



High Country Conservation Advocates Comments on Draft Wild & Scenic Eligibility Evaluation

March 22, 2019

Grand Mesa, Uncompahgre, and Gunnison National Forests
Attn: Plan Revision Team
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Submitted via email to: gmugforestplan@fs.fed.us

Thank you for the opportunity to comment on the Grand Mesa, Uncompahgre, and Gunnison (GMUG) National Forest's Draft Wild and Scenic River Eligibility Evaluation (the "Draft Eligibility Evaluation"). High Country Conservation Advocates (HCCA) has a mission is to "protect the health and natural beauty of the land, rivers, and wildlife in and around Gunnison County now and for future generations." Our staff and over 1,000 members are committed to protecting our local rivers by preserving their clean water, free-flowing character, and related ecological assets. We are fortunate that our forest system on the Colorado Plateau is home to some of the most unique creeks and rivers in the country. HCCA staff and members have a direct interest in the wild and scenic eligibility analysis.

We appreciate the hard work invested by the Forest Planning Team in reviewing GMUG rivers and in engaging the public to participate in this review process. HCCA supports the creeks identified in the Draft Eligibility Evaluation as eligible under the Wild and Scenic Rivers Act (WSRA) and recommends that these creeks continue to be represented in the final evaluation. Below we offer general feedback on the Draft

Eligibility Evaluation and provide some additional details on creeks already found eligible to include in the final evaluation.

HCCA also proposes that the Forest Planning Team expand their analysis to include lakes currently unassessed. We challenge multiple streams currently identified as ineligible and provide additional information for the Forest Planning Team to reconsider their outstandingly remarkable values when finalizing the eligibility evaluation.

I. General Recommendations

We Support the Forest Planning Team Stopping at Eligibility

We commend the USFS for refraining from addressing suitability in this analysis. Undertaking an adequate suitability analysis would require a significant amount of time to educate local communities, gather input and create a record to determine whether suitability is compatible with local management objectives.¹ Moving forward, we encourage the Forest Planning Team to concentrate their efforts on revisions to the eligibility analysis in lieu of expanding the scope of this effort. During the Draft WSR Eligibility Webinar Brittany Duffy mentioned that the USFS was considering whether a suitability analysis would be appropriate for any of the reaches named as eligible in the Draft Eligibility Evaluation.² As stated above, we implore the USFS to refrain from a suitability analysis and to instead focus on a robust eligibility analysis at this time. However, if the agency does decide to move forward with a suitability analysis, we suggest that they restrict the analysis to Oh Be Joyful Creek, a reach that is already a candidate for special management in a variety of special management plans.

Oh Be Joyful Creek has been identified in the Draft Eligibility Evaluation as having four eligible segments. Similarly, the BLM has identified Oh Be Joyful as eligible for Wild & Scenic in the BLM's 2009 Wild and Scenic River Eligibility Report.³ In the Gunnison Public Lands Initiative Report the Oh Be Joyful basin was one of the areas

¹ American Rivers has organized a coalition of groups interested in maintaining the integrity of the Wild and Scenic Rivers Act. This coalition considers the completion of suitability analysis during forest plan revision efforts to be a breach of the 2012 Forest Planning Rule. Objections to this practice were raised during forest plan revisions in Regions 1 and 4. The coalition also objected to the agency using this as an opportunity to remove protective management from eligible streams by releasing them from the eligibility list.

² Brittany Duffy, Draft WSR Eligibility Webinar. Tuesday, February 19 3:30-5:00 pm. Accessed at <https://usfs.adobeconnect.com/gmug-500/>.

³ Wild and Scenic River Eligibility Report, Bureau of Land Management, Grand Junction Field Office. 2009. Prepared by Catherine Robertson.

identified by local stakeholders as appropriate for designation as a special management area for recreation and wildlife. Although the Oh Be Joyful corridor has been discussed for potential designation in more depth than other reaches, HCCA still recommends that additional outreach be performed and a separate process established to determine whether this reach is suitable.

Assessment Scope

The Draft Eligibility Evaluation does not assess all potential rivers in the GMUG Forest Service boundaries because it excludes small lakes.⁴ As described in the Forest Service Planning Handbook, Sec. 82.2 – Evaluating Eligible Rivers in Plan Development and Revision:

When conducting an eligibility study of Forest Service-identified rivers (sec. 5(d)(1) of the Act) during land management plan development or revision, the Interdisciplinary Team shall include *all* potential wild, scenic, and recreational rivers flowing wholly or partially on National Forest System lands as identified in the Nationwide Rivers Inventory and by other sources. The rivers to be studied for eligibility include all rivers named on a standard U. S. Geological Survey 7.5 minute USGS quadrangle map.

In Section 80.5, the Forest Service Planning Handbook 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*” (emphasis added). Small lakes were not included in the Draft Eligibility Analysis; the Forest Planning Team should incorporate small lakes in their final evaluation.

Additional Information Should Be Provided About Determination of Eligibility

There is a need for additional documentation of how the Forest Planning Team determined some segments as eligible and denied others. The Forest Service Handbook includes a requirement that eligibility determinations be “documented”. From the materials provided it is not apparent why some streams were found not to qualify as eligible (particularly those listed in previous draft inventories) while others were. The Handbook explains that the section documenting eligibility assessment “contains separate river narratives for each river segment evaluated ... to address rationale for determination of eligibility.” It goes on to explain that “The river

⁴ The USFS failed to study “all potential wild, scenic, and recreational rivers flowing wholly or partially on National Forest System. As described in the Forest Service Planning Handbook, Sec. 82.2 – Evaluating Eligible Rivers in Plan Development and Revision.

narratives should be a synopsis of the pertinent information related to eligibility and classification factors.”⁵ The notes provided by the Forest Planning Team continuously reference “2005 working maps and Comprehensive Assessment Appendix W-2”. However, when reviewing the referenced document, there is no supporting evidence that clarifies why certain creeks were found as eligible.

For instance, the Wild & Scenic Review Notes provided by the Forest Planning Team records Cement Creek as a creek that has been assessed for eligibility and not found eligible. However, a Colorado Natural Heritage Program study provided extensive information of a river-dependent, exceptionally rare fen that extends onto USFS land (see Cement Creek assessment below). There is no documentation available to the public showing that this fen was considered in the eligibility process. Appendix W-2, referred to for additional information, also lacks information explaining this finding.

It would be helpful for stakeholders to understand the following:

- 1) What were the stream-specific values used to assess whether a given stream possess and ORV that qualifies it for eligibility?
 - a. Were ORV considerations documented?
- 2) What criteria were applied for streams to be found as “free-flowing”?

