly remarkable history values. The oldest known campsite in the Mono Basin is on the creek near the Lee Vining Ranger Station. In addition, the Bennettville interpretive site adjacent to Lee Vining Creek has “several 100-year-old mining buildings” and “is recognized locally as an important site” (1988 Inyo Forest Plan, pg. 158).

Lee Vining Creek is a popular gateway to both Yosemite National Park and the Mono Basin Scenic Area, which attract visitors from across the nation and around the world. This recreation value is not mentioned in the narrative. The segment of the creek downstream of Highway 395 is visited by hundreds of people who hike along the relatively new Lee Vining Creek Trail from the town of Lee Vining to the Mono Basin Scenic Area Visitors Center, enjoying magnificent views of Mono Lake and the creek’s restored flows and riparian habitat along the way. These constitute outstanding recreation and scenic values.

The fact that much of this lower segment is located within LADWP inholdings should not preclude its eligibility. The Forest Service has full authority to assess streams within the boundaries of the federal reservation it manages (which includes both the Inyo Forest and the Mono Basin Scenic Area). We believe the entire creek within federal reservation boundaries (including segments within inholdings) should be eligible, due to its outstanding historical, recreational, scenic, and hydrological/ecological values.

Lone Pine Creek (pgs. 414-416) – The narrative states of pg. 416 that recreation is associated with visitation to Mt. Whitney and not necessarily “river related.” We disagree. The Whitney Portal National Recreation Trail parallels most of segment 2 and is physically river-related. We think the statement noted above should be stricken from the narrative. In addition, the narrative should acknowledge the opportunity to expand the eligibility finding for this magnificent creek downstream by including at least two miles of the stream on BLM lands within the Alabama Hills Recreation Area the proposed Alabama Hills National Scenic Area. The BLM segment shares identical scenery and recreation values.

Middle Fork San Joaquin River (pg. 418) – This is a new eligible segment. It was not included in the Inyo 1993 Assessment or included in the segments determined eligible and recommended in the 1991-92 Sierra Forest Plan (the Sierra took the lead on assessing segments of the river on the Inyo Forest up to Thousand Island Lake and within Devil’s Postpile National Monument). This new eligible segment enhances the existing recommended segments by including Thousand Island Lake (a nationally recognized waterscape documented worldwide in calendars, magazines, books, and other publications) and its upstream headwaters.

Rock Creek (pgs. 426-429) – The narrative should note that the BLM found a 1.5-mile segment of this creek directly downstream of the Forest boundary (and segment 3) to be eligible in recognition of its outstandingly remarkable recreational, geological, and ecological values. It should recognize that the USFS-BLM segments are complementary and consider revising the Forest Service identified values to include the additional geological (good example of stream erosion through volcanic bedrock) and ecological (excellent aquatic and riparian habitat, biologically diverse vegetation) values identified by the BLM.

Walker Creek (pgs. 436-438) – LADWP diversions from Walker Creek have been discontinued and the approximately three miles of the creek downstream of Walker Lake should be considered free flowing. No outstandingly remarkable historical-cultural value is identified, even though the 1988 Inyo Forest Plan notes that the Walker-Parker Management Area possesses numerous prehistoric sites and that “Bloody Canyon served as a major prehistoric travel route to the Mono Basin from the San Joaquin Valley.” The Inyo’s 1993 Inventory identified this outstanding cultural value. This outstanding cultural/prehistory value is currently interpreted at the Walker/Bloody Canyon Trailhead. The narrative should be revised to identify an outstandingly remarkable cultural/prehistory value associated with the trail that parallels Walker Creek for much of its length.

C. Sequoia Forest Specific WSR Comments

We appreciate and support the incorporation into the new Inventory of all eligible streams identified in 1991-95 screening process, including segments of the Little Kern River, North Fork Tule River, North Fork Middle Fork Tule River, Kings River (segments 3-4) and the lower Kern River. We also appreciate and support retention of the suitability recommendation for the short segment of the South Fork Kern studied separately in 1991.

The organization of the Sequoia evaluation results is unnecessarily complicated and difficult for the public to review and comment on. We recommend that the evaluation be organized into three primary sections: (1) All streams assessed, (2) those found to be free-flowing, and (3) those found to be free flowing and to possess one or more outstandingly remarkable values. Footnotes or italics can be used to distinguish between previously and newly inventoried streams. But what is truly important to the public is whether all streams were considered and which ones were included or excluded in this evaluation using FHS criteria.

1. Region of Comparison used for the Eligibility Assessment, pg. 439

It would be helpful if there were explanations as to why the various regions of comparison were chosen for each value. The Sierra Nevada Province region of comparison should be clarified in regard to the Sierra Nevada Bioregion (see comments above). The State of California region of comparison used to identify fish, wildlife, prehistory, history, and botanical values seems overly broad. In addition, there seems to be no reason to use the Sierra Nevada Province as the region of comparison for cultural values, when prehistory and history values are compared statewide.

2. Review of Previously Evaluated Inventory, pgs. 441-441

Some reviewers may be confused by the inclusion in this section of river segments designated by Congress, including the Middle and South Forks of the Kings, the main stem of the Kings, and the North and South Forks of the Kern River. See our comments above about organization of the assessment to improve reviewer understanding.

3. 1991 Screening Process, pgs. 444-445

This discussion refers to previous evaluation documents from 1991-95 that are not posted on the Forest Plans website and are therefore not easily available for public review. This reviewer requested and received a copy the 1991-95 evaluation documents.² Any documents referred to in Appendix C should be available for the entire public for review and comment. This is particularly important because the previous 1991-95 evaluation efforts were not subject to public scoping, review, or comments.

Further, the 1991-95 evaluation is a hodgepodge of lists, memos, field verification reports, and other documents from which it is difficult to parse a coherent picture. What is clear is that a respectable number of streams were narrowed to the four listed as eligible in Appendix C, all without any input from the public or outside experts. Moreover, this past evaluation used old criteria to identify potential outstandingly remarkable values. For example, the criteria used in the previous Sequoia Forest evaluation required historical or cultural sites be included or considered for the National Register, or provide exceptional opportunities for interpretation. The Historic/Cultural criteria in the current FSH is quite broader and National Register status is not mentioned at all.

These comments also apply to “Process to Determine Changed Conditions or New Information since the Previous Evaluation(s)” found on pg. 446.

4. Results of the Eligibility Review for Previously Evaluated Rivers, pg. 446

The basic finding in this section is that the Sequoia National Forest Interdisciplinary Team found “No changes in eligibility...” and although minor edits and adjustments were made to the narrative, “...these minor changes did not change the original eligibility or classification for any of the previously inventoried or evaluated rivers and stream segments.” For reasons detailed below, we dispute the finding that there are no changed conditions or new information that warrant reconsideration of the hundreds of miles of streams rejected as ineligible in the 1991-95 evaluation. We believe that several of the streams determined ineligible in the 1991-95 evaluation are indeed eligible. In addition, we also dispute some aspects of the eligibility findings. See below for more detailed stream-specific comments.

c. North Fork Tule River (River/Segment GIS Number 2.160), pg. 450-452

² Wild and Scenic River Historical Eligibility Review, Sequoia National Forest Technical Report, by Mary Cole, Forest Landscape Architect and Recreation Planner, dated Oct. 27, 2014.

Appendix C confirms the eligibility of a six-mile segment of the North Fork Tule River from where it originates in Sequoia National Park to the Forest Boundary, as a Wild River. The only outstandingly remarkable value identified is recreation associated with the stream being the sole fly-fishing only stream in the southern Sierra Nevada physiographic province designated by the California Department of Fish and Wildlife. A cursory internet search found several hits on North Fork Tule fly-fishing, so this value is confirmed indirectly by the opinion of fly fishers active on the internet.

We believe that the North Fork Tule River also possesses an outstandingly remarkable history value associated with the history of logging in the Dillonwood Grove. The North Fork Tule River flows through the heart of the grove, which was named after Nathan Dillon. He owned more than thousand acres of timberland and operated a sawmill beginning in the 1870s, which moved upriver as adjacent lands were logged. A lumber flume was used to transport cut boards down the steep mountain side to the better roads below. After Dillon died in 1903, logging ended. When title shifted to a new owner in 1948, logging resumed, with an estimated 42 million board feet of timber removed over the next decade, including many large Sequoias.

When the land was sold to the Reed family, more sustainable logging was conducted that avoided cutting of the giant Sequoias. By the late 1990s, the Dillonwood Grove was the largest privately owned grove of giant Sequoias remaining in California. With the assistance of the Save the Redwoods League and through legislation sponsored by Senator Diane Feinstein, the Dillonwood Grove was acquired and became part of Sequoia National Park in 2001.

Eligibility analysis and field varication reports attached to a 1995 memo to the Forest Service from Acting District Ranger Thomas W. Burns recognizes the potential outstandingly remarkable historical and cultural value associated with public interpretation of the Dillonwood Grove but found that “Without the acquisition (of the then privately owned grove) there is not an historical and cultural Outstandingly Remarkable Value to interpret.” Now that the Grove has been acquired (by the Park Service) and given that portions of the Grove are located on the Sequoia Forest and that the historical logging operations proceeded upriver over time, reconsideration of the river’s outstandingly remarkable history value is in order.

We believe that the history of the Dillonwood Grove and the North Fork Tule River represents “a significant event” and “cultural activity of the past that is now rare or unique in the region” (FSH 1909.12-82.73a). This constitutes an outstandingly remarkable history value. Appendix C should be revised to reflect this additional history value.

d. North Fork of Middle Fork Tule River (River/Segment GIS Numbers: 1.159.1, 1.159.2), pg. 452-453

Appendix C confirms the eligibility of a 2.8-mile segment of the North Fork Middle Fork Tule River from its headwaters to the Mountain Home State Forest boundary, possessing outstandingly remarkable ecological value. According to the Appendix C narrative, this value is associated with the Moses Giant Sequoia Grove within the Moses Mountain Research Natural Area (RNA). The narrative states that the RNA, “...by definition possesses natural conditions that have special unique characteristics of scientific interest that provide an opportunity for non-manipulative research.” The narrative explicitly states that the river’s “...ecological outstandingly remarkable value is limited to the upper reaches of the river that flows through the Moses Mountain Research Natural Area.”

