



August 30, 2022

Mr. Justin Seastrand
Angeles National Forest
701 N. Santa Anita Avenue
Arcadia, CA 91006

Mr. Michael Papa
Los Padres National Forest
1980 Old Mission Drive
Solvang, CA 93463

Re: River Values Assessment for Piru Creek Wild and Scenic River

Dear Mr. Seastrand and Mr. Papa:

Thank you for inviting public comment in response to the River Values Assessment for Piru Creek Wild and Scenic River (Assessment).

We appreciate the identification by the Forest Service of both Geology and Fish Outstandingly Remarkable Values (ORVs) for the Piru Creek Wild and Scenic River (WSR). We particularly support including the recently identified fish ORV. As documented in the Assessment and the National Marine Fisheries Service (NMFS) comment letter in response to the Assessment, rainbow trout in Piru Creek upstream of the Santa Felicia Dam are 99.9% genetically identical to Southern California steelhead, which is federally listed as an endangered species and the Piru Creek population may be an important resource for the recovery of the steelhead.

However, we are disappointed that the Assessment concludes that the Piru Creek WSR does not possess Recreation and Scenery ORVs. We believe that this determination is incorrect because it fails to consider the highly diverse and well documented recreational experience of visitors to Piru Creek and because the Forest Service appears to be basing this determination on an incorrect translation of the agency's forest planning guidelines for WSRs.

Piru Creek Is A Special Place

The Assessment fails to document that Piru Creek is a special place is for visitors throughout the region. Part of its special nature, is that the creek is located close to and is easy to access from southern California's urban centers, including downtown Los Angeles. Here is what Los Angeles Magazine says about Piru Creek:

Of the countless myths that have defined Los Angeles, the most persistently misguided one is that the city is too congested, too paved, to allow the natural

world much chance of survival. Our principal artery of water may be a concrete trench, but just an hour north up the Golden State Freeway runs a trout stream as wild and pristine as any that Hollywood could conjure. Our mention of **Piru Creek** is made in the hope that with awareness comes conservation, that its 14-mile course, through canyons and cottonwoods, from Pyramid Lake to Lake Piru, will be cherished as the rarest of urban treasures. A segment near Frenchman's Flat is designated catch-and-release only, and the omnibus lands bill passed by Congress this spring will afford the fishery even greater protection, but it remains fragile.¹

The Assessment's singular focus on parsing which values are present or not on various segments simply ignores the special place that Piru Creek inhabits in the minds of local visitors. Nor do the guidelines offer any recognition of the intensely loyal nature of recreation visitors to their favorite wild place (regardless of whether those visitors are local or come from beyond the region).

More Than Just The Designated Segment

The Assessment addresses the potential outstandingly remarkable values of the 7.25-mile segment of Piru Creek from Pyramid Dam to the Los Angeles and Ventura county line. This segment was added to the National Wild and Scenic Rivers System by Congress and President Obama in 2009. But decisions made in this CRMP process will also affect the existing eligible segment that begins at the Los Angeles/Ventura County line and ends at Piru Reservoir. This eligible segment is included as a proposed WSR in legislation introduced by Rep. Carbajal and Senator Padilla. The legislation has passed the House of Representatives several times and is currently pending in the Senate.

This eligible segment shares many of the resource values of the designated segment's wild section and it should be considered in this assessment of river values in conjunction with the designated segment. Considering all factors and identifying once and for all the ORVs of lower Piru Creek is important not only for the designated segment but also the downstream eligible segment.

Upper And Lower Piru Creek Comprise One River With Identical Values.

Piru Creek on National Forest lands consists of a 38.5-mile upper segment (from its source to Pyramid Reservoir) and an 18.8-mile lower segment (from Pyramid Dam to Piru Reservoir). This is one stream separated into two segments by a dam and reservoir. The upper and lower segments should not be treated as if they are separate unconnected streams.

¹ <https://www.lamag.com/guide/sports-recreation/piru-creek/>

The 2005 Forest Plan found a 38-mile segment of upper Piru Creek (from its source in the Sespe Wilderness to Pyramid Reservoir) to be eligible for Wild and Scenic protection due to its Recreation ORV (rare opportunity to recreate in and along year-round flowing stream), Wildlife ORV (supports populations of threatened, endangered, and sensitive species, including arroyo toad, southwest willow flycatcher, and California condor), Geology ORV (unique violin breccia rock formations, historic gold mining district), and Cultural ORV (several prehistoric ethnographic sites).

Forest Service guidelines suggest a “systems” approach to determining suitability, including the river’s contribution to a river system or basin integrity and expanding the designated portion of a river to include the entire river system or watershed.² Balkanizing Piru Creek into disconnected segments that are treated as if they are separate streams basically results in all of Piru Creek not being considered eligible. As a result, the entire creek has no opportunity to be fully protected using the systems approach, as recommended by the agency guidelines.