Providing additional information on the determination of eligibility is particularly important for rivers identified as eligible in earlier review documents and then later removed. The 2006 GMUG National Forests Forest Plan Revision Comprehensive Evaluation Report Chapter 6 included an assessment of eligible rivers for Wild and Scenic. Yet several of the streams identified as eligible in this 2006 report were not found to be in the Draft Eligibility Evaluation. These rivers include the East River, the Slate River, Ingram Falls, Bridal Veil Falls, Bear Creek, and the Dry Fork of the Escalante. Rivers found as eligible in the 2006 analysis should have been compelling candidates for eligibility in the Draft Eligibility Evaluation. Reading the WSR Review Notes, there is little evidence explaining why the reaches identified above did not make the cut in the Draft Eligibility Evaluation.⁶ The USFS should provide additional justification explaining why these creeks were no longer found as having the outstandingly remarkable qualities identified by Forest Service personnel in the previous draft. Where warranted, HCCA encourages the Forest Planning Team to reconsider these reaches and the additional information provided.

⁵ Handbook. 82.93- Documentation of a Wild and Scenic River Study for Eligibility. The Forest Planning Team did complete several components documenting eligibility, including an appendix with rivers assessed for eligibility and a map showing river corridors. Handbook. 82.93- Documentation of a Wild and Scenic River Study for Eligibility

⁶ With the exception of Bridal Veil Falls, where the Forest Planning Team explains that it is not on USFS lands.

Eligibility v. Suitability Analysis

To be found as “eligible” a river must be free-flowing and have at least one outstandingly remarkable value (ORV); nothing less and nothing more. So long as the stream meets both of these criteria it should be included as eligible in the final eligibility evaluation. Once recognized as eligible streams should be protected and managed as such by the appropriate agency. The list of eligible streams is later winnowed down during the suitability analysis.

Handbook 82.41, “Basis for Suitability” addresses elements to be considered for suitability, including “[t]he current status of land ownership and use in the area”, the “reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System”, “[t]he Federal agency that will administer the area” and “[t]he State and/or local government’s ability to manage and protect the outstandingly remarkable values on non-Federal lands” (among other elements).

After reviewing the WSR Review Notes, it appears that at times the Forest Planning Team somewhat conflated the eligibility analysis with elements properly address in the suitability analysis. In the column marked “WSR Notes”, the Forest Planning Team includes brief descriptions on their analysis of some (but not all) of the segments reviewed. Several of these notes seem to suggest that the Forest Planning Team took into consideration elements of the suitability analysis. For instance, when reviewing Cebolla Creek, the WSR Review Notes noted that the “district review had manageability concerns” and did not find the segment eligible. Other creeks reviewed had notes about land ownership and water quality concerns. The Forest Planning Team should reconsider streams found as ineligible due to elements that are properly addressed in the suitability phase.

Supporting Information for Oh Be Joyful

Several of the streams already identified in the draft evaluation may have additional ORVs and benefit from additional discussion of already identified ORVs. The WSRA works by applying a non-degradation policy to preserve and enhance the outstanding and remarkable values that form the basis of a river’s eligibility. Describing these ORVs in full is important to define the qualities that make them eligible and helps the USFS manage to protect those qualities. These values must be maintained for future opportunities for designation. Thus, it is important to accurately identify and describe these values to assure their protection.

The Draft Eligibility Evaluation does not include detailed descriptions of the ORVs identified for each river. Including this descriptive language is important so the

specific values identified will be fully protected. HCCA offers the additional information on Oh Be Joyful here to further support the Forest Planning Team's ORV findings and to supplement notes provided in the Draft Eligibility Evaluation:

Water Quality. Oh Be Joyful Creek is a significant tributary to the Slate River, originating in the Raggeds Wilderness north of Crested Butte. The Forest Planning Team noted that Oh Be Joyful is impaired by heavy metals loading into the stream from abandoned mining sites. However, the Colorado Division of Reclamation Mining and Safety (DRMS) is undertaking efforts to remediate these sites and positively impact water quality. Despite some metals pollution, Oh Be Joyful Creek continues to support a strong population of brook trout.

Recreation (paddling). The Forest Planning Team is correct in identifying one of Oh Be Joyful's ORVs as recreation. Oh Be Joyful does attract paddlers from all over, even from outside the region and the state; indeed, this recreational reach attracts boaters from all over the country. "Despite this run's extreme degree of over exposure, this is still one of the best short runs in the state. This is Colorado creaking. The definition."⁷ This reach receives the highest marks in the Whitewater of the Southern Rockies guide, getting a five-star rating during medium and high times.⁸ The Oh Be Joyful Kayak race is one of the rowdiest races in the Southern Rockies. This race is mentioned in the Whitewater of the Southern Rockies guide and is scheduled again for June 22nd, 2019.⁹ Thus, Oh Be Joyful also provides a setting for a major competitive event.

Consideration of Native Fisheries

We recommend that the Forest Planning Team give special consideration to any creeks and streams that contain native trout (particularly Colorado River Cutthroat Trout and Greenback Cutthroat), regardless of whether or not that population is used as brood stock. The decline of native trout to a mere fraction of their former home range has been well documented.¹⁰ Preserving our native fisheries is a priority shared by many conservation groups, angling societies, and various land management agencies. Protecting existing and streams with a strong population of native trout of with the potential for native trout reintroduction should be considered an ORV.

⁷ Kyle McCutchen and Evan Stafford. *Whitewater of the Southern Rockies: The New Testament to class I-V+ in Colorado, New Mexico, Arizona, Utah and Wyoming*. 2007 Wolverine Publishing, LLC. Page 130.

⁸ Id.

⁹ <https://www.facebook.com/events/2277546802295579/>

¹⁰ The primary cause of decline has been hybridization with non-native trout species, compounded by water quality issues from heavy metals contamination, low flows impacting viability, and sedimentation.

In the Draft Eligibility Evaluation, only one group of three streams was identified as eligible for an ORV due to the presence of native fish (the North Fork Escalante, Kelso Creek, and Points Creek). The WSR Review Notes explain that the Forest Planning Team denied other creeks with native trout eligibility because “Conservation populations, while important, do not rise to level of an ORV (unique or rare within the region of comparison).” We disagree with this finding. Given the decline of various cutthroat populations across the GMUG and rare occurrence of native fisheries, the Forest Planning Team should identify additional cutthroat streams and lakes for eligibility. Specifically, we urge the Team to reconsider West Antelope Creek and West Steuben Creek for eligibility due to presence of conservation populations of cutthroat trout.