The narrative is full of contradictions. Under “Mileage”, the “Studied” segment is listed as 13.5 miles and the “Eligible” segment is “Approximately 2.8 miles, from the headwaters to the State Forest.” In the

“Summary of Eligibility Findings”, the narrative states, “The upper 4 miles from the Headwaters to the State Forest is eligible. The remaining 10 miles are not eligible.”

Is the study segment 13.5 miles or 14 miles? Is the eligible segment 2.8 miles or 4 miles? If the eligible segment is truly limited to the segment within the Moses Mountain RNA, then it appears considerably shorter than 2.8 miles on the Sequoia Forest Recreation Map. Whether the eligible segment is 2.8 or 4 miles, that includes more of the river than just the segment within the RNA, which begs the question of whether the evaluation unnecessarily limits the outstandingly remarkable value to the RNA.

The eligibility finding for only a small segment of the North Fork Middle Fork Tule contravenes FSH 1909.12_82.61.2 direction to “Consider the entire river system, including the interrelationship between the main stem and its tributaries and their associated ecosystems which may contain outstandingly remarkable values.”

The fact is that giant Sequoias are found along much of the length of the North Fork Middle Fork. The Sequoias within the Moses RNA extend downstream through the State Forest. The Silver Creek grove straddles the river just south of the State Forest, as does the Wishon Grove further downstream. Ranging from 4,500 to 7,000 feet in elevation, all these groves contribute to the river’s outstanding ecological value. To limit the value to just the RNA is akin to limiting the outstanding scenic and recreation values of the North Fork Kern Wild and Scenic River to just the Forks of the Kern segment, when all segments of the Kern possess these values to varying degrees. The system was never intended to just “cherry pick” the short river segments with the most outstanding of the outstandingly remarkable value.

Further, we believe that the entire North Fork Middle Fork Tule River from its headwaters to the private property at Doyle Springs possess outstandingly remarkable scenic and recreation values. A popular hiking trail with several trailhead access points parallels most of the river. Beginning at about 4,000 feet elevation at Doyle Springs, the trail provides access to the scenic Moses roadless area, the State Forest (with its campgrounds and extensive trail system), the RNA, the Golden Trout Wilderness, and ultimately the river’s source at Summit Lake in the Sequoia National Park at more than 9,000 feet elevation. From the trail, hikers, equestrians, and mountain bikers can visit numerous cascades and waterfalls, view the rocky massifs of Moses and Maggie Mountains which straddle the canyon, and appreciate the majestic Sequoias and old growth firs and pines that clothe the banks of the river. The diverse landscape and vegetation, including waterfalls, old growth trees and surrounding rocky peaks, and extensive and varied recreation opportunities found along this trail constitute outstandingly remarkable recreation and scenic values.

The North Fork Middle Fork Tule River should be re-evaluated and the entire segment from its headwaters Sequoia National Park to the private property boundary at Doyle Springs determined eligible for its outstanding ecological, scenic, and recreation values.

e. Lower Kern River

Appendix C has no detailed description of the eligible segments of the lower Kern River. The implication is that there are no changed circumstances or new information that warrant reconsideration of the river’s eligibility. However, not only are there changed conditions and new information, the information provided in Appendix is contradictory.

Table C-5, pg. 441, displays the findings of the 1988 Sequoia National Forest LMRP. This document found segments 1 and 2 of the lower Kern to be eligible but not segment 3, which the LRMP claimed was de-watered by hydro power diversions. Table C-5 lists outstandingly remarkable scenic, recreation, and wildlife values for all three segments. Table C-11, pg. 445 shows all three segments to be eligible, but

segment 1 only possesses an outstandingly remarkable scenic value (the recreation and wildlife values are dropped). In the Results of the Eligibility Review for Previously Evaluated Rivers on pg. 446, the narrative cites both the 1988 LRMP and a document called “Reply to the Regional Forester April 21, 1994.”

Oddly, the 1994 Reply to the Regional Forester is not included in the packet of 1991-95 eligibility documents provided to this reviewer by the Forest Service. However, we found a copy in our files. The memo states that the outstandingly remarkable wildlife value for segment 1 was dropped because the Kern Canyon slender salamander was no longer thought to inhabit this segment and that the minimum release from Isabella Dam upstream “does not maintain the recreational values during low water years.”

According to the California Dept. of Fish and the California Wildlife Interagency Wildlife Task Group, the Kern Canyon slender salamander is found from 4,000 to 1,000 feet elevation in the lower Kern River Canyon, which encompasses of segment 1. Californiaherps.com states that the Kern Canyon slender salamander is found in the lower Kern River from its confluence with Erskine Creek to its confluence with Stork Creek. This is confirmed by Robert W. Hansen, Kern River Research Notes Vol. 6, No. 2, 1996. This habitat includes at least a third or more of lower Kern River segment 1. On this basis, we believe that segment 1 does indeed possess an outstandingly remarkable wildlife value associated with the rare Kern Canyon slender salamander.

Since the Forest Service’s 1994 memo, the Bureau of Land Management (BLM) conducted an eligibility and suitability evaluation of its 3.2-mile segment of the lower Kern from Isabella Dam to the National Forest boundary. The BLM found this segment to possess outstandingly remarkable scenic, recreation, wildlife, and cultural/historical values. Ultimately, the BLM recommended designation of this segment 3.2-mile segment.³ The BLM segment includes the upper portion of segment 1 which the Forest Service’s 1994 memo concludes only possesses an outstandingly remarkable recreation value.

Not only did the BLM find a far more extensive outstandingly remarkable wildlife value (“...tremendous variety of micro-climates which provide a wide diversity of habitats...many game and non-game animals...extremely important to neotropical songbirds...bald eagle, spotted owl, osprey...”), it determined that the segment provides outstandingly remarkable water-based recreation in all but low water years. Please note that some of the outstandingly remarkable recreational values of the North Fork Kern Wild and Scenic River are not present in some river segments in low water years due to natural flow variations and hydro diversions. This did not exclude the North Fork from eligibility or designation by Congress.

Another changed condition regards flows in all three segments. Federal relicensing of the various hydroelectric projects that effect flows in the lower Kern River have or will soon improve flows for fish, wildlife, and recreation. This should put to rest any question that flows in in the lower Kern are not sufficient to support its outstandingly remarkable scenic, recreation, and wildlife values.

The BLM eligibility finding and suitability recommendation, and FERC-mandated improved flows constitute new information that should have been considered in Appendix C. The lower Kern River should be re-evaluated and found eligible with outstandingly remarkable scenic, recreation, and wildlife values in a revised Appendix C. It is important to note that the lower Kern eligibility findings in the 1994 Regional Forester memo were never subject to formal public review and comment. At the minimum, Appendix C should include the level of detail provided other previously evaluated streams.

³ BLM Bakersfield Draft Resource Management Plan (RMP)/DEIS Appendix H-3, pgs. 715-717, Sep. 2011; Final RMP/DEIS pg. 95, Aug. 2012.

f. Table C-12. Update summary of eligible rivers identified in the past... pg. 454

The second Kings (Seg. 4) column in this table should be “Kings (Seg. 5).” Kings Segment 5 is the segment appropriately classified as recreational. Kings Segment 4 is classified as scenic.

5. Sequoia Forest Streams Found Ineligible in the Previous Inventory

Appendix C has no information on the streams that were determined ineligible in the 1991-95 screening process. As previously noted, the general public cannot comment on these “screened out” streams because the 1991-94 documents are not available on the Forest Plans web site. We believe that there is significant changed circumstances and new information that warrant re-evaluation of some streams that were eliminated in the 1991-95 screening process. In addition, that are examples in the 1991-95 screening documents where narratives fail to support the conclusions of ineligibility. Our stream-specific comments follow.

Salmon Creek – Initial screening documents from 1991-92 identified potential outstandingly remarkable scenic, wildlife, and cultural values. A May 15, 1992 report notes that Salmon Creek’s scenic values consist of “Scenic view of Big Meadow and Salmon Creek gorge.” It also notes that Salmon Creek “appears accessible to the physically challenged at many locations in its upper reaches...”, but this appears to be an outstanding recreation value listed under the scenic value subheading. The same report documents a diversity of recreational opportunities provided by Salmon Creek, including fishing, camping at Horse Meadow Campground, hunting, nature study opportunities in Big and Horse Meadows and along the creek’s riparian habitat (spanning thousands of feet in elevation), and hiking on the Salmon Creek Trail from Big Meadow to Salmon Creek Falls. It also notes an opportunity to develop a trail along the creek for physically challenged visitors.

A more detailed field verification narrative by Cheryl Bauer dated April 12, 1993 conclusively identified what appears to be an outstandingly remarkable scenic value. This narrative states:

The entire Salmon Creek corridor is considered distinctive, or Variety Class A, within the landscape character type. Attractiveness of the corridor is enhanced by the diversity of features that include jagged rock outcrops and peaks, bedrock gorges with cascades and pools, Salmon Creek Falls, and Big Meadow. The Salmon Creek area is accessible to the physically challenged at many locations in its upper reaches.

But then the report concludes, “While the views are excellent, they are typical of scenic qualities in the Kern River area and are not considered to be rare or unique.” Again, note that the accessible recreation value is confused with the scenic value. In addition, the region of comparison appears to be the “Kern River area”, while the Sierra Nevada Province was used as the region of comparison for newly evaluated streams (pg. 439).

We disagree with the ineligibility finding for Salmon Creek made more than 20 years ago and the more recent concurrence in Appendix C. According to WorldWaterfallDataBase.com, Salmon Creek Falls tumbles 450 feet over the edge of the Kern Plateau and is the highest waterfall in the southern Sierra south of Sequoia National Park. The next highest waterfall on the Sequoia Forest – Dry Meadow Creek Falls – is half as high. Salmon Creek Falls is sufficiently notable to have its own sign on the Kern River Highway to apprise tourists of a distant view. Not only does the view of this waterfall constitute an outstandingly remarkable scenic value, it complements the outstanding scenic value of the North Fork Kern Wild and Scenic River.