In this context, the Forest Service should apply the Recreation, Wildlife, and Geology ORVs to lower Piru Creek as well as the upper creek. Like upper Piru Creek, the lower segment also provides a rare opportunity to recreate along a year-round flowing stream; supports an arroyo toad population and provides critical habitat for the California condor, California red-legged frog, southwest willow flycatcher, and least Bell’s vireo; and shares a similar Geology ORV as the upper segment.

Misinterpreting The Agency Guidelines

The Assessment correctly notes that for river-related values to be considered outstandingly remarkable, the value(s) should be located in the river or its corridor, contribute substantially to the functioning of the river ecosystem, and/or owe their located to the presence of the river.³ This is directly from the agency planning guidelines. The Assessment then steps beyond the existing guidelines by claiming:

Because a feature is rare or unique does not alone make it outstandingly remarkable. It must also be *conspicuously dissimilar* from the class of feature to which it belongs (*emphasis added*).⁴

This is not found in the agency guidelines, which state:

To be identified as outstandingly remarkable, a river-related value must be unique, rare, or exemplary feature that is significant when compared to similar values from other rivers at a regional or national scale. Unique, rare, or

² FSH 1909.12, Chap. 80, 1/30/2015, sec. 83.21.12, pg. 10.

³ Ibid, pg. 10.

⁴ River Values Assessment for Piru Creek Wild and Scenic River, Angeles National Forest, July 2022, pg. 2.

exemplary features are those that are conspicuous examples of these values, among the best representatives of these features, within a region or the nation.⁵

Although the guidelines define ORVs as unique, rare, or exemplary features that are conspicuous examples of the values they represent, they do not require the values to be “conspicuously dissimilar” to be considered outstandingly remarkable. In fact, a value may be unique, rare, or exemplary, but due to the “or” in this sentence, it need not exhibit more than one of these traits. As explicitly stated in the guidelines, the bottom line is that a value may be considered outstandingly remarkable if it possesses unique, rare, or exemplary features that are conspicuous example of these values. The Forest Service should reassess ORVs for Piru Creek downstream of Pyramid Dam using the existing agency guidelines.

Similar Streams Deserve Equal Protection

The National Wild and Scenic Rivers Act, the 1982 federal DOI/DOA Guidelines, or the 2015 Handbook do not require the Forest Service to choose only one of two similar rivers in a region as WSR candidates. If this were the case, federal agencies would not have studied, found eligible, and recommended wild and scenic designation of the Tuolumne and Merced Rivers (and Congress would not have designated them in 1984 and 1986 respectively). Broadly speaking, these rivers are nearly identical – they are located next to each other, they flow from the Sierra Crest through a glaciated granite landscape in Yosemite National Park, and cut their way through the Sierra foothills, where they provide outstanding whitewater boating and other lower elevation recreation opportunities. Federal agencies rightly found these rivers to be outstanding candidates for protection in the WSR System and Congress agreed by passing legislation. Similar cases can be made for the North Fork and South Fork Kern Wild and Scenic Rivers, and the eligible/suitable segments of Deer, Mill, and Antelope Creeks on the Lassen Forest.

Again, an ORV must be unique, rare, or exemplary. While unique certainly means a value that is one of kind, rare values may be found on more than one river. And we are not always going to be able to determine which of many similar values is the most exemplary. It is important to keep in mind that these are guidelines, not commandments carved in stone (or for that matter, regulations posted in the Federal Register).

Past Eligibility Findings

Determining the eligibility of Piru Creek did not begin with Public Law 102-301 (as implied on Assessment pg. 4), nor was it fully resolved in the 2006 Forest Plan. Here is a more complete history of the Piru Creek WSR study process:

⁵ FSH 1909.12, Chap. 80, 1/30/2015, sec. 82.73, pg. 9.

1982 Nationwide Rivers Inventory – In the 1982-83 Nationwide Rivers Inventory (NRI), the National Park Service concluded that Piru Creek between Frenchman’s Flat and Piru Reservoir possessed potential scenery, recreation, and geology ORVs and confirmed a wildlife ORV associated with the endangered California condor. The NRI included consultation between the NPS and managing agencies such as the Forest Service, so it’s reasonable to assume that the Forest Service concurred with the Inventory.

1988 Los Padres National Forest Plan – The Plan found a 12-mile segment of Piru Creek from Frenchman’s Flat to Piru Reservoir to be eligible due to its Scenery, Recreation, and Fishery ORVs. The Scenery ORV included steep, canyon-like terrain and continually flowing water pools. The Recreation ORV included excellent opportunities for fishing, hiking, camping, and recreational gold mining. The Fishery ORV was stocked rainbow trout maintained through controlled release from Pyramid Reservoir.⁶ But the Plan’s WSR study team concluded that Piru Creek and Sespe Creek share similar values, which were best represented by Sespe Creek.⁷ The Plan Record of Decision (ROD) noted that Piru Creek was only “marginally” free-flowing due to controlled releases from Pyramid Dam, was already somewhat protected within the existing Sespe Wilderness, and because Piru’s ORVs were “better represented” by Sespe Creek.⁸ Please note in regard to the Forest Service’s “marginally” free flowing comment, that determining whether a stream is free flowing is part of the eligibility process and is not considered valid suitability criteria.