II. Additional Streams for Consideration

HCCA believes that the Draft Eligibility Evaluation contains multiple omissions and that there are multiple streams, creeks and lakes that meet these criteria and should be included in this initial evaluation. We request that the GMUG Forest Planning Team assess and find the additional stream reaches discussed below eligible for wild and scenic designation. It is important to note that HCCA focused our review on creeks and rivers located in the Upper Gunnison Basin (all rivers and tributaries that drain into Blue Mesa Reservoir). We addressed several creeks beyond the Upper Gunnison River basin where our members encouraged additional comment, but this is by no means an exhaustive list for the entire GMUG. Please consider the reaches discussed below (and summarized in Table 1), all free-flowing creeks and lakes possessing one or more ORV, as eligible for wild and scenic status in the final eligibility evaluation.

1. East River, RMBL Reach

The East River originates just below Schofield Pass, northeast of Crested Butte. It passes through the high alpine Gothic Valley, where the Rocky Mountain Biological Laboratory (RMBL) holds several instream flow water rights dating back to 1976 for scientific purposes on the East and its tributaries. The East and its tributaries contain breeding populations of Brook Trout and native Colorado Cutthroat Trout. In the Comprehensive Evaluation Report completed in July of 2006, the USFS identified 6.7 miles of the East River as eligible for wild and scenic for scenic and botanical characteristics.¹¹ Our HCCA analysis has also identified portions of the East River to be eligible for scientific ORVs.

Segment

Upper East River, headwaters to the Gothic road bridge below RMBL (6.7 miles).

Free-Flowing

The Upper East River is free-flowing; there are no diversions. RMBL relies on well water and does not divert from the river.

Outstanding Remarkable Values

Science. RMBL is a remarkably unique scientific asset in North America. River-dependent scientific research has occurred there for decades. As early as the 1920s, a biology professor at Western Colorado College led his students on field trips to Gothic. In 1928 Professor Johnson established the first field station in Gothic to study the uniqueness of the high altitude ecology. This station eventually became RMBL and is now internationally renowned as being at the forefront of climate research.¹² Billy

¹¹ GMUG National Forests Forest Plan Revision Comprehensive Evaluation Report. July 2006. Sec. 1.3, page 11.

¹² <http://watershed.lbl.gov/about/> S. Hubbard, Susan & Hurst Williams, Kenneth & Agarwal, Deb & F. Banfield, Jillian & Beller, Harry & Bouskill, Nicholas & Brodie, E.L. & Carroll, Rosemary & Dafflon, Baptiste & Dwivedi, Dipankar & Falco, Nicola & Faybishenko, Boris & Maxwell, Reed & Nico, Peter & Steefel, Carl & Steltzer, Heidi & Tokunaga, Tetsu & Tran, Anh Phuong & Wainwright, Haruko & Varadharajan, Charuleka. (2018). The East River, Colorado, Watershed: A Mountainous Community Testbed for Improving Predictive Understanding of Multiscale Hydrological–Biogeochemical Dynamics. *Vadose Zone Journal*. 17. 10.2136/vzj2018.03.0061.

Barr, RMBL researcher and caretaker, has been collecting scientific data in the basin continuously since the 1970s.¹³

The Upper East River is unique for its scientific and historical assets as well as for its botany. The USFS Handbook (Sec. 82.73a) notes that ORVs can be identified for “Other Similar River-related Values,” stating that:

While no specific national evaluation guidelines have been developed for this category, determinations consistent with the preceding guidance and section 82.73 of this Handbook may be developed for other values that may be outstandingly remarkable, including but not limited to botanic, hydrologic, paleontological, scientific, and heritage values.

The WSR Review Notes explain that the Forest Planning Team “Considered the presence of Gothic for other (scientific) ORV, but noted that Gothic's research is extensive, not uniquely tied to the river itself, that Gothic RNA exists, and would need more information for why the research is a water-dependent ORV. IDT does not recommend it as eligible.” We disagree with this analysis; a substantial portion of the research that occurs at RMBL is river dependent.

A core component of the research at the lab is related to water and is river-dependent.¹⁴ In 2017, The Atlantic wrote an article about Billy Barr and the value of the research at RMBL, including for assessing hydrological systems:

“Barr’s notes have now appeared in dozens of research papers focused on climate change science. His notebooks on the first and last snow, the snowpack levels in between, and when hibernating animals wake and when the birds return to the high alpine environment have provided an unexpected glimpse back into a world scientists never recorded. And from the past, scientists have gained a little more understanding of the world’s warming future.

Hydrologists like Rosemary Carroll, who works at the Desert Research Institute, use Barr’s snowpack data and other sources to model groundwater flows to the Colorado River. Forty million people rely on the river to pipe

¹³ Billy Barr (naturalist). Wikipedia page. Available at [https://en.wikipedia.org/wiki/Billy_Barr_\(naturalist\)](https://en.wikipedia.org/wiki/Billy_Barr_(naturalist))

¹⁴ See <http://www.rmbbl.org/scientists/water-research/>

water to their faucets, and Carroll’s work—with the help of Barr’s data—will help shape water policy for Southwestern cities.”¹⁵

An entire page on RMBL’s website is devoted to river-related studies, titled “Water Research” and can be accessed at <http://www.rmb.org/scientists/water-research>. A quick search of the RMBL publication database will reveal numerous scientific articles discussing East River study projects.

Botanical. The USFS has identified the Gothic area as a Research Natural Area.¹⁶ This RNA was established in 1931 and expanded in 1959. This area of 1080 acres includes plant ecosystems adjacent to the East River that have been identified for special management, including 238 acres of fescue/meadowrue-vetch-elk sedge. These ecological attributes, adjacent to and dependent on the East River, should be considered in tandem with the scientific ORV.

Classification

Recreational. There is a road that parallels the East River. The river is free of impoundments, and the river shore is largely primitive and undeveloped. There are a few locations where it is accessible by road.

2. East River Meanders

Segment

The East River features stunning meanders between Gothic and Mt. Crested Butte before travelling behind the Crested Butte Mountain Resort ski area. This segment is below Stupid Falls at the beginning of the East River meanders and extending down to the Mount Crested Butte Water and Sanitation District pumphouse.



¹⁵ J. Weston Phippen. The Hermit Who Inadvertently Shaped Climate-Change Science. *Science*. The Atlantic. January 12, 2017.

¹⁶ <https://www.fs.usda.gov/detail/gmug/specialplaces/?cid=stelprdb5181324>.

Free-Flowing

This section of the river is free-flowing (irrigation occurs off of the Perry Creek tributary).