KernRiverSierra.com describes Salmon Creek Falls as “one of the great natural features of the Southern Sierra” and confirms that it is indeed “the highest waterfall in the Southern Sierra.” The web site goes on to say, “This Yosemite-like creek has inspired adventure and exploration for years... The views are dramatic as Salmon Creek precipitously tumbles over the edge of the Kern Plateau.” The web site notes that the granite cliffs surrounding the falls attract expert rock climbers and was part of the 2002 California Eco-Challenge Finals, where contestants were required to do a 500+ foot rappel near the waterfall and then find a route all the way down to the Kern River.

Modernhiker.com, which generally focuses on trails in southern California features the hike to the lower portion of the falls. It describes the route to lower Salmon Falls as “A short and strenuous little-known trip to an incredible secluded canyon waterfall in the southern Sequoia National Forest, just north of Kernville...you get to see an unbelievable canyon with a majestic waterfall (and sometimes TWO waterfalls in wet years!) in a secluded grove...A surprising and wonderful hike!”

Ann Marie Brown, author of *California Waterfalls* (Foghorn Press, 2000) describes the Salmon Creek Trail to Salmon Falls as “a stellar walk through lodgepole pines and white fir, with a chance for fishing, skinny-dipping, and getting close to the lip of a big waterfall—my idea of a perfect day-trip or an easy one-night backpacking jaunt in early summer.”

Based on the opinions of these experts, Salmon Creek Falls alone gives Salmon Creek an outstandingly remarkable scenic and recreation value. But Salmon Creek’s scenic and recreation value goes beyond the falls. Upstream of the falls, the creek flows through scenic Big and Horse Meadows. Big Meadow is likely the largest meadow in the southern Sierra. An extension of the Salmon Falls Trail extends upstream from Horse Meadow to Big Meadow. From there, trail users can continue north on the Cannell Meadow Trail and then the Siretta Peak Trail to the very headwaters of Salmon Creek, southeast of Siretta Peak.

From its headwaters springs at 9,000 feet elevation, Salmon Creek flows 15 miles to its confluence with the North Fork Kern at 3,500 feet. Its source spring is located in the Twisselmann Botanical Area, which was established because it supports one of the most diverse subalpine conifer forests in the southern Sierra (including foxtail, limber, western white, Jeffrey, and lodgepole pines, and red and white fir). This area includes the southernmost foxtail pines in the Sierra, as well as the southern-most species of several plants.

The trail system along Salmon Creek traverses two roadless areas. The upper roadless area (formerly known as Woodpecker) is now the West Domeland Wilderness addition recommended in Alternative C. The lower roadless area is Cannell (which includes the Salmon Falls Trail and the falls itself). A portion of this area is also recommended in Alternative C as the Cannell Peak Wilderness.

The potential outstandingly remarkable values of Salmon Creek are supported by the DEIS descriptions of these recommended wilderness areas. The Cannell Peak area has an incredible diversity of plants and animals related to elevation. Huge open meadows provide prime habitat for amphibians. The area has a rich archeological history and is still used extensively by the Tubatulabal Tribe (DEIS Vol. 2, Appendix B, pg. 287). Domeland West includes the Twisselmann Botanical Area, which “provides a very unique and high value special resource that contributes to the wilderness character of the area” (DEIS Vol. 2, Appendix B, pg. 292).

Joe Fontaine has been working to protect the wild places of the Kern Plateau and the Sequoia Forest for 60 years. He literally wrote the book on the Kern Plateau – *The Kern Plateau and*

Other Gems of the Southern Sierra (Joseph Fontaine, 2009), and should be considered the definitive expert on this wild landscape. He first started visiting the plateau in the 1950s by hiking up Salmon Creek to fish for golden trout. On some trips, he would backpack all the way to Big Meadow. According to Joe, “As strenuous as the hike was, the scenery was so inspiring, I never passed up the chance to hike there.” Fontaine believes that the diversity of Salmon Creek meets all required characteristics of wild and scenic river, from its source near Siretta Peak, flowing through Big Meadow and Horse Meadow, and then rumbling through the rocky gorge from which it tumbles over the edge of Plateau at Salmon Creek Creek Falls. “There is no other stream on the Kern Plateau or elsewhere in the Sequoia National Forest with all those attributes in one watershed,” he said.

We believe that Salmon Creek possesses outstandingly remarkable scenic, recreation, and ecological values. We believe that Salmon Creek should be re-evaluated and found eligible in a revised Appendix C. Because it is a major tributary, an eligibility finding for Salmon Creek would complement and help protect the outstandingly remarkable values of the North Fork Kern Wild and Scenic River (per FSH guidance to “consider the entire river system...”).

Trout Creek – A Sep. 23-25, 1991 District screening inventory identified potential scenic, recreation, cultural, and ecological values for Trout Creek (including its tributaries, Little Trout Creek, Machine Creek, and Snow Creek). A May 15, 1992 narrative report describes Trout Creek’s scenic value as “A relatively unmodified watershed with spectacular views of domes within the Dome Land Wilderness...” The narrative report for Trout Creek further states:

The majority of Trout Creek remains in a natural condition and is generally accessible. The streamside corridor in this segment is considered distinctive, or Variety Class A, within the landscape character typ. Waterfalls, a deep rocky canyon, plant species diversity, and spectacular views of the domes within the Dome Land Wilderness enhance the characteristics of this free-flowing stream.

But then the report concludes, “While the views are excellent, they are typical for the Sierra Nevada and do not afford outstandingly remarkable features.” This determination is clearly not supported by the narrative. Trout Creek has distinctive scenery, including spectacular views of domes in the Dome Land Wilderness. We dispute that these scenic values are “typical” of streams throughout the Sierra Nevada. Also please note that the region of comparison for Trout Creek’s scenic value – the Sierra Nevada – is different from Salmon Creek’s – the Kern River area – even though these watersheds are located in the same region and directly adjacent to each other. This suggests that the level of rigor in this evaluation was less than desirable.

In regard to Trout Creek’s wildlife values, the report states:

The feature of most importance to wildlife in the Trout Creek drainage is the Machine, Little Trout, and Snow Creek drainage complex. This area is outstanding as it contains virgin old-growth forests. This type of ecosystem is not common on the District, Forest, or the Southern Sierra. Wilderness areas contain similar features, but this forest may be the southern-most old-growth forest in the Sierra Nevada. In particular, the complex of three drainages is important to several sensitive species requiring mature, closed canopy forests with low levels of disturbance. Species such as the California spotted owl, marten, fisher, and long-tailed weasel are known to use the area. These represent some of the southern-most records for these species.

In addition, the report documents this “Other Similar” value:

The Little Trout Creek tributary flows into the Twisselman’s Botanical Area. The area lies approximately one mile north of Big Meadow and contains 859 acres. One of its unique features is it represents the southern limit of foxtail pine. Foxtail pine is found throughout the area with the exception of some of the lower elevations. Limber pine is also found here at its most southern population in the Sierra Nevada. Altogether, six plant associations are represented in the Botanical Area that form a unique mosaic of vegetation in the southern Sierra Nevada. These associations are: foxtail pine forest, subalpine/mixed conifer forest, red fir forest, rock outcrop, montane chaparral, and mountain meadow-streambank.

Inexplicably and directly contradictory to these detailed narratives, the report concludes that Trout Creek’s old growth ecosystem “is not the only one of it’s (sic) type in the Sierra Nevadas (sic) and is, therefore, not determined to be a significant feature.” In rebuttal to this erroneous finding, the 1996 Sierra Nevada Ecosystem Project Final Report (Late Successional Old-Growth Forest Conditions, Vol. 1, Chapter 6, Plate 6.2) subsequently confirmed that the Trout Creek watershed includes the southern-most upper montane red fir late successional forest in the southern Sierra Nevada.

Similarly, the report concludes that the Twisselman Botanical Area, even with its unique features, “is not the only one of it’s (sic) type in the Sierra Nevada and is, therefore, not determined to be a significant feature.” In fact, the narratives clearly identify outstandingly remarkable wildlife, ecological, and botanical values for Trout Creek and its tributaries that are unique to the southern Sierra and therefore outstanding in the context of the entire Sierra Nevada, and perhaps the entire state.

The report also documents diverse recreational opportunities associated with Trout Creek, including fishing, dispersed camping along its entire length, hunting, nature study, and multiple hiking trails. However, it also concludes that these are not outstandingly remarkable. In regard to Trout Creek’s cultural values, the narrative report notes at least five historic and prehistoric sites but concludes that they are not outstandingly remarkable.

Since the 1991-95 evaluation process, new information has become available in regard to Trout Creek. In the 2001 Sierra Nevada Forest Plan Amendment, the Forest Service identified Trout Creek as a Critical Aquatic Refuge (CAR) for California golden trout. CARs are sub-watersheds that contain either known locations of threatened, endangered, or sensitive species; highly vulnerable populations of native plant or animal species; or localized populations of rare native aquatic- or riparian-dependent plant or animal species. About 1/3rd of Trout Creek, and all its key tributaries (Little Trout, Machine, and Snow Creeks) are unprotected. This CAR represents one of the few California golden trout streams that is not fully protected by wilderness or wild and scenic river designation.

We believe that the previous evaluation failed to identify outstandingly remarkable scenic, wildlife, botanical, and ecological values. In addition, the establishment of the Trout Creek CAR for California golden trout and the fact that much of the creek is unprotected establishes and justifies an outstandingly remarkable fish value. We believe that Trout Creek should be re-evaluated, its outstandingly remarkable scenic, wildlife, fish, botanical, and ecological values correctly identified, and found eligible in a revised Appendix C. Because it is a major tributary, an eligibility finding for Trout Creek would complement and help protect the outstandingly remarkable values of the South Fork Kern Wild and Scenic River (per FSH guidance to “consider the entire river system...”).

Dry Meadow Creek – The Sep. 23-25, 1991 District screening inventory identified potential scenic, recreation, wildlife, cultural, and ecological values. These were confirmed in the Sep. 30, 1991 screening narrative report, which noted that the creek “appears to possess the greatest number of Outstanding Remarkable values” on the Greenhorn Ranger District. Subsequently, Dry Meadow Creek simply disappears from the evaluation, so it is difficult to ascertain why it was ultimately not found to possess any outstandingly remarkable values.