1989 Forest Plan Appeal Settlement – Several conservation groups appealed various aspects of the 1988 Plan’s WSR evaluation, including the non-suitability decision for Piru Creek. In the 1989 appeal settlement, the Forest Service agreed to reassess eligibility of Piru Creek and reconsider its suitability.⁹

1992 Los Padres Condor Range and Rivers Act (P.L. 102-301) – Passed by Congress and signed by President George H.W. Bush in 1992, this legislation designated a 30-mile segment of Sespe Creek and directed the Forest Service to conduct a WSR study of Piru Creek and other streams within three years. In response to the passage of the legislation, the Forest Service notified the public that they would initiate eligibility determinations of Piru Creek and other study rivers in the winter of 1992-93.¹⁰

1994 WSR Studies Eligibility Determination Matrix – Prepared by the Forest Service in response to the legislative and appeal settlement mandates to study Piru Creek and other streams, this document identifies a 14-mile eligible segment of Piru Creek between Pyramid Dam and Piru Reservoir. The matrix documents the following ORVs for Piru Creek downstream of Pyramid Dam: Scenery ORV (variety class A scenery); Recreation ORV (provides a diversity of recreation opportunities, is advertised or specifically mentioned in publications, and provides a special

⁶ Los Padres Forest Plan FEIS Appendix E – Wild and Scenic River Candidates, pg. 7E-16, Table E5.0-2.

⁷ Ibid, pg. 7E-16.

⁸ Los Padres National Forest Plan/FEIS Record of Decision, March 1988, pg. 11.

⁹ Los Padres Forest Supervisor Art Carroll’s letter to Robert Dreher, Sierra Club Legal Defense Fund, Jan. 4, 1990.

¹⁰ Letter to the public from Forest Supervisor David Dahl, July 7, 1992.

attraction to urban populations); Geology ORV (geological feature unique to the area, classic textbook example); Fish/Wildlife/Botanical ORV (TES listed species or candidates, genetically unique population, unique assemblage); History ORV (historical sites 50 years or older); Cultural ORV (established traditional cultural use site(s)); and an Other ORV (important ecological community).¹¹ Unfortunately, no detailed information about Piru Creek's ORVs is provided by this document.

2004/2005 Southern California National Forests DEIS/FEIS – The WSR studies mandated by the appeal settlement and by P.L. 102-301 are incorporated into the forest plan revisions for the Los Padres and other southern California National Forests. Despite the fact that the 1988 Plan/FEIS and the 1994 WSR studies previously identified ORVs for Piru Creek below Pyramid Dam, the 2004 draft plan/DEIS identified no ORVs for the lower creek (although it does find the 38.5 mile upper segment upstream of Pyramid Reservoir to be eligible).¹² Just a few months later, the 2005 final plan/FEIS acknowledges that Piru Creek below Pyramid Dam possesses a Geology ORV (rock formations along the lower creek provide critical information about the movement history of the Transverse Ranges and may provide important information about the region's tectonic history).¹³ Unfortunately, no other ORV is identified for this segment. Although Piru Creek upstream of Pyramid Reservoir is recommended as suitable, suitability of the segment downstream of Pyramid Dam – with its sole Geology ORV – is deferred.

2022 River Values Assessment for Piru Creek Wild and Scenic River – The report acknowledges the Geology ORV and perhaps in response to comments from the NMFS, a Fisheries ORV was added.

Given the widely varying determinations over the years, it would appear that there is considerable internal ambivalence within the Forest Service about the wild and scenic eligibility and suitability of Piru Creek. To recap, Piru Creek downstream of Pyramid Dam was found eligible but not suitable by the Forest Service in 1988 with Scenery, Recreation, and Fishery ORVs. In 1994, an internal assessment found the stream eligible with Scenery, Recreation, Geology, Fish/Wildlife/Botanical, Historical/Cultural, and Ecological ORVs. In 2004/2005, the creek downstream of the dam was eligible but only with a solitary Geology ORV, and determining its suitability was deferred. Today, the 7.25 miles of the creek designated in 2009 possesses Geology and Fishery ORVs.

Availability of new resource information and changes in agency guidelines over the years may account for some of these wildly variable findings, but they don't explain the chronic reluctance of the agency to extend WSR eligibility to this important and beloved stream. This complex and divergent history calls for an overall reassessment of the potential ORVs for lower Piru Creek.