Outstanding Remarkable Values

Scenic. The East River meanders are some of the most iconic in the nation. Looking down on the East River one sees a gorgeous meandering stretch with oxbow after oxbow linking up in a serene pattern. In summer it attract photographers and local artists that attempt to capture the serene beauty of this reach.

Geologic. The Handbook criteria include a description for geology that “the feature(s) may be in an unusually active stage of development, represent a “textbook” example, or represent a unique, rare or exemplary combination of geologic features (erosional, volcanic, glacial, or other geologic structures).”¹⁷ The East River meanders are and exemplary “textbook” example of an oxbow river system.¹⁸ The textbook structure of this system has been documented in studies¹⁹; one described that “Lidar and Worldview 2 multispectral satellite imagery collected in 2015 revealed approximately 100 abandoned channels in our 10 kilometer long study reach that occupy approximately 25% of the floodplain. Abandoned channels preserve the shape of former river meander bends.”²⁰ Thus, the East River meanders meet the criteria for a geologic ORV.

Classification

Scenic. There is a dirt road allowing access to the river along the East River meanders. Above the river corridor (but outside of the wild and scenic corridor) the Gothic Road parallels the meanders and provides a view for those traveling to Gothic. Otherwise this segment is largely inaccessible.

3. Slate River

The Slate River is a headwater tributary of the Gunnison River. It originates in a high mountain valley northwest of Crested Butte. Primary tributaries to the Slate include

¹⁷ 82.73a – Criteria for Establishing Outstandingly Remarkable Values, 3. Geology.

¹⁸ <https://www.nps.gov/articles/meandering-stream.htm>

¹⁹ Predicting Cutoff Locations Along Meander Bends on the East River in Crested Butte, Colorado. Stauffer, Sophie J., Rowland, Joel C., Sutfin, Nicholas A. and Fratkin, Mulu. Earth & Environmental Science Division, Los Alamos National Laboratory, MS-J495, Los Alamos, NM 87545, sstauffer@lanl.gov

²⁰ Id.

Poverty Gulch, Oh Be Joyful Creek, Washington Gulch and Coal Creek. The Upper Slate River Valley (north of Crested Butte) is characterized by steep slopes and a glacial valley floor dominated by gravel and moveable sediments.

Segment

In the Comprehensive Evaluation Report of July 2006 the USFS identified 3.5 miles of the Upper Slate River as eligible for wild and scenic for scenic beauty (canyon terrain, waterfalls). HCCA agrees with the ORVs found in the 2006 analysis and offers the following additional ORVs for consideration for this portion: botanical, habitat. Incorporating these values would justify extending the eligible reach beyond the distance identified in the 2006 Comprehensive Assessment. In section 82.61 River Termini and Area Boundaries the Handbook explains that eligible “Rivers may be extended beyond the National Forest boundary if a logical ending point is nearby, such as merger with the main stem of a larger river.” The Forest Planning Team should consider this guidance when assessing the ORVs on the Slate River.

Free-Flowing

There are only small well rights on the majority of the identified reach and only a few very small diversions above the confluence of the Slate River and Coal Creek. These minor diversions do not significantly impact the natural flow regime.



Outstanding Remarkable Values

Scenery. In the 2006 Comprehensive Evaluation the USFS found the Slate eligible on the upper section for its beautiful scenery, including the dramatic canyon, gorgeous waterfalls, and hanging gardens. The WSR Review Notes offer very little detail on why the Forest Planning Team found that this segment was no longer eligible for this ORV. HCCA agrees with the 2006 finding and does not find evidence of changed conditions that would merit eliminating this ORV.



Habitat. The Slate River is unique for its heron habitat. The Slate River hosts one of the highest-elevation heron rookeries in the United States. On Crested Butte Land Trust Land along this corridor there is a river-dependent Great Blue Heron rookery believed to be one of the highest in the country (8,900 feet above sea level). The Slate River Working Group Draft Management Plan (informed by CPW & biologist Pat Magee) has identified this high-altitude heron rookery as an ecological asset meriting special consideration. The Draft Management Plan (citing Magee) notes that:

The rookery sits in standing dead spruce trees directly above the Slate River and in adjacent wetlands, providing an ideal nesting and foraging area for the birds... These majestic birds practice site fidelity, and therefore return to the same nesting site (rookery) each year. A 2018 study of the rookery finds it currently hosts up to 50 adult Great Blue Heron and more than 25 nests, making it a productive rookery (Magee, 2018).

The Slate River upstream offers important foraging habitat for these herons that fish up and down the canyon to sustain their colony.

Botanical. In addition to this unique rookery, the Slate River Riparian area has been recognized as a Potential Conservation Area (PCA) by the Colorado Natural Heritage Program (CNHP) for having high biodiversity significance. The area identified was “almost the entire reach of the Slate River”. The CNHP Study noted that there are multiple examples of globally vulnerable riparian plant communities on this reach. Half of this ecologically important area is on private lands and the rest on USFS and BLM lands.



Recreational (birding/photography). The photo to the right was taken by Pip Shepley in March 2019 when the herons first returned to the rookery. The rookery offers a unique opportunity for photography and viewing the different life cycle stages of the Great Blue Heron.

Classification

Wild. The Upper Slate is inaccessible except for by foot (and challenging to get to even then). Recreational. Down lower on the Slate it is accessible by trail and road in several places.

4. Upper Brush Creek and West Brush Creek tributary

The headwaters of West Brush Creek originate in and adjacent to the Maroon Bells-Snowmass Wilderness area. West Brush Creek joins Middle Brush Creek to create Brush Creek.



Segment

The proposed segment for eligibility is the entire West Brush Creek tributary and the upper portion of the mainstem of Brush Creek. The West Brush Creek segment begins at the headwaters and extends down to the confluence with Middle Brush Creek. The Brush Creek segment begins at the start of Brush Creek (the confluence of West and Middle Brush creek) and ends where Brush Creek first leaves USFS lands.

Free-Flowing

West Brush Creek is entirely free-flowing with no diversions or impoundments. The segment of Brush Creek that is recommended has no diversions or impoundments.

Outstanding Remarkable Values

Wildlife/Habitat. West Brush Creek and Upper Brush Creek provides important habitat for a rare and ecologically crucial boreal toad population that is dependent on the West Brush Creek and Brush Creek aquatic and riparian natural environment.