Since the 1991-95 evaluation, Dry Meadow Creek has become world famous for its outstanding class V (with several portages) whitewater kayaking opportunities, particular a set of rapids called the “Seven Teacups.”

According to SierraSouth.com: “Pick your superlative—amazing, awesome, incredible, aesthetic—it would be difficult to overstate the beauty of the "Edge of the World" section of this creek. First run by Gary Gunder and Brandon Prince on a chilly December day in 1995, this creek has become a "must do" for top boaters from around the country, and around the world.”

According to AWetState.com: “It isn’t every day that you get to stand at the lip of so many waterfalls buried deep between two high granite walls.”

According to AmericanWhitewater.com: “One of the most picturesque river reaches on earth.”

Dry Meadow Creek’s outstanding recreation value is not just limited to whitewater kayaking. According to ModernHiker.com: “For entry-level, class C canyoneering, it doesn’t get any better than the Seven Teacups. This is a top-notch route found along Dry Meadow Creek, a tributary of the Kern River in the Sequoia National Forest. A short hike leads to a series of pothole waterfalls cascading down polished granite slabs into the Kern. Then it finishes up with a lovely river walk back to the trailhead.”

There is no indication that these relatively recently recognized recreation values were even considered in the Forest Service’s review of the 1991-95 evaluation.

We believe that Dry Meadow Creek should be determined eligible for its outstandingly remarkable scenic and recreation values. It should be re-evaluated and found eligible in a revised Appendix C. Because it is a significant tributary, an eligibility finding for Dry Meadow Creek would complement and help protect the outstandingly remarkable values of the North Fork Kern Wild and Scenic River (per FSH guidance to “consider the entire river system...”).

Brush Creek – The 1991-95 evaluation documents make no mention of Brush Creek, a tributary of the North Fork Kern. Brush Creek is another stream on the Sequoia Forest of great interest to whitewater kayakers. According to American Whitewater, Brush Creek provides a 1.5 miles of outstanding class IV-V whitewater boating with stunning scenery. The run is considered to be one of the best introductions to running waterfalls anywhere. The stream provides the setting of the Brush Creek Down River Race during the Kern River Festival. American Whitewater is not the only whitewater interest that believes Brush Creek is outstanding.

According to SierraSouth.com: “It is a steep creek, dropping 550 vertical feet in about 1.5 miles. If you enjoy steep, rocky drops and running waterfalls, it's a classic.”

According to ColoradoKayaking.com: “Lower Brush Creek is a well-known creeking fun-park. Easy waterfalls and slides of all types can be found on this beautiful tributary to the Kern River in the Southern Sierras. This is a grrreat beginner creek run for competent class IV boaters.”

Brush Creek offers more than just outstanding whitewater for expert kayakers. According to KernRiverSierra.com, Brush Creek features a trail that parallels a gorgeous steep granite creek to waterfalls. “In the summer, it can be a great place to do a short hike, cool off in a pool, or fly fish.”

We believe that Brush Creek deserves re-evaluation for its possible outstandingly remarkable scenic and recreation values. Because it is a significant tributary, an eligibility finding for Brush Creek would complement and help protect the outstandingly remarkable values of the South Fork Kern Wild and Scenic River (per FSH guidance to “consider the entire river system...”).

Fish Creek – This stream was initially identified in the 1991-95 evaluation process as potentially possessing outstandingly remarkable recreation, wildlife, cultural, and ecological values but the Forest Service ultimately determined it to be ineligible. Since the 1991-95 evaluation process, new information has become available in regard to Fish Creek. Similar to Trout Creek, the Forest Service identified Fish Creek as a Critical Aquatic Refuge (CAR) for California golden trout in the 2001 Sierra Nevada Forest Plan Amendment. There is no indication that this new information was even considered in the agency’s review of the 1991-95 evaluation. Because of this, we believe that Fish Creek deserves re-evaluation for its possible outstandingly remarkable fish/ecological values. Because it is a major tributary, an eligibility finding for Rattlesnake Creek would complement and help protect the outstandingly remarkable values of the South Fork Kern Wild and Scenic River (per FSH guidance to “consider the entire river system...”).

Mill Flat Creek – The 1991-95 evaluation did not identify any potential outstandingly remarkable values for Mill Flat Creek, a tributary of the Kings River. The Forest Service identified Mill Flat Creek as a Critical Aquatic Refuge (CAR) for western pond turtle and a stable native fish population threatened by non-native fish in 2001. There is no indication that this new information was considered in the agency’s review of the 1991-95 evaluation. Because of this, we believe that Mill Flat Creek deserves re-evaluation for its possible outstandingly remarkable fish/ecological values. Because it is a major tributary, an eligibility finding for Mill Flat Creek would complement and help protect the outstandingly remarkable values of the eligible segment of the Kings River (per FSH guidance to “consider the entire river system...”).

Rattlesnake Creek – A tributary of the North Fork Kern, Rattlesnake Creek was initially identified in the 1991-95 evaluations as possessing scenic, recreation, and ecological values but ultimately the Forest Service determined it ineligible. Apparently, it failed reconsideration when the Forest Service reviewed the 1991-95 results for Appendix C. However, the Forest Plan DEIS proposes the entire Rattlesnake Creek drainage as a Critical Aquatic Refuge in Alternative C. Trout Unlimited identified the Rattlesnake Creek watershed as a refuge for Kern River rainbow trout. Because of this, we believe that Fish Creek deserves re-evaluation for its possible outstandingly remarkable fish/ecological values. Because it is a major tributary, an eligibility finding for Rattlesnake Creek would complement and help protect the outstandingly remarkable values of the North Fork Kern Wild and Scenic River (per FSH guidance to “consider the entire river system”).

C. Sierra Forest Specific Comments

The Sierra National Forest deserves special recognition for conducting a very expansive and pro-active WSRs inventory. The new inventory identifies 124 segments totaling 640 miles of potentially eligible streams. The Forest also deserves kudos for taking an obvious “river system” approach as recommended in the FSH by identifying as eligible many tributaries of existing and recommended WSRs, including the South Fork Merced, North and Middle Forks San Joaquin, North Fork Kings and the Kings River.

1. Region of Comparison used for the Eligibility Assessment, pg. 455 –

Please see general comments about Appendix C pgs. 385-386 in regard to the region of comparison. The section on page 455 should at least clarify that the “Sierra Nevada Bioregion” is the assessment region used in the FPRs.

2. Dinkey Creek (River/Segment GIS Number(s): 3.68.1-4), pgs. 478-482 –

We support the Inventory’s eligibility finding for upper Dinkey Creek (from its source in the Dinkey Lakes Wilderness to Strawberry Meadow) but we are astonished and disappointed that the Forest Service didn’t identified the lower creek below Strawberry Meadow as eligible. No explanation is given. Perhaps the agency believes that the lower creek segments do not possess outstandingly values, in which case, our detailed comments below should resolve this issue.

Even more troubling however is the possibility that the lower creek was not found eligible in order to make it available for future water resources development. Dinkey Creek has been targeted for hydroelectric development in the past, which makes an eligibility determination for the lower creek even more important.

Foreclosing on possible water resources development is not a legitimate eligibility criterion – eligibility studies should focus solely on whether a stream is free flowing and possesses one or more outstandingly remarkable values. It is in the suitability study of eligible rivers where the stream’s wild and scenic characteristics are weighed against “reasonably foreseeable potential uses” that would be “foreclosed or curtailed” if the stream is added to the system (FSH 1909.2_83.21).

Please note that in passing the National Wild and Scenic Rivers Act, it was the intent of Congress “to complement” the national policy of dam development with a new “policy that would preserve other selected rivers...in their free flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes” (16 USC Sec. 1271). The Forest Service is failing to fulfill this intent by improperly assessing lower Dinkey Creek as ineligible.

We strongly believe that the entire creek from its source to its confluence with the North Fork Kings River is free flowing and possesses outstandingly remarkable scenic, recreation, geological, historical, cultural, wildlife, and ecological values. Appendix C should be revised to not only include the additional segments of lower Dinkey Creek, but also to recognize all the outstandingly remarkable values of segments 1-4.

3. Dinkey Creek Segments, pgs. 478-479 –

As noted above, we believe that lower Dinkey Creek downstream from segment 4 is eligible, because it is free flowing and possesses several outstandingly remarkable values. This section should be revised to include the additional lower segments and the segments described thusly:

Add Segment 5 – From the end of Segment 4 (a point south of the gauging station and north of Strawberry Meadow) to the Turtle-Ross Creeks confluence (downstream of Ross Crossing). This 6-mile (approximate) segment should be classified as Scenic.

Add Segment 6 – From the Turtle-Ross Creeks confluence to approximately 1-mile upstream of the confluence with the North Fork Kings Rivers. This approximately 6-mile (approximate) segment should be classified as Wild.

Add Segment 7 – From approximately 1 mile upstream of the North Fork Kings River confluence to the North Fork Kings River confluence. This 1-mile (approximate) segment should be classified as Recreational.

Appendix C should be revised to include the additional segments of lower Dinkey Creek.

4. Dinkey Creek – Determination of Outstandingly Remarkable Values, pgs. 480-482 –

Although we appreciate the eligibility findings for Dinkey Creek segments 1-4, we believe the evaluation incorrectly left out some specific outstandingly remarkable values for these segments. By segment, these outstandingly remarkable recreation values include:

Segment 1 (OR Recreation Value)– The Forest Service concluded that this segment possesses no outstandingly remarkable recreation value. We disagree. This segment in particular provides Wilderness-based recreation, including one of the more popular and easier trails accessing the Dinkey Lakes Wilderness, with opportunities for a six-mile loop trip. When considered together with all other recreation values of the entire creek, this segment stands out and complements the other values by providing a high-elevation recreation experience along the upper creek and its headwater lakes.

Segment 2 (OR Scenic Value) – The Forest Service concluded that this segment possesses no outstandingly remarkable scenic values and yet the narrative refers to “unique geological viewing” and the segment itself is bracketed by waterfalls. We believe that this segment possesses outstandingly remarkable scenic values similar to segment 3.