¹¹ WSR Eligibility Determination Matrix, Los Padres National Forest, Sep. 30, 1994.

¹² Southern California Revised Forest Plans DEIS, May 2004, Appendix E, pgs. 100-112.

¹³ Southern California Revised Forest Plans FEIS, Sep. 2005, Appendix E, pgs. 227-242.

Scenery ORV

Guidelines: Landscape elements of landform, vegetation, water, color, and related factors result in notable or exemplary visual features or attractions. Additional factors, such as seasonal variations in vegetation, scale of cultural modifications, and the length of time negative intrusions are viewed, may be considered. Scenery and visual attractions may be highly diverse over different parts of the river or river segment. Outstandingly remarkable scenic features may occupy only a small portion of a river corridor.

In summary, landscape elements are notable or exemplary and the scale of modifications and length of negative intrusions may be considered. Scenery may be highly diverse over different parts of the river and scenic features may occupy only a small portion of the river corridor.

The Assessment states flatly that “Scenery is not an outstandingly remarkable value for Piru Creek. It characterizes the scenery of the Recreational segment (Pyramid Dam to the Wilderness boundary) as “typical” for the region and notes that the “high level of development” along this segment “limits overall scenic quality.” It acknowledges that rock formations in the Wild segment, “while rare and visually interesting, their value is primarily academic...” And yet, most of the people who have recorded their adventures in Piru Creek’s gorge, clearly consider the outstanding scenery of the Narrows segment in particular, a major feature of the stream. The Assessment then concludes that the region has “numerous other canyons...with similar scenic elements” and that “class A scenery is widespread throughout the Southern California National Forests.”¹⁴

It should be noted that Piru Creek’s Recreation segment flows through a landscape that is mostly providing a high scenic integrity objective with some moderate areas associated with the Templin Highway. The Wilderness segment has a very high scenic integrity objective and from the wilderness boundary to Piru Reservoir, the creek has a high scenic integrity objective. Nearby Sespe Creek, which according to the Forest Service possesses a Scenery ORV, has a similar if not identical mix of scenic integrity objectives (high along Hwy 33 and very high in the Sespe Wilderness).

Previous agency assessments have identified a Scenery ORV for Piru Creek downstream of Pyramid Dam. The 1988 Plan identified a Scenery ORV for Piru Creek between Frenchman Flat and Piru Reservoir. The Scenery ORV was described as steep canyons with continually flowing pools. The Forest Service’s 1994 internal assessment identified a Scenery ORV due to the creek’s variety class A scenery. And yet, the Forest Service discounts the creek’s scenic value, noting that there are numerous other river canyons in the region with similar scenic elements and distinctive class A Scenery is widespread throughout the region.

People who have taken the considerable physical effort to visit the wilderness segment of lower Piru Creek (either via canyoneering, whitewater kayaking, or shorter exploratory hikes from the

¹⁴ Assessment pg. 7.

trailheads at either end of the segment) clearly disagree with the Forest Service's determination of no Scenery ORV.

Many connect this segment's Geology ORV with the creek's outstanding scenery. For example, popular outdoor rail guide author Jerry Schad (now deceased) provided this assessment of the outstanding scenery of Piru Creek downstream of Pyramid Dam and Frenchman's Flat:

The seamed and shattered walls down the length of gorge ahead, up to 500 feet high, disclose at least five distinct changes in the bedrock as you travel downstream. These rocks reflect a variety of ages, from older than 600 million years (Precambrian metamorphic rocks) to tens of millions of years old (Eocene sedimentary rocks). Several faults cross the route, including the northernmost end of the San Gabriel Fault...The most interesting part of the canyon is the otherworldly passage just north of the confluence of Ruby Canyon (9.5 to 10 miles). There you make your way between grotesquely sculpted conglomerate-rock walls, wading most of the time.¹⁵

According to outdoor photographer, trail runner, and whitewater kayaker Gary Valle, Piru Creek between Frenchman's Flat and Piru Reservoir offers "stunning" scenery in connection with its unique geology:

Located just south of the intersection of the San Andreas and Garlock fault zones, the creek winds its way through land twisted and torn by the combined effects of these major faults, the related San Gabriel fault, the Pine Mountain fault, and several other smaller faults. The result is a stunning streamscape with towering cliffs, tilted strata, deep gorges, and remarkable views...You don't have to be a geologist to appreciate the unique terrain of Piru Creek – you just need to gawk at the rocks, cliffs and gorges in the 2500 ft. deep canyon and say, "Wow!."¹⁶

In a blog about his 2012 overnight exploration of Piru Creek from Frenchman's Flat to Piru Reservoir, David Stillman stated:

At roughly the halfway point between the two lakes, the creek enters a stunning gorge, the likes of which I have not traveled...I've been through the Big Narrows on Aqua Blanca, Devil's Gate, Devil's Gateway, Alder Creek and the Sespe Gorge, and I found that this mile long gorge diminished those other narrows in my eyes...The rock is mostly a conglomerate of colorful cobbles cemented into the boulders and walls of this stretch. The walls of the gorge are curvaceous, with numerous pockets and alcoves at the creek level. In one place a small spout of

¹⁵ Remote Piru Creek, in the Los Padres National Forest north of Los Angeles, offers a challenging wilderness experience, Jerry Schad, San Diego Reader, Nov. 15, 2007.