USFS Region 2 classifies the boreal toad as a sensitive species and the boreal toad is presently listed as an endangered species by the State of Colorado.²¹ The Boreal Toad has also been found by the Colorado Natural Heritage Program (CNHP) to be “critically imperiled” at the state level. The CNHP defines critically imperiled as “at very high risk of extinction due to extreme rarity (often 5 or fewer populations), very steep declines, or other factors.”²² Part of this decline is attributed to habitat loss²³; preserving the limited occurrences of breeding habitat in the region is a management priority for multiple state and federal agencies. These toads rely on beaver ponds and aquatic and riparian habitat to breed.²⁴

Although “Boreal toads were once common throughout the Elk and West Elk mountains of western Colorado” significant declines in have been noted “in the boreal toad populations in this region of Colorado.”²⁵ Rare breeding populations of boreal toads are found along West Brush Creek and Brush Creek proper.²⁶ The stream habitat for Boreal Toads is an outstandingly remarkable value.

Classification

Scenic. West Brush Creek is only accessible by trails and primitive 4x4 roads.

5. Cement Creek



Cement Creek is a coldwater snowmelt-driven stream located in Gunnison County, Colorado. The watershed extends east from the Crested Butte South municipality and on to USFS lands near Italian Mountain and Crystal Peak. The total Cement Creek watershed area is 35.7 square miles. The stream substrate ranges from small gravels to large boulders. There is a mixture of riffles and small pools that

²¹ <https://cpw.state.co.us/learn/Pages/ResearchBorealToad.aspx>

²² Page Keinath, D. and M. McGee. (2005, May 25). Boreal Toad (*Bufo boreas boreas*): a technical conservation assessment. [Online]. USDA Forest Service, Rocky Mountain Region. Available: <http://www.fs.fed.us/r2/projects/scp/assessments/borealtoad.pdf>. 3/16/2019.

²³ *Id.*

²⁴ *Id.*

²⁵ Page 22. Keinath, D. and M. McGee. (2005, May 25). Boreal Toad (*Bufo boreas boreas*): a technical conservation assessment. [Online]. USDA Forest Service, Rocky Mountain Region. Available: <http://www.fs.fed.us/r2/projects/scp/assessments/borealtoad.pdf>. 3/16/2019.

²⁶ *Id.* at 24.

provide quality habitat for fish and other aquatic life. Cement Creek is home to a mixed fishery and sampling conducted by Colorado Parks and Wildlife in 2005 and 1973 identified a Colorado River Cutthroat population in the creek.

Segment

The proposed reach extends from the Cement Creek Trail trailhead to below the Cement Creek Ranch where the creek drops steeply into a narrow canyon (location pictured above).

Free-Flowing

Although there are a few small diversions on this segment, it operates as free-flowing.

Outstanding Remarkable Values

As noted in the Forest Service Handbook Chapter 80 on Wild & Scenic²⁷ the definition of an eligible river is one that “is free-flowing and, *in combination with its adjacent land area*, possess one or more outstandingly remarkable values” (emphasis added).²⁸

There is an incredibly unique extreme rich fen along Cement Creek.²⁹ In 2004, the Colorado Natural Heritage Program at Colorado State University recommended to the Colorado Department of Natural Resources that the Cement Creek extreme rich fen is a Potential Conservation Area (PCA). The assessment ranked the Cement Creek PCA as having “very high biodiversity significance” and noted that “[t]his PCA supports a *globally imperiled (G2) extreme rich fen plant community and numerous state rare plants.*” In contrast to the wide distribution of intermediate and rich fens, extreme rich fens appear restricted to a small area in Colorado, primarily the west and north portions of South Park and Cement Creek. On a global basis extreme rich fens also appear to be quite uncommon. Only three other small locations of extreme rich fens are known in the Western U.S..³⁰ Not only is the water chemistry unique, but it hosts

²⁷ Forest Service Handbook, National Headquarters. Land Management Planning Handbook Chapter 80, Version 02/14/2013. FS 1909.12. Available online at <http://www.fs.usda.gov/goto/planningrule/directives>

²⁸ Id. at 80.5 Definitions

²⁹ The Cement Creek fen is the “first documented occurrence of an extreme rich fen outside of South Park in Colorado.”

³⁰ Extreme rich fens appear restricted to a small area in Colorado, primarily the west and north portions of South Park (Cooper 1996) and the new location at Cement Creek. *Even on a global basis extreme rich fens appear to be quite uncommon.* Only three other small locations of extreme rich fens exist in the Western U.S.: in northwestern Montana (Lesica 1986), in California at Convict Creek Basin (Major and Taylor 1977), and in northwestern Wyoming (Fertig and Jones 1992) (italics added). Joe Rocchio, Georgia Doyle, and Renée Rondeau. Survey of Critical Wetlands and Riparian Areas in Gunnison County. Colorado

rare plant communities that include a rare green sedge and an extreme rich fen plant community of Pacific bog sedge and alpine meadow rue along with rare plants such as Rolland's bulrush and variegated scouring rush. These rare plants and rich fen pockets dot the floodplain in various locations in the Cement Creek riparian area. Patches of fen are surrounded by willow and sedge wet meadows.³¹ This incredibly unique, globally imperiled fen should qualify Cement Creek for water chemistry and botanical ORVs.

Classification

Recreational. There is a road paralleling the Cement Creek riparian area.

6. Curecanti Creek

The National Park Service (NPS) has identified two creeks as "eligible" that extend onto USFS lands and were not included as eligible in the Draft Eligibility Evaluation: Curecanti Creek and Coal Creek (both terminating at Blue Mesa Reservoir).³² These creeks retain these some of the same unique qualities upstream as identified in the NPS assessment. However, the wild and scenic review notes provided by the Forest Planning Team and prior efforts show no evidence for why the Curecanti fishery was not considered valuable upstream of the segment identified by the NPS. The WSR Review Notes merely reference 2005 working maps and Comprehensive Assessment Appendix W-2 and explain that "District review verified no ORVs, not eligible" but without providing further justification for this finding. We encourage the Forest Planning Team to re-examine Curecanti Creek for eligibility to assess the fishery and recreational fishing values that extend upstream of NPS boundaries.

Segment

Headwaters to the USFS boundary.

Free-Flowing

This reach of Curecanti Creek is free-flowing, with no diversions or impoundments.

Natural Heritage Program. Colorado State University. November 17, 2004. Available at http://www.cnhp.colostate.edu/download/documents/2004/Gunnison_County_Wetlands.pdf.

³¹ Joe Rocchio, Georgia Doyle, and Renée Rondeau. Survey of Critical Wetlands and Riparian Areas in Gunnison County. Colorado Natural Heritage Program. Colorado State University. November 17, 2004. Available at

http://www.cnhp.colostate.edu/download/documents/2004/Gunnison_County_Wetlands.pdf.