Segment 3 (OR Recreation Value) – The Forest Service concluded that this segment possesses no outstandingly remarkable. In fact, this segment is famous for its whitewater recreation value in a spectacular scenic setting that rivals anything in the state. Segment 3 includes the unique “Super Dink” class V kayak run, including “Infinislide” – a long series of smooth granite slides and pools. It is one of the longest rapids of its kind in California. The lower end of this segment offers rare opportunities for campers, visitors, and spectators from the Dinkey Creek Recreation Area to view expert kayakers running the Infinislide and other class V rapids downstream. Below is a sample of what expert kayakers think of this unique run:

“One place with many names, the "Infinislide" section of "SuperDink" on Dinky Creek is the run that Dry Meadow Creek wishes it could be. Half as photogenic; ten times better kayaking... it is certainly worth a yearly pilgrimage and should be high on the list if you have not done it.” – Darin McQuoid, Darin McQuoid Photography, <http://www.darinmcquoid.com/superdink.html>

“SuperDink is an amazing section of paddling on Dinkey Creek.” – Paul Martzen, American Whitewater, <http://www.americanwhitewater.org/content/River/detail/id/3960/>

“Now, the slide of SuperDink, which gives the run its fame, is an incredible anomaly that is without a doubt the longest slide I've ever run, and is one of the longest slides in the Sierras, somewhere in the quarter mile range.” – Nick Barron, NickyB Kayaking Log, <http://kayaknickyb.blogspot.com/2005/11/superdink-high-water.html>

“Dinky Creek is up there with my favorite rivers in the world. Ranking in my top 10 classics for sure. Now adding Upper Dink to my hit list I really love that creek. It's my

number 1 recommended run for the Cali season... I will go far enough to say that.” – E.G., http://egcreekin.blogspot.com/2009_06_01_archive.html

“Not a lot of class V runs have great spectating. California’s “Super Dink” which is the higher section to the famous multi-day Dinkey Waterfalls is easily accessible from the Dinkey Campground. The lower water levels made the long granite slides a fairly stress free and enjoyable run. While we didn’t know this at the start of the run, we soon found out as ½ of LA seemed to be up for the July 4 holiday while spectating the famous “Infinislide” which is close to ½ mile length!” – CKS Blog, <http://blog.coloradokayak.com/2011/07/super-dink-cali-part-1/>

Climbers and canyoneers also frequent this segment to explore the glaciated granite canyon and climb the precipitous cliffs and slopes, as well as the granitic massif of Dinkey Dome. We believe that these recreation values not only stand by themselves, but they are also part of the creek’s overall outstandingly remarkable diverse recreation opportunities.

Segment 4(OR Recreation Value) – The Forest Service concluded that this segment possesses no outstandingly remarkable recreation values. We strongly disagree and are collectively astounded that the agency would find that a stream flowing through the heart of one of the Forest’s most popular recreation areas and that attracts thousands of visitors annually does not possess outstandingly remarkable recreation value. The Forest Service campgrounds, Camp Fresno, and Camp El-O-Win have provided generations of families from Fresno and beyond the region an opportunity to spend quality time along the creek and experience its widely diverse recreational opportunities (camping, picnicking, swimming and wading, hiking, fishing, hunting, photography, and nature study). There are also numerous summer cabins along this segment. The 11.7-mile Dinkey Creek Trail parallels much of this segment, providing access for hikers, backpackers, anglers, swimmers, and mountain bikers. Collectively, these constitute an outstandingly remarkable recreation value.

Segment 4 (OR History Value) – The Forest Service concluded that this segment possesses no outstandingly remarkable history value other than the historic Dinkey Creek Bridge. The fact the bridge’s history finding is associated with its National Register status implies that no other factors were considered. We believe that segment 4 possess additional outstandingly remarkable historic value associated with the European emigration into the area, establishment of nearby mining and logging camps, and early development of roads, stores, and cafes to service local workers and public visitors to the McKinley Sequoia Grove. Ultimately, this historic use led to the Dinkey Creek itself becoming a major recreation destination.

Jedediah Smith and his mountain men passed through the Dinkey Creek area in the late 1820’s, but left little trace. In 1841, John Fremont also led an expedition through the area. In 1863, hunters reportedly named the creek for their dog Dinkey who was injured in a fight with a grizzly bear. In 1878, John Muir mentioned the presence of a grove of giant Sequoias named Dinkey (since renamed McKinley) Grove near Dinkey Creek. Early European emigrants to Dinkey Creek prospected for gold and tungsten and grazed sheep in its streamside meadows. One of the earliest maps of the Sierra Nevada by J.N. LeConte (1903) shows two trails leading east to Dinkey Creek near its confluence with Rock Creek and proceeding to the nearby McKinley Sequoia Grove and beyond.

The giant Sequoia trees of the McKinley Grove began attracting recreational visitors in the early 1900s, which led to the construction of the Dinkey Creek Road and the now historic Dinkey Creek Bridge in 1938. Dinkey Creek soon became a popular recreation destination. Jack Ducey built a resort on Dinkey Creek in 1925, which included a hotel, store, café, and bar. Constructed in the 1930’s, the Dinkey Creek Inn included a store, café, and cabins. Originally established by the Forest Service as a camp for

firefighters, Camp Fresno was granted to the city in 1928. Over the past eight decades, the Fresno Family Camp has introduced generations of residents from this Central Valley community to Dinkey Creek. Camp El-O-Win was established in 1958 as a Girl Scout summer camp. The camp is now operated by the non-profit Friends of Camp El-O-Win.

The nearby Pine Logging Camp operated from 1939 to 1979 and employed many members of the Holkoma Band. Single men lived in a bunkhouse while families lived in small cabins. The seasonally operating camp had its own school. Workers from the camp would visit the cafés and bar in Camp Ducey and the Dinkey Creek Inn on weekends.

Segments 1-4 (OR wildlife/ecological values) – From its wilderness headwaters, Dinkey Creek flows from an elevation of 9,807 feet at Island Lake through meadows, forests, and granite canyons dropping 7,000 feet over 27 miles to the blue oak woodlands of the western Sierra Nevada foothills. The creek transects a broad elevation range in the Sierra Nevada with no reservoirs or diversions and it may be the longest undammed stream entirely within the boundaries of the Sierra National Forest.

The creek flows through diverse habitat as it carves its way downhill, including alpine lakes and meadows, fir and white pine forests, yellow pine forests, chaparral, and blue oak-foothill pine woodlands and savanna. This habitat diversity supports more than 800 plant species (including three rare plants) and four plant communities, as well as the McKinley Grove of Giant Sequoias.

Although the McKinley Grove is just outside the typical ¼ mile river corridor boundary, there is a definite hydrological and historical connection between Dinkey Creek and the Grove that cannot be ignored. The stream system that drains the Grove flows directly downhill into Dinkey Creek. Dinkey Creek recreational opportunities were developed in part because of public interest in visiting the Grove. For these reasons, we recommend that the McKinley Grove be considered as significantly contributing to the outstanding ecological value of Dinkey Creek.

Old growth coniferous forests along Dinkey Creek provide important habitat for the Pacific fisher, American martin, and other animals dependent on large trees. The creek's diverse habitat also supports more than 121 species of birds, including the threatened Peregrine Falcon, willow flycatcher, California spotted owl, northern goshawk, great gray owl, and bald eagle. Dinkey Creek provides crucial habitat for the North Fork Kings River deer herd and supports an excellent cold-water trout fishery.

These collectively constitute outstandingly remarkable ecological and wildlife values for all segments of Dinkey Creek.

5. Dinkey Creek Segments 5-7 – Outstandingly Remarkable Values

We believe that lower Dinkey Creek segments 5-7 possess the following outstandingly remarkable values:

Segment 5 (OR recreation and scenic values) – Although different in terms of scenery and recreational opportunities from the segments of Dinkey Creek upstream and downstream, this segment offers to hikers and canyoneers an impressive and narrow gorge, including the deep canyon depression known as Muley Hole. The lower portion of the Dinkey Creek Trail provides access for anglers, hikers, and mountain bikers upstream of Muley Hole. The trail-less segment of the creek from Muley Hole to Ross Crossing was described by a canyoneer as:

“...a classic section and a great trip even without any rappels or major drops.
This section of Dinkey is a bit more technical and difficult than any of the

sections upstream and significantly less technical than the section immediately downstream. In its own way it is equally as pretty as any other section of Dinkey.” – Paul Martzen, canyoneer and kayaker,
<http://canyoncollective.com/threads/tr-dinkey-creek-muley-hole-to-ross-crossing.6010/>

Ross Crossing offers a rare dispersed camping opportunity popular with kayakers preparing to run the lower gorge, as well as with anglers and hunters, and people avoiding the crowds in the more developed recreation area upstream in segment 4. We believe that these recreation values complement the creek’s outstandingly remarkable recreation and scenic values in the upstream segments.