¹⁶ <https://www.sierraphotography.com/creeking/piru02.htm>

water spills into the creek from 40 feet overhead. This is a true slot canyon, very pretty, and worth every step it took to get there.¹⁷

Specifically concerning the creek's scenery, the 1982 Nationwide Rivers Inventory (NRI) described the creek as flowing through "...a scenic, steep and narrow gorge with large boulders in the stream bed."¹⁸ The most recent on-line update of the NRI confirms the creek's scenery, recreation, and wildlife ORVs and describes the 13-mile segment of lower Piru Creek from the Los Angeles-Ventura County line and Piru Reservoir thusly:

Narrow channel winds through tight rocky canyons; large boulders in stream bed; access by trail only; provides unique opportunity for nearby urban areas to recreation in a relatively primitive environment...¹⁹

In his Piru-Maniacs blog exploring much of Piru Creek's watershed, Nico from BackpackingLight described the gorge segment between Frenchman's Flat and Piru Reservoir thusly:

The canyon makes numerous sweeping turns, doubling back on itself over and over. The walls typically rise up a couple hundred feet above the creek. For most of the way, the canyon is only 150-200' wide. In some places it narrows significantly...Until we finally reached a point that stopped us in our tracks...A ¼ mile section of gorge no more than 30 feet wide in some places. This is what we had been hoping for...The canyon walls and bedroom-sized boulders lining the creek are comprised of these beautiful conglomerate rocks, a bunch of smaller cobbles cemented together. The multiple colors, sizes and textures added some major beauty to the scenes.²⁰

According to the "Lost in the Los Padres" blog:

I can honestly tell you the highlight of this adventure was reaching the narrows. Most beautiful slot canyon I've had the pleasure of visiting. This mile long gorge of huge boulders and steep canyon walls almost never reaches over 50 in width and mostly averaging 20-30 feet. There is at one point a natural overhead spring that spills into the creek, great spot to refill water. This is roughly the halfway point so as much as I wanted to just sit and admire it for hours this was not an option. But we did break out a victory beer and take some photos, and of course I did a little fishing. I cannot stress again how amazing this spot was, pictures don't do it justice.²¹

¹⁷ <http://davidstillman.blogspot.com/2012/05/piru-creek-from-pyramid-lake-to-lake.html>

¹⁸ Nationwide Rivers Inventory, National Park Service, 1982-83.

¹⁹ <https://www.nps.gov/maps/full.html?mapId=8adbe798-0d7e-40fb-bd48-225513d64977>

²⁰ <https://backpackinglight.com/forums/topic/64501/>

²¹ <https://christopherplord.blogspot.com/2018/05/piru-creek-drainage-from-lake-pyramid.html>

Given the public's extensive documentation of Piru Creek's outstanding scenery (particularly downstream of Frenchman's Flat), we urge that the Forest Service determine that Piru Creek possesses a Scenery ORV.

Recreation ORV

Guidelines: 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. The river may provide settings for national or regional use or competitive events.

Please note that the guidelines state that recreational opportunities are high quality and attract or have the potential to attract visitors from throughout the region OR the recreational opportunities are unique or rare within the region. It is also important to note that the Forest has twice identified lower Piru Creek as possessing a Recreation ORV (in the 1988 Forest Plan FEIS and in the 1994 internal WSR evaluations).

The internet is replete with numerous videos of people who have spent summer afternoons with their families at Frenchman's Flat, fished Piru Creek for wild trout, explored the tract-less gorge of Piru Creek downstream of Frenchman's Flat, and/or watched the rain gauges for that rare opportunity to challenge the creek's seasonal class IV-V rapids. Here are just a few examples:

<https://www.youtube.com/watch?v=9Axw994n8iU>
<https://www.youtube.com/watch?v=SnC8u-GEW-c>
<https://www.youtube.com/watch?v=zDFt-TwINk&t=1s>
<https://www.youtube.com/watch?v=NXCpWilcjsl>
<https://www.youtube.com/watch?v=gYajOCEdIWY&t=1s>
<https://www.youtube.com/watch?v=AGFL2Y4NVVo>
https://www.youtube.com/watch?v=tEZ_4NL3zX0&t=5s
https://www.youtube.com/watch?v=HB1GAK_X6F0&t=1s
https://www.youtube.com/watch?v=Lmq_PI7_HyE
<https://www.youtube.com/watch?v=iJnZ0TcykxE>
https://www.youtube.com/watch?v=-x_F2jldxNc
<https://www.sierraphotography.com/creeking/piru02.htm>
<https://vimeo.com/386984970>
<https://www.facebook.com/watch/?v=2649913611758236>
<http://paddlecalifornia.blogspot.com/2011/04/patience-pays-off-with-perfect-paddling.html>