³² Nationwide Rivers Inventory, Potential Wild and Scenic Rivers within the National Park System: Colorado. See <https://irma.nps.gov/DataStore/DownloadFile/547106>.

Outstanding Remarkable Values

The NPS has agreed that Curecanti Creek should be eligible for wild and scenic eligibility in their assessment of the Curecanti National Recreation Area.³³ One of the ORVs that makes this creek “eligible” in the NPS analysis extends onto USFS lands. In the NPS analysis, the NPS identified the downstream segment of Curecanti for its fishery, as well as for its scenic values. Although the scenic values identified in the NPS report are primarily located on the lower segment of the creek, the upper portion shares the same fishery and fishing characteristics identified in the NPS analysis.

Classification

Scenic. The upper portion of Curecanti Creek parallels County Road 720 for a short section and then diverges; it is only accessible on foot thereafter.

7. Coal Creek (terminus in the Curecanti National Recreational Area)

The NPS has identified Coal Creek as eligible for wild and scenic in their assessment of the Curecanti National Recreation Area.³⁴ They identified three ORVs for a reach that shares many of the same characteristics as the upstream USFS segment identified herein. In the NPS assessment it was classified as eligible for scenic, fish, and wildlife ORVs.

Segment

Headwaters to the USFS boundary.

Outstandingly Remarkable Values

Like Curecanti Creek, Coal Creek should be assessed upstream in the West Elk Wilderness for scenic, fish and wildlife values. The WSR Review Notes simply state that “Nationwide Rivers Inventory portion within Curecanti NRA, NPS confirmed no record of being considered eligible, GMUG portion no ORVs identified.” However, it is unclear from the review notes provided by the NPS whether the upstream GMUG portion of these reaches were assessed for any ORVs. Given that the lower segment of Coal Creek was found eligible by NPS for Scenic, Wildlife, and Fishery ORVs, the upper portion of the creek should be assessed for similar values. Particularly when values include fishery and wildlife on the lower portion of the reach, these values may extend upstream out of NRA boundaries.

³³ *Id.*

³⁴ Nationwide Rivers Inventory, Potential Wild and Scenic Rivers within the National Park System: Colorado. See <https://irma.nps.gov/DataStore/DownloadFile/547106>.

Classification

Wild. The headwaters of Coal Creek are in the remote West Elk Wilderness area and only accessible by hiking trails.

8. Lamphier Lake

Lamphier Lake is located near Square Top Mountain, Gunsight pass, and Fossil Mountain (identified on the USGS Fairview Peak topographic map) in the Fossil Creek Wilderness Area. Lamphier Lake is an outstandingly beautiful lake surrounded by unique geologic features and providing one of the best backcountry lake angling opportunities in the region.



Segment

The entire natural lake.

Free-Flowing

Lamphier Lake is a natural lake that has not been augmented.

Outstanding Remarkable Values

Geologic. Like other lakes in Colorado, Lamphier Lake is a glacial tarn surrounded by a bowl of granite and schist. What makes this high alpine lake unique is that this substrate is capped by a layer of unusual limestone, a geologic feature that contributed to the creation of the adjacent Fossil Ridge Wilderness area. This sedimentary overburden is rich in fossils; this unique layer gives the Fossil Ridge Wilderness its name. As shown in the included photograph, this unique layer is immediately above the lake in the corridor area.

Fishery. Lamphier Lake is home to a Colorado Cutthroat trout fishery. As noted in our general recommendations, the rarity of Cutthroat across the historic range and need to provide special protections.

Recreation: Lake fishing. In addition to displaying unique geologic features, Lamphier Lake also offers extraordinary fishing. Included here is one recreationalist's experience hiking and fishing Lamphier Lake and the adjacent peak. The first half of the video shows multiple photos of the lake, geographic features from afar, and pictures of healthy cutthroat cruising the lakeshore (<https://www.youtube.com/watch?v=iQE4YEzqIjY>).

Classification

Wild. Lamphier Lake is only accessible by foot or on horseback.

9. Taylor River (above Taylor reservoir)

Segment

Headwaters of the Taylor River to the USFS land boundary.



Free-Flowing

The segment of the Taylor River proposed is free-flowing, free of impoundments and diversions.

Outstanding Remarkable Values

Recreation. Paddling the Upper Taylor is a recreational experience in a unique setting; the river is located in a wide-open valley, with a beautiful, open viewshed serving up peak views in every direction. For paddlers, the river is not only scenic but offers continuous beginner-intermediate whitewater. For fishermen, the Upper Taylor is a “pocketwater paradise” with excellent dry-fly fishing. The GMUG does not offer many beginner-intermediate paddling runs, making this stretch a unique attraction for rafters, family floating trips, and kayakers alike.

Classification

Recreational. There are no diversions or impoundments on the Upper Taylor River. A dirt road NF-742 parallels the creek.

10. Lower Taylor River- Canyon segment

Segment

The proposed segment starts at the New Generation pull-off and extends to the South Bank pull-off.

Free-Flowing

To be eligible, a river must be “free-flowing.” The Wild and Scenic Rivers Act defines “Free-Flowing Condition” in Handbook Section 82.71 16(b) as follows:

“Free flowing” as applied to any river or section of a river means existing or flowing in a natural condition without impoundment, diversion, straightening, riprapping, or other modification of the waterway. The existence, however, of low dams, diversion works, or other minor structures at the time any river is proposed for inclusion in the [National System] shall not automatically bar its consideration for such inclusion: Provided, that this shall not be construed to authorize, intend, or encourage future construction of such structures within components of the [National System].

Further, the USDA-USDI Guidelines state: “[t]he fact that a river segment may flow between large impoundments will not necessarily preclude its designation. Such segments may qualify if conditions within the segment meet the eligibility criteria.”

The Taylor River does have a reservoir at Taylor Park. However, below the dam diversions are minimal and the river retains a significantly natural flow regime. The Taylor River Local User group considers mimicking natural flows for fisheries as part of their management goals when considering a flow release schedule. When combined with additional natural inflows below the reservoir, this segment meets the definition of “free-flowing” for wild and scenic purposes.

Outstanding Remarkable Values

Recreation. This reach is a class III+ stretch of whitewater that is well-loved by locals and visitors to the Upper Gunnison Basin alike. This reach has several outstanding rapids, including the Slot, Rodeo Rapid, Toilet Bowl, and many others. One of the things that makes this reach so unique is that it provides a range of whitewater experiences for everyone from the novice to the expert during peak flows. The Whitewater of the Southern Rockies guide rates this reach as four-stars during medium and high flows. This reach attracts boaters from all over the State of Colorado. It also hosts an annual kayak/rafting race, the Rocky Mountain Rafts Downriver Raft and Kayak race during the Gunnison River Festival.³⁵

Classification

Recreational. This reach is accessible via road at multiple locations.