Segment 6 (OR recreation and scenic values) – Much of this segment flows through the Sycamore Springs roadless area, which is recommended for wilderness in Alternative 3. The Forest Service’s wilderness evaluation handily identify this segment’s outstandingly remarkable scenic and recreation values (including whitewater kayaking, canyoneering, hiking, fishing, and hunting). According to DEIS Vol. 2, Appendix B, pg. 190:

“Dinkey Creek provides an outstanding opportunity for challenge and self-reliance for kayakers and canyoneers. Numerous waterfalls exist on Dinkey and its tributaries in the area, followed by eroded, deep plunge pools. Black Rock, Patterson Bluffs and Indian Rock are highly scenic granite features”

The segment’s outstandingly remarkable recreation and scenic values are more than confirmed by the opinions of the expert whitewater kayakers who have documented and extolled the whitewater virtues and spectacular scenery of this segment. For example:

“Dinkey Creek has made the transition from hardcore expedition paddling to a modern classic. This once rarely paddled run has become a marquee destination for both out of state boaters and local paddlers. With warm weather almost guaranteed due to low elevation and a somewhat southern Sierra location, Dinkey Creek is a true gem of California.” – Darin McQuoid, Darin McQuoid Photography, <http://www.darinmcquoid.com/dinkeycreek.html>

“In my opinion, Dinkey Creek encompasses some of the best six miles of kayaking you can find anywhere in the world...” – Laura Farrell, Living the Liquid Lifestyle, <http://theliquidlifestyle.blogspot.com/2012/05/dinkey-creek-my-favorite-six-miles-of.html>

“The Dinkey Waterfalls is six and half miles of some of the biggest, cleanest and most continuous whitewater found anywhere in the world.” – Joe Ravenna, SMAX Bros. Adventure ON!, <http://www.smaxbros.com/2012/dinkey-creek-by-joe-ravenna>

“Dinkey Creek is one of the most action packed runs in California... This run is one of the many classics that make California one of the world’s best paddling destinations.” –Dan Simenc, Kayak Diaries, <http://www.kayakdiaries.com/2011/08/18/dinkey-creek-waterfalls/>

“Everything that you read about the waterfall section of Dinkey is true. The scenery is out of this world, the endless drops are big and clean, separated by big pools, and the canyon is truly amazing. It is a six-mile stretch of whitewater that

will put an ear to ear grin on any paddler's face!" – Dan McCain, NRS – The Duct Tape Diaries, <http://community.nrs.com/duct-tape/2015/04/10/big-challenge-on-dinkey-creek/>

"This section is now boated each year by expert boaters and is considered to be an outstanding run. Dinkey has become a favorite for many. Canyoneers will find this section fun and plenty challenging at low flows in the late summer." – American Whitewater, <https://www.americanwhitewater.org/content/River/detail/id/179/>

Segment 7 (OR recreation/scenic values) – This short mile segment provides the "take out" for the class V whitewater run upstream, as well as cross-country access for canyoneers and anglers. Many of "highly scenic granite features" cited in Appendix B are visible from this segment.

Segments 5-7 (OR ecological/wildlife values) – See the section for segments 1-4. Segments 5-7 add to the diversity of ecosystems and wildlife habitat.

We believe that Appendix C should be revised to recognize the eligibility of lower Dinkey Creek segments 5-7, and that additional outstandingly remarkable values should be identified for segments 1-4.

6. Granite Creek (River/Segments GIS Number: 3.107.2-3) pgs. 495-496 –

Although 7.2 miles of Granite Creek were studied, only a 2-mile segment of its mid-reach was determined eligible because of its prehistory value. We believe that the entire 7-mile segment also possesses outstandingly remarkable scenic value. The narrative already describes the creek as flowing through a glaciated landscape, flowing over bedrock into the San Joaquin River. On pgs. 487 and 561, the evaluation identified similar "glaciated landscape" outstandingly remarkable scenic values for the upstream eligible segments of the West and East Forks Granite Creek. And the scenic values of the bedrock canyon through which the recommended as suitable San Joaquin River flows are identical to the lower segment of Granite Creek. Many of the scenic features cited, such as Balloon Dome are visible from lower Granite Creek. Failing to find the middle segment of Granite Creek to be eligible ignores the FSH guidance to follow a "river system" approach. We believe the entire 7.2-mile segment of Granite Creek should be found eligible due to its outstandingly remarkable scenic value and Appendix C revised accordingly.

7. Mono Creek (River/Segment GIS Number: 3.166.1-4) Segment 2 Classification, pgs. 516-517 –

Segment 2 is given a preliminary classification of recreational apparently based on "motorized and non-motorized trails." And yet, the entire segment appears to be located in the John Muir Wilderness, where motorized use is prohibited. Segment 2 should be classified as wild and all WSR eligibility maps adjusted accordingly.

8. Laurel Creek (River/Segment GIS Number: 3.137), pg. 506

Laurel Creek is given a preliminary classification of recreational, even though the entire creek is located within the John Muir Wilderness.

9. North Fork Kings River (River/Segment GIS Number: 3.177.1-5), pgs. 520-524 –

Segment 2 is given a preliminary classification of recreational due to "motorized and non-motorized" trails. And yet, almost the entire segment except for about a mile of the river directly upstream of Wishon

Reservoir is located in the John Muir Wilderness and should be classified wild. WSR eligibility maps adjusted accordingly.

10. Rancheria Creek (River/Segment GIS Number: 3.207), pgs. 533-534 –

Rancheria Creek is given a preliminary classification of scenic, even though the creek upstream of the Statham Creek confluence is located in the John Muir Wilderness. It should be classified as wild and all WSR eligibility maps adjusted accordingly.

11. San Joaquin River (River/Segment GIS Number: 3.233.1-6), pgs. 540-543 –

Segment 4 is given a preliminary classification of recreational, even though most of the segment is located in a roadless area that is recommended for wilderness in Alternative C. The Mammoth Pool powerhouse and associated power lines and access roads may be the primary reason for the recreational classification. The segment should be adjusted to exclude these developments so that most of segment 4 is classified as wild. WSR eligibility maps adjusted accordingly.

12. WSR Maps – Figure C-80, DEIS Vol. 2, Appendix C, pg. 586; Map 88, DEIS Vol. 3, pg. 94; Figure 13, Sierra National Forest DRFP, pg. 127 –

As previously noted in the general comments on the overall WSR evaluation process, the maps showing existing, suitable, and eligible WSRs lack important detail, such as names and background hydrology. In addition, the color scheme used to delineate classifications is difficult to differentiate. The lack of map detail is particularly troublesome for the Sierra Forest, which identified many eligible segments. We have been unable to compare every mapped eligible segment with the appropriate narratives due to the lack of names on the maps.

The lack of detailed maps with stream names is also troubling because it makes it difficult for reviewers to realize that the Sierra Forest followed the “river system” approach required by the FSH. Most of the eligible streams are tributaries to existing or recommended WSRs, but it is difficult to discern this because of the less than detailed maps.

III. Wild and Scenic Rivers Comments, DEIS Volume 1, Chapters 1-4

A. Features Common to Alternatives B, C, and D; Wild and Scenic Rivers, pg. 18

This section notes that a new plan component is added for the management of eligible and suitable wild and scenic rivers. We believe that the standards and guidelines for eligible and suitable rivers in each draft plan are inadequate to ensure protection of free flowing character and outstandingly remarkable values as required by the Forest Service Handbook (FSH). Additional standards and guidelines are recommended for each forest. Please refer to our plan-specific comments.

B. Table 1. Management areas by alternative, Inyo National Forest, pg. 46

This Table claims that there are 17.4 miles of “Designated Wild and Scenic Rivers” on the Inyo Forest. This mileage number appears to reflect the segment of Cottonwood Creek on the Inyo Forest designated by Congress in 2009. It does not include 19.5 miles of the Owens River Headwaters also designated in 2009 or segments of the North and South Forks Kern designated in 1987.

C. Eligible and Suitable Wild and Scenic Rivers, Consequences Common to all Alternatives, pg. 529

This section summarizes the comprehensive inventory and evaluation of potential wild and scenic rivers conducted as part of the plan revision process. Please refer to our detailed comments on DEIS Vol. 2, Appendix C in regard to the adequacy of this process.

F. Analytical Conclusions, Inyo National Forest, pg. 531

Re-evaluation of its previous inventory, resulted in a modest increase in the number of rivers and streams determined eligible. We believe that new information warrants re-evaluation of a select number of streams currently considered ineligible, including segments of Birch Creek, Dexter and Wet Canyons, George Creek, Independence Creek, Little Hot Creek, Mammoth Creek, Mill Creek, Nine Mile Creek, O'Harrel Canyon Creek, Olancha Creek, Parker Creek, Rush Creek. In addition, some details of eligible streams require correction or augmentation. Please refer to our detailed comments on DEIS Vol. 2, Appendix C in regard to the adequacy of this process.

G. Analytical Conclusions, Sequoia National Forest, pg. 532

A comprehensive inventory and evaluation may indeed have already been completed on the Sequoia Forest prior to the plan revision process, but this inventory and evaluation was never subject to public scoping or comment. The documentation of this previous process is not posted on the Forest Plan web site and is not readily available for public review (a reviewer had to specifically request the documentation). Further, there are numerous problems associated with the previous inventory/evaluation that we believe led to the conclusion that no streams or rivers are eligible beyond those identified in the previous process. We believe that a number of additional streams on the Sequoia are indeed eligible, including segments of Salmon Creek, Trout Creek, Dry Meadow Creek, Brush Creek, Fish Creek, Mill Flat Creek, and Rattlesnake Creek. In addition, some details of eligible streams require correction or augmentation. Please refer to our detailed comments on DEIS Vol. 2, Appendix C in regard to the adequacy of this process.

H. Analytical Conclusions, Sierra National Forest, pg. 532

The Sierra National Forest deserves recognition for its comprehensive inventory and evaluation and its extensive eligibility findings. Nevertheless, we believe that some key stream segments (most notably lower Dinkey Creek and a middle segment of Granite Creek) were inexplicably found ineligible. We believe that reconsideration of these segments is warranted. Please refer to our detailed comments on DEIS Vol. 2, Appendix C in regard to the adequacy of this process.

I. Tribal Relations and Uses, Analysis and Methods, Indicators and Measures, pg. 554

This section states: "However, designated areas located in the plan area (such as, wilderness, wild and scenic rivers, and national scenic and historic trails) and recommending additional areas for designation in forest plans might impact the reserved rights and interests of tribes."

This is a massive generalization that is least pertinent to wild and scenic rivers. A review of the cited reference for this statement (Stumpff 2000) found no reference to rivers, much less wild and scenic rivers. The statement also ignores the fact that wild and scenic river eligibility findings and suitability recommendations typically do not change current access. River classifications are based on the level of current development and access. Motorized access is allowed in eligible and designated scenic and recreational river segments, and in some case, wild segments.

In addition, the statement ignores that many eligible, suitable, and designated wild and scenic rivers actually protect from water resources and other inappropriate development cultural sites and properties of great importance to tribes. On rivers with outstandingly remarkable Native American cultural values, actions are mandated to protect and enhance those values at all times. Stumpff also notes that where protective designations may limit motorized access to cultural sites for tribal elders, special accommodations can and have been made (USDA Forest Service Proceedings RMRS-P-14, pg. 99, Stumpff 2000). Finally, nothing in the Wild and Scenic Rivers Act (or the Wilderness Act for that matter) would prohibit traditional cultural practices such as seasonal burning that can reduce fuel loads and maintain and enhance forest ecosystems.