Based on these and other sources, recreational use of Piru Creek downstream of Pyramid Dam can be sorted into three basic categories, including:

Frenchman's Flat-Templin Highway Family Day Use – The quality of a recreational experience is largely a personal viewpoint. The fact that use levels at Frenchman's Flat are high and typically exceeds parking capacity on warm weekends from April to November indicates that a large

number of visitors consider the recreation opportunities in the segment to be sufficiently high quality to attract their interest. According to the California Department of Water Resources, Frenchman's Flat sometimes receives more than thousand visitors in the single weekend. Frenchman's Flat is one of the primary river-based recreation sites in Los Angeles County popular with Latinos, Hmong, and local residents from low-income communities of color – this largely accounts for the estimated 90% of visitors from the local area. That leaves 10% of visitors coming from beyond the region. The guidelines have no established threshold for rivers that attract, or are capable of attracting, visitors from outside the region. By the Forest Service's own estimate, recreation visitor use, attracts a modest number of visitors from outside the region and this meets the existing guideline.

Managing and protecting river-based recreation sites popular with Latino, Hmong, and other residents from low-income communities of color is an environmental justice and public lands access equity issue. President Biden's Executive Order 13985 requires the Federal Government to "...pursue a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality." This applies to recreation services offered by public lands managed by the Forest Service and other agencies. The Forest Service Equity Action Plan notes that "individuals and communities of color and other socially vulnerable populations face unique barriers and participate less in recreation and outdoor experiences on National Forest System lands. These underserved communities express the need for Federal land management agencies to address this inequity."

This issue is relevant because the agency's WSR forest planning guidelines emphasis on attracting visitors from beyond the region in order to be recognized as a Recreation ORV basically excludes local users, many of whom in southern California and the southern Central Valley reside in nearby low-income communities and depend on inexpensive and accessible National Forest recreation sites. The popularity of river-based recreation sites such as Frenchman's Flat on Piru Creek, the Oaks Picnic Area segment of the East Fork San Gabriel River, and other streams with locals from low-income communities of color gets short shrift from the Forest Service due to the current guidelines.

Recognition of these destinations as providing important opportunities for equitable recreation use is crucial, not only as a matter of equity but also in regard to prioritizing improved recreational management and spending for basic infrastructure (restrooms, parking areas, trash receptacles, signs, trails, campsites, etc.). To address this need, we recommend that an additional standard be adopted for considering Recreation ORVs for southern California streams that are popular with low-income communities of color. At the minimum, family recreation use at Frenchman's Flat should be considered a Recreation ORV.

Recognizing that Frenchman's Flat on Piru Creek provides an outstanding opportunity for outdoor recreation for many visitors from low-income communities of color is a crucial step to meeting the intent of E.O. 13985 and the Forest Service Equity Action Plan. Documenting this Recreation ORV should lead to improved management and funding. The fact that Frenchman's

Flat has two local non-profit groups (Fishery Resources Volunteer Corps, Community Hiking Club) that conduct stewardship activities (public education, litter clean-up, swim-dam removal, etc.) should also be considered a factor in identifying a Recreation ORV.

Fishing – Piru Creek from 300 feet downstream of Pyramid Dam to the falls about .5 miles above the Old Highway 99 (Templin Highway) bridge is an officially designated catch and release trout stream – only artificial lures with barbless hooks may be used and all trout caught must be released. This segment formerly was one of the premier trout streams in southern California, stocked with trout by the California Department of Fish and Wildlife, and enhanced by modest 25 CFS fish flows released from Pyramid Dam. But due to concerns about impacts on endangered arroyo toad and their habitat 15 miles downstream, the fish flows and trout planting ended on this segment of Piru Creek.

As a result, reports from anglers indicate that Piru Creek’s trout fishery appears to have declined. Nevertheless, the stream remains one of only three catch and release trout streams in southern California (the others are Sespe Creek and the West Fork San Gabriel River downstream of Cogswell Dam) and a review of internet postings shows that the creek remains a popular destination for anglers. Of the three catch and release streams in southern California, Piru Creek is the shortest drive and the easiest to access for visitors coming from downtown Los Angeles and other nearby urban centers. Despite the degraded fishery, anglers continue to visit this segment of Piru Creek simply because it is a rare catch and release trout stream in southern California, it is one of the closest fly-fishing destinations to downtown Los Angeles, and it is easily accessible from Interstate 5.