³⁵ <https://gunnisoncrestedbutte.com/event/gunnison-river-festival-3/>.

11. Anthracite Creek and Ruby Fork tributary

Anthracite Creek is a remote creek that runs through Dark Canyon. Its tributary, Ruby Fork, is a steep gradient creek that joins Anthracite Creek in the canyon.

Segment

For Anthracite Creek, the segment is from the confluence with Ruby Creek to Erickson Springs. HCCA suggests incorporating the Ruby Fork tributary from the headwaters to the confluence.

Free-Flowing

Anthracite Creek is completely free-flowing with no diversions or impoundments. The Ruby Fork is also free-flowing with no manmade structures.

Outstanding Remarkable Values

Recreation. Anthracite is an outstanding recreational reach, known both for its remote kayaking and unique fishery. The Ruby-Anthracite kayak run is being recommended because of its uniqueness as a kayak run. This is a class IV paddling reach accessible only by trail (TR 836). Paddlers put in at Ruby Creek after a two mile hike and then paddle through Anthracite Creek's Dark Canyon "featuring cliff walls and towering vistas that rise hundreds of feet from river level".³⁶

The Handbook discussing ORVs describes recreation ORVs as:

Recreational opportunities are high quality and attract, or have the potential to attract, visitors from throughout or beyond the region of comparison; *or the recreational opportunities are unique or rare within the region.* River-related recreational opportunities include, but are not limited to, sightseeing, interpretation, wildlife observation, camping, photography, hiking, fishing, hunting, and boating.

It is a remote, hike-in run that offers a different kind of hard-to-access recreational opportunity. Most reaches in the region are accessible by 4x4 roads. However, Ruby-Anthracite is a well-known run that requires packing your craft in over rugged terrain. Despite of- and likely because of- the remote access, kayakers seek out this unique experience when natural flow-conditions allow.

³⁶ Kyle McCutchen and Evan Stafford. *Whitewater of the Southern Rockies: The New Testament to class I-V+ in Colorado, New Mexico, Arizona, Utah and Wyoming.* 2007 Wolverine Publishing, LLC.

Recreational fishing. Fishing websites report that the creek provides “great dry-dropper fishing” in late summer and impressive scenery. Anglers have posted great fishing videos online to document this <https://www.youtube.com/watch?v=gqlrHiZWKn0>.



Classification

Wild. This reach is only accessible by trail.

12. Copper Lake

Segment

All of Copper Lake.

Free-Flowing

Copper Lake is a natural lake that has not been augmented.

Outstanding Remarkable Values

Pages 12-13 of the Draft Eligibility Evaluation identifies Copper Creek and tributaries as eligible for wild and scenic based on wildlife values, describing:

The Triangle Pass tributaries (G9B) contain what may be the last population of chytrid-free boreal toad in the Gunnison Basin, used as a source for brood stock to support reintroduction efforts and population supplementation elsewhere. Toads may use areas within 1.6 miles of a breeding pond. The other segments are within 1.6 miles of the boreal toad breeding areas on the Triangle Pass tributaries of Copper Creek. This provides an outstanding resource value for this important population of a rare and declining species listed by the state as endangered.



As noted above, the draft evaluation identifies Copper Lake Tributary (9A) and other Copper Creek tributaries as eligible for wild and scenic because of the boreal toad population and surrounding habitat.

However, Copper Lake is not named in this description. As described above in the general recommendation section, small lakes should also be considered for wild and scenic eligibility. HCCA recommends explicitly adding in Copper Lake in the list of described segments.

Classification

Wild. Copper Lake is accessible by hiking trail.

13. Big Blue Creek and Slide Lake



Segment

Headwaters to the USFS boundary.

Free-Flowing

Big Blue Creek is free-flowing. Slide Lake was created by a natural geologic feature and is unaltered.

Outstanding Remarkable Values

Recreation & Geology. Big Blue Creek offers excellent recreational fishing and hiking opportunities. Big Blue Creek begins at an elevation of 12,500 feet in the Uncompahgre Wilderness and extends down to 8,700 feet over the course of 25 miles. The Big Blue Trail (232) extends along the creek. There is a natural lake that formed mid-creek after a rock slide tore across the creek in the 1940s. Slide Lake offers excellent recreational fishing for brook and rainbow trout and exceptional hiking.³⁷ Slide Lake is a unique geologic feature; it is a natural lake that was not created by the same means as others in the area. While most GMUG lakes were carved out glacially, Slide Lake was created by a rockslide. This makes it a unique lake.

Classification

Wild. This portion of Big Blue Creek and Slide Lake are only accessible by hiking trail.

³⁷ Accessed at

https://www.fs.usda.gov/wps/portal/fsinternet/cs/recarea?ss=110308&navtype=BROWSEBYSUBJECT&cid=FSE_003738&navid=110240000000000&pnavid=110000000000000&position=generalinfo&recid=33102&ttype=recarea&pname=Big%20Blue%20Creek%20/.

14. North Clear Creek

Segment

The proposed segment starts 200 feet above North Clear Creek Falls and extends 1000 feet below the falls.



Free-Flowing

This segment of North Clear Creek is free from impoundments and diversions.

Outstandingly Remarkable Values³⁸

Scenic and Recreation. North Clear Creek has a beautiful scenic waterfall, North Clear Creek Falls, which attracts recreationalist who photograph the falls and enjoy its scenic beauty. Not only is the falls remarkably beautiful, but it is unique in its access as it is handicap accessible.



As “one of the most photographed waterfalls in Colorado”³⁹, a quick google images search reveals over 100 images of North Clear Creek posted to the internet.



Classification

Recreational. Easily accessed.

³⁸ Photo credit Rob Greebon Photography.

<https://www.imagesfromcolorado.com/photo/colorado-waterfall---north-clear-creek-falls-1/>

³⁹ <https://www.imagesfromcolorado.com/photo/colorado-waterfall---north-clear-creek-falls-1/>

15. Dry Fork of the Escalante

Segment

Segment of Dry Fork of Escalante Creek that extends through the Blue Spruce Research Natural Area.

Free-Flowing

The Dry Fork of Escalante Creek is free of impoundments and diversions.