In our discussions with various tribes about the Inyo, Sequoia, and Sierra Forest Plan Revisions, we have not heard any concern about designated, suitable, or eligible wild and scenic rivers impacting tribal rights, interests, or access.

IV. Wild and Scenic Rivers Comments – Draft Revised Land Management Plans for the Inyo, Sequoia, and Sierra National Forests

A. Inyo National Forest Draft Revised Land Management Plan – WSR Comments

We generally support the findings for 128.3 miles of rivers and streams determined eligible for Wild and Scenic protection as documented in DEIS Vol. 2, Appendix C: Wild and Scenic Rivers Evaluation for the Inyo, Sequoia and Sierra National Forests. However, there are inaccuracies in the evaluation that should be rectified, not all the outstandingly remarkable values of some of the eligible streams were accurately identified, and some streams were mistakenly determined ineligible and should be added to the list of eligible streams.

We recommend that the eligibility of Birch Creek, Dexter and Wet Canyons, George Creek, Independence Creek, Little Hot Creek, Mammoth Creek, lower Mill Creek, Nine Mile Creek, O’Harrel Canyon Creek, Olancha Creek, lower Parker Creek, and lower Rush Creek be re-evaluated and determined eligible. We believe that these streams are free flowing and possess one or more outstandingly remarkable values. Please review our Appendix C comments as this is not a comprehensive summary of the evaluation process outlined in Appendix C.

1. Wild and Scenic Rivers Desired Conditions, Standards, and Guidelines – Standards (MA-WSR-STD) (pgs. 55-57)

Add this standard: “The free flowing condition, water quality, and specific outstandingly remarkable values of designated wild and scenic rivers shall be protected and enhanced. Any development shall be consistent with the river’s classification, and management consistent with a current comprehensive river management plan.”

Rationale: This is similar to Desired Condition 01, except the words “are” in the first sentence and “is” in the second sentence have been replaced with “shall be.” This needs to be a standard because Desired Conditions are not binding.

Add this standard: “Where flows are or may be adversely affected by upstream diversions or adjacent groundwater extraction, initiate application to the State Water Resources Control Board to quantify and affirm the instream flow and federal water right needed to fulfill the purposes of the Act.”

Rationale: This is the only way to protect the free flowing character of designated and eligible rivers that may be threatened by upstream diversions and adjacent groundwater extraction.

Add this standard: “Where application of federal hydroelectric licenses for existing or new projects could affect designated rivers and streams, use the 4(e) conditioning authority to ensure protection and enhancement of free flowing character and outstandingly remarkable values.”

Rationale: Designated, suitable, and eligible wild and scenic rivers could be adversely impacted by the renewal of or new licenses for existing or proposed hydroelectric projects upstream and downstream of designated rivers and streams. This standard ensures their protection.

Add this standard: “Existing comprehensive river management plans that are more than 20 years old are updated to reflect and address current conditions and use. New comprehensive river management plans are completed for rivers that lack such plans.”

Rationale: The existing comprehensive river management plan (CRMP) for the designated segments of the North and South Forks Kern WSRs on the Inyo Forest was completed 22 years ago. Physical conditions have changed, as have levels and types of resource and visitor use. The final Inyo National Forest Assessment (2014) documented livestock grazing impacts on meadows within the WSR zone for the North and South Forks (pg. 187). This calls for at least an update of the 1994 CRMP to address and rectify these impacts. The Owens River Headwaters and Cottonwood Creek WSRs were designated by Congress in 2009. CRMPs for these relatively recent designations have yet to be completed, despite the fact that federal law requires the completion of such plans within three years of designation. The upper Deadman Creek segment of the Owens River Headwaters WSR was not found eligible by the Forest Service in its previous inventory and has no documentation of its outstandingly remarkable values, even though it was designated by Congress. As a practical matter, the Forest Service cannot comply with the basic direction of protecting outstandingly remarkable values of this segment until the agency evaluates the segment to identify its specific outstandingly remarkable values.

Revise Standard 03 to state: “Where river management direction has not been developed, minor improvements can be made to existing structures in the recreation and scenic segments. Major improvements require completion or update of the comprehensive river management plan.”

Rationale: Major improvements consistent with classification should be allowed only when an updated or new comprehensive river management plan is completed to provide needed up to date river management direction and to ensure protection of water quality, free flowing character, and outstandingly remarkable values.

Revise Standard 04 to state: “In recreation and scenic segments, permit expansion of structural improvements outside of designated wilderness provided the meet assigned integrity objectives, allow for user access, are consistent with classification and the updated or newly completed comprehensive river management plan; and avoid adverse impacts to water quality, free flowing character, and outstandingly remarkable values.”

Revise Standard 05 to state: “Within the wild segment, limit structural improvements to existing structures and only when consistent the updated or new comprehensive river management plan; and avoid adverse impacts to water quality, free flowing character, and outstandingly remarkable values.”

Rationale: Any action taken within a WSR corridor should be consistent with classification and management direction provided in existing up to date CRMPs and avoid adverse impacts to water quality, free flowing character, and outstandingly remarkable values.

Make Guideline 05 into a Standard and revise to state: “Identify and determine the validity of all existing mining claims on public lands when a plan of operations is submitted.”

Rationale: Mining in wild segments is only allowed on valid existing claims. Any new claims or changes in operations on existing claims in scenic and recreational segments should also be subject to validation. This standard should be applicable to all designated rivers, regardless of classification.

2. Eligible or Recommended Wild and Scenic Rivers – Standards (MA-EWSR-STD) (pg. 57)

Add this Standard: “Where flows are or may be adversely affected by upstream diversions or adjacent groundwater extraction, initiate application to the State Water Resources Control Board to quantify and affirm the instream flow and federal water right needed to fulfill the purposes of the Act.”

Add this standard: “Where application of federal hydroelectric licenses for existing or new projects could affect eligible and suitable rivers and streams, use the 4(e) conditioning authority to ensure protection and enhancement of free flowing character and outstandingly remarkable values.”

Rationale: Eligible and suitable wild and scenic rivers could be adversely impacted by the renewal or licenses for existing or proposed hydroelectric projects upstream and downstream of eligible and suitable rivers and streams. This standard ensures their protection.

Rationale: This is the primary method for protecting the free flowing character of designated and eligible rivers.

Add this Guideline: “Consider acquiring non-federal land and easements to protect water quality, free flowing character, outstandingly remarkable values, and potential classification.”

Rationale: Acquisition of inholdings within eligible WSR corridors should be a priority to protect rivers values from inappropriate development of inholdings within eligible WSR corridors.

3. Figure 8. Wild and scenic river status of the Inyo National Forest (map), pg. 131

Public review and understanding would be vastly improved if this map included the names of the eligible segments, existing WSRs, as well as the background hydrological system (to better facilitate understanding of the connections to non-eligible streams). More detailed maps of each eligible segment showing the proposed river corridors, segments, and classifications should be provided in Appendix C. Considering the 15 year or more lifespan of the FPRs, it is essential that segment details be fully documented in the FPRs so that the agency can fully meet its responsibility to protect their free flowing condition and outstandingly remarkable values.

4. Proposed and Probable Actions – Wild and Scenic Rivers, pg. 145

We strongly support the action: “Complete comprehensive river management plans for the newly designated Cottonwood Creek and Upper Owens River Wild and Scenic Rivers. This should be

considered a Proposed and not Probable Action, since the Act requires that CRMPs be completed within three years of designation (these streams were designated in 2009). We recommend that the following Proposed Actions be added to the section:

- Coordinate with the BLM on the development of the Cottonwood Creek CRMP.
- Include in the Upper Owens Wild and Scenic River CRMP, identification of the outstandingly remarkable values of Deadman Creek upstream of its confluence with Glass Creek.

The first additional Proposed Action recognizes that the BLM manages the lower segment of Cottonwood Creek and the CRMP should be developed jointly with the BLM. The second Proposed Action recognizes that the Forest Service did not find Deadman Creek to be eligible in the 1993 evaluation but Congress designated it in 2009. This puts the Forest Service in the ambiguous position of having to protect unspecified outstandingly remarkable values. Our scoping comments provided details on the outstandingly remarkable values of upper Deadman Creek. The other and more immediate way to resolve this issue is to evaluate upper Deadman Creek when the draft Appendix C Evaluation is revised in response to these and other public comments.

5. Appendix G: Existing Resource Plans, pg. 187

As previously noted, we believe and strongly recommend that the Inyo FPR include in its Proposed Actions an update of the 22-year old North and South Forks Kern Wild and Scenic River Plan. Given the mandate to protect and enhance the free flowing condition, outstandingly remarkable values, water quality, and classification of designated rivers, this should be considered a Proposed and not Probable Action.

B. Sequoia National Forest Draft Revised Land Management Plan – WSR Comments

As detailed in our draft DEIS Vol. 2, Appendix C comments, we believe that the Sequoia Forest WSR evaluation is inadequate. We believe that rivers and streams on the Sequoia Forest should be re-evaluated and several additional streams determined eligible, including more segments of the North Fork Middle Fork Tule River, as well as Salmon, Trout, Rattlesnake, Brushy, Dry Meadow, Freeman Creek, and Mill Flat Creeks. Please review our comprehensive comments on draft Appendix C.

1. Wild and Scenic Rivers Desired Conditions, Standards, and Guidelines – Standards (MA-WSR-STD) (pgs. 55-57)

Add this standard: “The free flowing condition, water quality, and specific outstandingly remarkable values of designated wild and scenic rivers shall be protected and enhanced. Any development shall be consistent with the river’s classification, and management consistent with a current comprehensive river management plan.”

Rationale: This is similar to Desired Condition 01, except the words “are” in the first sentence and “is” in the second sentence have been replaced with “shall be.” This needs to be a standard because Desired Conditions are not binding.

Add this standard: “Where flows are or may be adversely affected by upstream diversions or adjacent groundwater extraction, initiate application to the State Water Resources Control Board to quantify and affirm the instream flow and federal water right needed to fulfill the purposes of the Act.”

Rationale: This is the only way to protect the free flowing character of designated and eligible rivers that may be threatened by upstream diversions and adjacent groundwater extraction.