In its comments on the Assessment, the National Marine Fisheries Service noted that the Forest Service narrative “does not fully capture the importance of the wild trout fishery supported by this reach of Piru Creek. The remote nature of the creek between Frenchman’s Flat and Piru Reservoir means that those willing to make the long hike into the gorge “can and do enjoy one of the few catch-and-release trout fisheries in southern California. The uniqueness of this fishery (though small) should be recognized.”²²

Just as Piru Creek’s landlocked steelhead trout are recognized as a Fish ORV, catch and release fishing for these unusual wild trout also constitutes a Recreation ORV because catch and release trout streams in southern California are rare. We urge the Forest Service to determine that Piru Creek below Pyramid Dam possesses a Recreation ORV associated with fishing for trout in both the catch and release segment downstream of Pyramid Dam and the gorge segment downstream.

Canyoneering – Even though relatively few people may be willing to challenge the tract-less Piru Creek gorge, this truly wild hike seems to be favorite among canyoneers, based on the sheer number of internet postings. While Sespe Creek and other streams flowing through National Forest lands in southern California also offer a true wilderness hike through a trail-less

²² National Marine Fisheries Service River Values Assessment comment letter, Aug. 5, 2022, pgs. 6-7.

gorge, Piru Creek's gorge between Frenchman's Flat and Piru Reservoir is the closest and easiest to access from downtown Los Angeles. There are access complications with lower Sespe Creek due to the Condor Sanctuary closure and difficult public access at either end of the trail-less Sespe Creek canyon. Please review the list of internet links with videos about canyoneering, fishing, and kayaking Piru Creek downstream of Pyramid Dam for more information from people who enjoy the Piru Creek gorge.

We urge the Forest Service to determine that Piru Creek below Frenchman's Flat possesses a Recreation ORV associated with canyoneering the gorge.

Whitewater Kayaking – While changes in flow releases from Pyramid Dam and climate change may limit boatable flows released from the dam, Piru Creek is about to become the premier whitewater kayaking destination in southern California. Piru Creek, Sespe Creek, and other southern California streams provide boating opportunities limited to wet years. But with the renewal of the FERC license for the Southern State Water Project, water released from Pyramid Dam downstream to fulfill a state water contract will be scheduled and regulated to provide up to six weekend days of class IV-V whitewater boating between Pyramid Dam and Piru Reservoir. In addition, boating will continue to be available during rare wet years as Pyramid Dam passes through the flows from upper Piru Creek.

Piru Creek's unique whitewater opportunities will be enhanced by the Forest Service's Preliminary Terms and Conditions, and Recommendations for the operation of Pyramid Dam. This document specifies that up to six days of water will be released on weekends, from Nov. 1 through Feb. 28, depending on the water release requirements of the given year. This will provide up to six weekend days of optimum boating flows (300 CFS) in Piru Creek downstream of Pyramid Dam. Regularly scheduled boatable flows in Piru Creek will undoubtedly attract visitors from the region and beyond, as it has done on the North Fork Feather River (segments of which were determined eligible on the Plumas National Forest).

This constitutes the only reliable and high-quality whitewater boating opportunity in the region of comparison (Los Angeles, Ventura, San Bernardino, Orange, and San Diego Counties). Reliably scheduled boatable flows will attract visitors from throughout and beyond the region. It does not matter that the opportunity is limited compared to larger rivers in wetter regions or that only a comparative few expert kayakers can enjoy the run, The guidelines set no standards for level or frequency of use.

The Assessment poses two primary arguments to explain why the Forest Service believes that whitewater kayaking on Piru Creek downstream Pyramid Dam does not constitute a Recreation ORV. The Assessment claims that "Whitewater boating is constrained due to flows and challenging topography and vegetation." While it's true that chronic drought has reduced opportunities to run Piru Creek in the past, the flow study proves that State Water Project releases can be regulated in terms of timing and amount to provide a few days of whitewater boating when the water contract is fulfilled. Occasional high-water years will boost the number of boatable days. Challenging topography creates the whitewater sought after by expert

kayakers and the fact that vegetation can be a constraint is just a fact of boating life associated with the smaller streams in California.

The Assessment also claims that “Lack of egress and the technical nature of its rapids further limits these opportunities to experts.” Despite existing difficulties, it is easier to access Piru Creek to boat the gorge than it is to access Sespe Creek. Piru Creek’s rapids are less technical than other designated and eligible Wild and Scenic Rivers in California that offer more challenging runs limited to boating experts (NF Kern/Forks of the Kern class IV-V+, Kings Canyon Run class V, North Yuba River multiple runs class IV-V+). And yet the whitewater recreation values of these eligible and designated Wild and Scenic Rivers have been officially recognized by the Forest Service.