Outstanding Remarkable Values

Botanical/Research. The Dry Fork of the Escalante is a Research Natural Area (RNA) as designated by the USFS.⁴⁰ The USFS defines RNAs as “permanently established to maintain areas of natural ecosystems and areas of special ecological significance.” The USFS identifies RNAs as serving three important functions, including to serve as ecosystem benchmark areas, for research into how ecosystems function, and to protect biological diversity.⁴¹ The Dry Fork RNA was established in 1981 as 61 acres along the Dry Fork of Escalante creek to protect the surrounding blue spruce (*Picea pungens*) that “exists in narrow stringers along the stream bottom and northwest slopes.”⁴² This unique management area and blue spruce population is river-dependent and located within the eligibility corridor (adjacent values should be considered in the eligibility analysis as noted in the Cement Creek discussion above).

Classification

Scenic.

⁴⁰ <https://www.fs.usda.gov/detail/gmug/specialplaces/?cid=stelprdb5181324>

⁴¹ Id.

⁴² Id.

16. Daisy Creek (through Poverty Gulch)

Daisy Creek is a tributary to the Slate River that offers extreme creek-boating for advanced paddlers.

Segment

Headwaters to confluence with the Slate River.

Free-Flowing

Daisy Creek is free-flowing with no impoundments or diversions.

Outstanding Remarkable Values

Recreation (kayaking). Daisy Creek has become a popular hike in, committed kayaker run renowned by boaters in Colorado. This recreational opportunity is high quality and, in combination with Oh-Be-Joyful, attracts visitors from far away. There are few opportunities for narrow creek boating in this area and regionally. The Daisy Creek run is another run that has made it into the Whitewater of the Southern Rockies guide as an exceptional four-star recreational boating asset.⁴³ It is a fast class V- reach that is less than a mile long (.9 miles) and contains two signature drops, Big Wood Falls (“Big Woody”) and Rip Your Head Off. There have been multiple YouTube videos that capture this experience:

<https://vimeo.com/134668326>.



Classification

Recreational. This reach is accessible by a primitive 4x4 road.

⁴³ Page 134, Daisy Creek. Kyle McCutchen and Evan Stafford. Whitewater of the Southern Rockies: The New Testament to class I-V+ in Colorado, New Mexico, Arizona, Utah and Wyoming. 2007 Wolverine Publishing, LLC.

17. Bear Creek (Ouray)

Free-Flowing

Bear Creek is free-flowing and has no existing impoundments or diversions.

Outstandingly Remarkable Values

Recreation (Hiking). As described by the USFS website:

The Bear Creek Trail #241 is designated as a *National Recreation Trail because of its unique and spectacular nature*. The trail begins at Highway 550 and ends at the Yellow Jacket Mine. Switchbacks on the first part of the trail rise steadily for an elevation gain of about 1,000 feet and cross a large talus field of unstable rock. Just after the switchbacks the trail narrows with steep drops offs. It then levels out for some stretches as it turns eastward along the Bear Creek gorge.⁴⁴

In the WSR Review Notes, the Forest Planning Team notes that “*Recreation, although along a National Recreation Trail, is not river-related*” and then proceeds to determine that this segment is not eligible. HCCA disagrees with this finding; the unique and spectacular nature of this trail is river-dependent and exists because of the Bear Creek gorge.⁴⁵ This gorge was created by the erosional forces of Bear Creek and continues to host the beautiful creek along its bottom.⁴⁶

Furthermore, as explained by Handbook section 82.14 – Outstandingly Remarkable Values:

While the spectrum of resources that may be considered is broad, all features considered should be directly river-related. River values should meet *at least one of the following criteria* (emphasis added):

⁴⁴https://www.fs.usda.gov/wps/portal/fsinternet/cs/recarea?ss=110308&navtype=BROWSEBYSUBJECT&cid=FSE_003738&navid=110240000000000&pnavid=110000000000000&position=generalinfo&recid=32534&ttype=recarea&pname=Bear%20Creek%20National%20Recreation%20Trail%20

⁴⁵ See photo at <https://www.mountainphotography.com/gallery/ouray-uncompahgre-loop/>.

⁴⁶ The Forest Planning Team can also consider values adjacent to the river. 82.14 – Outstandingly Remarkable Values For a river to be eligible for designation to the National System, the river, in combination with its adjacent land area ("river area"), must have one or more “outstandingly remarkable values.”

1. Located in the river or on its immediate shorelands (within 1/4 mile on either side of the river).
2. Contribute substantially to the functioning of the river ecosystem, and/or
3. Owe their location or existence to the presence of the river.

The National Recreational Trail is located on Bear Creek's immediate shorelands, within 1/4 mile of the river. Additionally, the National Recreational Trail would not exist but for the gorge and river; therefore, the ORV owes its existence to the presence of the river. Given that this ORV meets two of the criteria to be "river-related", the Forest Planning Team should include this reach as eligible in the final eligibility evaluation as eligible for Scenic and Recreation ORVs.

Classification

Scenic. There is access from Highway 550 at the lower portion of this segment. The remainder is accessible by foot.

18. Ingram Falls

Segment

Segment immediately above and below the falls.

Outstandingly Remarkable Values

Scenery & Wildlife. In 2006, the GMUG Comprehensive Review identified Ingram Falls as eligible for wild and scenic for scenery and wildlife ORVs; we concur with this prior finding. In the WSR Review Notes, the explanation notes that "the district review concurred with previous eligibility recommendation for scenery and wildlife ORVs with initial classification of recreation." However, the notes continue to explain that "The Responsible Official determined that this segment does not meet the requirements to be determined eligible." These notes provide no additional details on why this official went against previous determinations, without any justification, to remove the scenic ORV from this reach. Furthermore, as directed by Handbook Section 81.21 – Applicability of Past River Studies, "[g]enerally if a river segment has been studied in the past and a determination made of its eligibility, it does not need to be studied again for eligibility during subsequent planning." HCCA agrees with the earlier finding of eligibility for scenic ORVs, and request that the Forest Planning Team reconsider the removal of this reach from the list of eligible rivers on the GMUG.

Classification

Recreational. Viewing is easily accessible and receives a fair amount of traffic.

A summary of the reach information provided above is available in Appendix A, Additional Streams Eligible for Wild & Scenic in the Upper Gunnison Basin.

II. Conclusion

Thank you for your hard work and for considering High Country Conservation Advocates' comments on the GMUG's Draft Eligibility Evaluation. Please reach out to us with any follow-up questions on the comments we have provided here.

Sincerely,

A handwritten signature in cursive script that reads "Julie Nania".

Julie Nania, Water Director
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