Add this standard: “Where application of federal hydroelectric licenses for existing or new projects could affect designated rivers and streams, use the 4(e) conditioning authority to ensure protection and enhancement of free flowing character and outstandingly remarkable values.”

Rationale: Designated wild and scenic rivers could be adversely impacted by the renewal of or new licenses for existing or proposed hydroelectric projects upstream and downstream of designated rivers and streams. This standard ensures their protection.

Add this standard: “Existing comprehensive river management plans that are more than 20 years old are updated to reflect and address current conditions and use. New comprehensive river management plans are completed for rivers that lack such plans.”

Rationale: The existing comprehensive river management plan (CRMP) for the designated segments of the North and South Forks Kern WSRs on the Sequoia Forest was completed 22 years ago. Physical conditions have changed, as have levels and types of resource and visitor use. The final Sequoia National Forest Assessment (2014, pg. 205) documented “escalated” recreation impacts to vegetation and habitat, as well as overcrowding, congested parking and poor sanitation practices on North Fork Kern segment 4. The Assessment refers to an Upper Kern River Action Plan. If completed and proven effective, this Action Plan should be incorporated into an update of the CRMP.

Add this Standard: “Identify and determine the validity of all existing mining claims on public lands when a plan of operations is submitted.”

Rationale: Mining in wild segments is only allowed on valid existing claims. Any new claims or changes in operations on existing claims in scenic and recreational segments should also be subject to validation. This standard should be applicable to all designated rivers, regardless of classification.

Make Guideline 02 into Standard 03 and revise to state: “Close dispersed campsites that are adversely affecting water quality and outstandingly remarkable values.”

Rationale: The Forest Service is required by law to protect water quality and outstandingly remarkable values. This is not a discretionary responsibility and should not be treated as a Guideline.

2. Eligible or Recommended Wild and Scenic Rivers – Standards (MA-EWSR-STD) (pg. 57)

Add this Standard: “Where flows are or may be adversely affected by upstream diversions or adjacent groundwater extraction, initiate application to the State Water Resources Control Board to quantify and affirm the instream flow and federal water right needed to fulfill the purposes of the Act.”

Rationale: This is the primary method for protecting the free flowing character of designated and eligible rivers.

Add this standard: “Where application of federal hydroelectric licenses for existing or new projects could affect eligible and suitable rivers and streams, use the 4(e) conditioning authority to ensure protection and enhancement of free flowing character and outstandingly remarkable values.”

Rationale: Eligible and suitable wild and scenic rivers could be adversely impacted by the renewal or licenses for existing or proposed hydroelectric projects upstream and downstream of eligible and suitable rivers and streams. This standard ensures their protection.

Add this Guideline: “Consider acquiring non-federal land and easements to protect water quality, free flowing character, outstandingly remarkable values, and potential classification.”

Rationale: Acquisition of inholdings within eligible WSR corridors should be a priority to protect rivers values from inappropriate development of inholdings within eligible WSR corridors.

3. Figure 13. Wild and scenic river status of the Sequoia National Forest (map), pg. 125

This map should depict the two eligible river segments (North Fork Tule River, North Fork Middle Fork Tule River) located within the Giant Sequoia National Monument. The 2013 GSNM Plan did not address eligible WSRs at all. These eligible streams and three others located elsewhere on the Sequoia National Forest were never subject to public review. They should at least be recognized in the Sequoia FPR, similar to how the Wilderness Evaluation has recognized areas in the GSNM.

Public review and understanding would be vastly improved if this map included the names of the eligible segments, existing WSRs, as well as the background hydrological system (to better facilitate understanding of the connections to non-eligible streams). More detailed maps of each eligible segment showing the proposed river corridors, segments, and classifications should be provided in Appendix C. Considering the 15 year or more lifespan of the FPRs, it is essential that segment details be fully documented in the FPRs so that the agency can fully meet its responsibility to protect their free flowing condition and outstandingly remarkable values.

4. Proposed and Probable Actions – Wild and Scenic Rivers, pg. 142

The second action should be revised to state: Update the comprehensive river management plan for the North and South Forks Kern Wild & Scenic River.

Rationale: The 2013 Final Sequoia Forest Assessment (pg. 205) identified “escalated’ recreation-associated impacts, including effects on vegetation and habitat, and overcrowding, congested parking, and poor sanitation. The narrative suggests that this was addressed in an Upper Kern River Action Plan, but this plan is not apparently available on the internet. If the plan was completed and has proven effective, it should be incorporated into an updated North and South Forks Kern Wild & Scenic River CRMP. Given the mandate to protect and enhance the free flowing condition, outstandingly remarkable values, water quality, and classification of designated rivers, this should be considered a Proposed and not Probable Action.

C. Sierra National Forest Draft Revised Land Management Plan – WSR Comments

The Sierra National Forest is to be commended for conducting an expansive and comprehensive WSR evaluation. We generally support the evaluation with some important changes. Two notable streams not identified as eligible in the Appendix C evaluation include lower Dinkey Creek and a middle segment of Granite Creek (upstream and downstream of existing eligible segments). We believe these streams are indeed eligible and should be included in the FPR and a revised Appendix C. Please refer to our detailed comments concerning DEIS Vol. 2, Appendix C.

1. Wild and Scenic Rivers Desired Conditions, Standards, and Guidelines – Standards (MA-WSR-STD) (pg. 57)

Add this standard: “The free flowing condition, water quality, and specific outstandingly remarkable values of designated wild and scenic rivers shall be protected and enhanced. Any development shall be consistent with the river’s classification, and management consistent with a current comprehensive river management plan.”

Rationale: This is similar to Desired Condition 01, except the words “are” in the first sentence and “is” in the second sentence have been replaced with “shall be.” This needs to be a standard because Desired Conditions are not binding.

Add this standard: “Where flows are or may be adversely affected by upstream diversions or adjacent groundwater extraction, initiate application to the State Water Resources Control Board to quantify and affirm the instream flow and federal water right needed to fulfill the purposes of the Act.”

Rationale: This is the only way to protect the free flowing character of designated and eligible rivers that may be threatened by upstream diversions and adjacent groundwater extraction.

Add this standard: “Where application of federal hydroelectric licenses for existing or new projects could affect designated rivers and streams, use the 4(e) conditioning authority to ensure protection and enhancement of free flowing character and outstandingly remarkable values.”

Rationale: Designated wild and scenic rivers could be adversely impacted by the renewal of or new licenses for existing or proposed hydroelectric projects upstream and downstream of designated rivers and streams. This standard ensures their protection.

Add this standard: “Existing comprehensive river management plans that are more than 20 years old are updated to reflect and address current conditions and use.”

Rationale: The existing comprehensive river management plans (CRMPs) for the designated segments of the Merced and Kings WSRs on the Sierra Forest were completed more than 20 years ago. Physical conditions have changed, as have levels and types of resource and visitor use. The final Sierra National Forest Assessment (2014, pgs. 204-205) documented increases in recreational demand and mining claims, gang activity and marijuana gardens, high use leading to trash and sanitation issues, and less sustainable dispersed camping due to heavier human pressures. All of these critical issues and proposed actions to resolve them should be addressed in updated CRMPs for the Merced and Kings WSRs.

Add this Standard: “Identify and determine the validity of all existing mining claims on public lands when a plan of operations is submitted.”

Rationale: Mining in wild segments is only allowed on valid existing claims. Any new claims or changes in operations on existing claims in scenic and recreational segments should also be subject to validation. This standard should be applicable to all designated rivers, regardless of classification.

Make Guideline 02 into Standard 03 and revise to state: “Close dispersed campsites that are adversely affecting water quality and outstandingly remarkable values.”

Rationale: The Forest Service is required by law to protect water quality and outstandingly remarkable values. This is not a discretionary responsibility and should not be treated as a Guideline.

2. Eligible or Recommended Wild and Scenic Rivers – Standards (MA-EWSR-STD) (pg. 57)

Add this Standard: “Where flows are or may be adversely affected by upstream diversions or adjacent groundwater extraction, initiate application to the State Water Resources Control Board to quantify and affirm the instream flow and federal water right needed to fulfill the purposes of the Act.”

Add this standard: “Where application of federal hydroelectric licenses for existing or new projects could affect eligible and suitable rivers and streams, use the 4(e) conditioning authority to ensure protection and enhancement of free flowing character and outstandingly remarkable values.”

Rationale: Eligible and suitable wild and scenic rivers could be adversely impacted by the renewal or licenses for existing or proposed hydroelectric projects upstream and downstream of eligible and suitable rivers and streams. This standard ensures their protection.

Rationale: This is the primary method for protecting the free flowing character of designated and eligible rivers.

Add this Guideline: “Consider acquiring non-federal land and easements to protect water quality, free flowing character, outstandingly remarkable values, and potential classification.”

Rationale: Acquisition of inholdings within eligible WSR corridors should be a priority to protect rivers values from inappropriate development of inholdings within eligible WSR corridors.

3. Figure 13. Wild and scenic river status of the Sierra National Forest (map), pg. 127

Public review and understanding would be vastly improved if this map included the names of the eligible segments, existing WSRs, as well as the background hydrological system (to better facilitate understanding of the connections to non-eligible streams). More detailed maps of each eligible segment showing the proposed river corridors, segments, and classifications should be provided in Appendix C. Considering the 15 year or more lifespan of the FPRs, it is essential that segment details be fully documented in the FPRs so that the agency can fully meet its responsibility to protect their free flowing condition and outstandingly remarkable values.

4. Appendix B. Proposed and Probable Actions – Designated Areas, pg. 141

The second the last bullet point should be revised to state: “Update the comprehensive river management plans for the Merced, South Fork Merced, Kings, and South and Middle Forks Kings wild and scenic rivers.”

Rationale: The final Sierra National Forest Assessment (2014, pgs. 204-205) documented increases in recreational demand and mining claims, gang activity and marijuana gardens, high use leading to trash and sanitation issues, and less sustainable dispersed camping due to heavier human pressures. All of these critical issues and proposed actions to resolve them should be addressed in updated CRMPs for the Merced and Kings WSRs. Given the mandate to protect and enhance the free flowing condition, outstandingly remarkable values, water quality, and classification of designated rivers, this should be considered a Proposed and not Probable Action.