The Assessment then concludes that “There are other boating opportunities that are similarly constrained within the region of comparison.” While we agree that many streams in southern California suffer from too little water and difficult access, the Forest Service is ignoring the fact that Piru Creek is unique in southern California in terms of a “soon to be available” whitewater recreation experience.

American Whitewater maintains a nationwide data base of 803 whitewater runs in California (including multiple runs on the same river).²³ On this list are only ten runs on a handful of southern California streams that include Piru Creek (three runs), Sespe Creek, San Gabriel River, North Fork San Gabriel River, East Fork San Gabriel River, San Francisquito Canyon, and Elizabeth Lake Canyon. American Whitewater also produces a map of California whitewater runs based on the book, *Guide to the Best Whitewater in the State of California* (by Lars Holbek & Chuck Stanley, FOR Books, 1988). Of the southern California streams with whitewater runs, only Piru Creek downstream of Pyramid Dam will provide reliably scheduled whitewater releases.

A review of the data base and well as internet blog posts and videos, documents significant qualitative differences between the Sespe and Piru whitewater runs. As already noted, Piru Creek will soon have reliable scheduled whitewater boating flows. Unlike Piru Creek, boating Sespe Creek will still depend entirely on wet years to provide boatable flows. Boating Sespe Creek is also more difficult – it has more technical rapids and more required portages – and it takes longer to run than Piru Creek’s wilderness segment. The Piru Creek wilderness run is closer to southern California population centers and is easier to access than Sespe’s run.

We urge the Forest Service to identify whitewater kayaking on Piru Creek downstream of Pyramid Dam to be one component of the creek’s Recreation ORV.

²³ <https://www.americanwhitewater.org/content/River/state-summary/state/CA/>

Wildlife/Ecological ORVs

Despite Pyramid Dam's regulation of flows, lower Piru Creek supports a population of endangered arroyo toad and provides habitat for the endangered California condor, California red-legged frog, southwest willow flycatcher, and least Bells vireo, as well as a large and highly significant population of pond turtle (a species of conservation concern). Three of these species (arroyo toad, willow flycatcher, and California condor) are found on upper Piru Creek (upstream of Pyramid Reservoir) and are considered by the Forest Service to be component of the upper creek's Wildlife ORV (a refugium for native amphibians and other native aquatic and semi-aquatic species).²⁴ But the wildlife values of lower Piru Creek are discounted by the Forest Service because other drainages provide similar habitat for these species, particularly the Wild and Scenic River eligible segments of upper Piru Creek, Sespe, Indian, and Mono Creeks).

We again must emphasize that Piru Creek is one stream, divided into upper and lower segments by a dam and reservoir. The Forest Service should not cherry-pick values by identifying a Wildlife ORV in the upper segment and discounting the same value in the lower segment. Overall, upper and lower Piru Creek share identical wildlife values and the lower segment should be recognized as possessing a Wildlife ORV.

The Forest Service determined that the 7.25-mile designated segment of Piru Creek possesses no Wildlife ORV, because "there is nothing rare, unique, or exemplary" about the wildlife populations in the WSR. But when the river is looked at in its entirety, the entire stream clearly supports a Wildlife ORV. The Assessment also notes that the segment has no confirmed nesting or roosting sites used by the California condor but fails to mention that lower Piru Creek has several historic roost and next sites, which suggests the lower creek may be important for the species recovery.

Both the upper and lower segments of Piru Creek were identified Forest Service biologists as an Area of High Ecological Significance.²⁵ These are areas where a number of ecologically significant features overlap, including critical habitats for rare and vulnerable species, areas of high ecological integrity, and locations with unique ecological associations. They are key parts of the ecological heritage of southern California and should be recognized as such. The regional assessment noted that although Piru Creek is highly regulated by Pyramid Dam, the stream still contains important riparian and aquatic habitat and supports a number of rare or at-risk species, including large arroyo toad and pond turtle populations, as well as Santa Ana suckers and red-legged frogs.

By any logical definition, the identification of areas of high ecological significance constitutes a finding of an Ecology ORV. In conjunction with its wildlife ORV, all of Piru Creek, including the 7.25-mile designated segment should be identified as possessing an Ecology ORV.

²⁴ Southern California Revised Forest Plans FEIS, Sep. 2005, Appendix E, pgs. 235.

²⁵ Southern California Mountains and Foothills Assessment, Forest Service Pacific Southwest Research Station, December 1999, pgs. 335, 350.

Summary

We believe that the 7.25-mile Piru Creek WSR shares the same attributes and outstanding values as the upstream eligible/suitable segment, and the downstream eligible segment. The WSR segment and the eligible downstream segment should be found to possess Scenery, Recreation, and Wildlife ORVs, in addition to the existing Geology and Fishery ORVs already identified.

Please keep us apprised of the progress in developing a Comprehensive River Management Plan for the Piru Creek WSR.

Sincerely,



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