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Title:

Comments: Attached are EPC's comments to the Nez Perce-Clearwater NF Forest Plan Revision. As mention in the cover letter, EPC has not competed its process, but wanted to get you our initial recommendations prior to the end of the comments period. We will be sending an updated version shortly. Thanks for considering our comments...mg

#### ATTACHMENT BELOW

Efficient Public Collaboration: Topic #5Forest Plan Revision - Draft EISComments: W&S Rivers: North Fork and South Fork Clearwater RiversI. Introduction: Efficient Public Collaboration (EPC) is an organization working collaboratively to find resolutions to natural resource issues and to make recommendations to public agencies. EPC is organized using the U.S. Forest Service definition of collaboration:"Collaboration: A structured manner in which a collection of people with diverse interests share knowledge, ideas, and resources while working together in an inclusive and cooperative manner towards a common purpose." 36 CFR 219.19EPC comprises a diverse group of people (the Collaborative Pool has approximately 45 organizations/ groups/interests), sharing knowledge, ideas and resources in a structured, inclusive, and cooperative manner (organization with a Mission Statement and Charter, open to any group or organization agreeing to the Charter), working with the "common purpose" of supporting the broadest possible public interest for the use of public lands.II. EPC's Process for arriving at its Recommendation: EPC's common purpose/goal is to facilitate a dialogue that focuses on multiple public interests or the greatest good. In short, EPC defines the public interest, as framed by the courts, as the broadest set of interests held by the public related to the topic and within the parameters under which the agency must operate. EPC's Collaborative Group for this topic represents approximately 41 organizations/groups that came together not to negotiate over how to divvy up the pie, but to collectively identify how all interests could be considered and a solution in the broadest possible interest identified.While EPC is open to any organizations/group that agrees with its purpose/goal, some organizations choose not to participate in the EPC's process. The interests of these groups are still taken into account by EPC's Collaborative Group.III. The Collaborative Topic: EPC's Advisory Group, after discussions with EPC members and Forest Service, selects a topic on which to collaborate. The Collaborative Topic EPC addressed in this document is:Should the South Fork Clearwater River and/or the North Fork Clearwater River be recommended as Suitable for Wild and Scenic Rivers designation.IV. EPC Recommendations: The Collaborative Group came to a consensus on the South Fork Clearwater River, although one member agreed with the recommendation, did not agree with the rationale. This will be discussed in more detail in the next section. The Collaborative Group did not come to a consensus on the North Fork Clearwater River (97%) as one member did not agree with the recommendation. As recognized in EPC's Charter, there will not always be a consensus, however, if EPC can achieve agreement from 80% or more of the Collaborative Group then EPC will move forward with a recommendation. The views of those not in agreement are outlined in the next section. The following are the recommendations for each of the rivers. The rationales for the recommendation and those not in agreement are described in Section V:a. South Fork Clearwater River: Not Suitable for Wild and Scenic River Designationb. North Fork Clearwater River: Not Suitable for Wild and Scenic River Designation (97%)V. Rationale for EPC recommendations: EPC utilized the Forest's suitability study documents from the DEIS as a basis for its rationale. The format for EPC's rationale is outlined as follows:a. Address the general "Determining Suitability" narrative in Appendix F of the DEIS.b. Address the specifics of suitability for the South Fork Clearwater River, based on the Suitability narrative for this river in Appendix F of the DEIS.1. Summary of the rationale for our recommendationc. Address the specifics of suitability for the North Fork Clearwater River, based on the Suitability narrative for this river in Appendix F of the DEIS.1. Summary of the rationale for our recommendationd. Rationale based on the five questionsSuitability Analysis for the Two RiversA. Wording from Appendix F of the DEIS, and EPC's Comments"An interdisciplinary team

documented information in response to the thirteen required (1 through 7) and optional (8 through 13) elements found in FSH 1909.12, Chapter 80, 83.21 - Criteria for Determining Suitability, to assist the decision maker in answering the following five questions. Detailed responses to the elements are provided below. A suitability determination was made in consideration of these thirteen elements and five questions. The effects on and from these determinations are documented in the DEIS by alternative. As can be seen in the DEIS, suitability of any given river/segment may vary by alternative depending on the answers to the five questions and management emphasis of the alternative."(EPC Comments: EPC was not able to find in the DEIS any answers to the five questions about "suitability" for any of the alternatives. This information would have helped EPC understand why suitability varied by alternative. For each of the two rivers, the Collaborative Committee reviewed USFS responses to the thirteen questions, provided comments in response to each question, and formulated an overall recommendation. The rationale for the EPC committee recommendation addresses the five questions for each river.)

**B. "Five Questions from Appendix F of the DEIS** Should the river's free-flowing character, water quality, and outstandingly remarkable values be protected, or are one or more other uses important enough to warrant doing otherwise? Will the river's free-flowing character, water quality, and outstandingly remarkable values be protected through designation? Will the benefits of designation exceed the benefits of non-designation? Is designation the best method for protecting the river corridor? Is there a demonstrated commitment to protect the river by any non-Federal entities that may be partially responsible for implementing protective management?

**C. Criteria for Determining Suitability** To reduce redundancy and improve readability, where appropriate, the information for each element stated in this section apply to all eighty-nine rivers considered in this suitability determination analysis. Information specific to any given river is included in the documentation for that river later in this report.

**D. 13 Questions from Appendix F of the DEIS; Required elements for Determining Suitability** NOTE: In this section, entries in normal text are taken directly from the Forest Service DEIS document, and entries in italics are from the EPC Collaborative Committee.

**Required elements, Questions 1 through 7:**

**Q1. Characteristics that do or do not make the area or the corridor a worthy addition to the National System.** (See specific river analyses)

**Q2. The current status of land ownership and use in the area.** All of the lands in the proposed corridors are within and managed by the Nez Perce -Clearwater National Forests. (See specific river analyses)

**Q3. 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.** Forest Service identified eligible and suitable rivers must be protected sufficiently to maintain free flow and outstandingly remarkable values unless a determination of ineligibility or non-suitability is made. Site-specific projects and activities may be authorized when the project and activities are consistent with interim protection measures in FSH 1909.12, Chapter 80, 84.3 - Interim Protection Measures for Eligible and Suitable Rivers. Many of the proposed river segments are in forest plan revision proposed MA 3, suitable timber base. In MA3, timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products to provide for economic stability for local communities. However, FSH 1909.12, Chapter 80, 84.3 indicates the cutting of trees and other vegetation is not permitted within Wild designated rivers except when needed in association with a primitive recreation experience, to protect users, or to protect identified outstandingly remarkable values. In Scenic and Recreational designated rivers a range of vegetation management and timber harvest practices are allowed, if the practices are designed to protect users, or protect, restore or enhance the river environment, including the long-term scenic character. These protection measures could significantly modify or curtail timber harvest within any eligible or suitable river segment from what otherwise might occur in MA3 lands. (EPC's Comments: Question 3 speaks to impacts anticipated if the river is actually designated, i.e., "included in the National System". If a river is added to the National System then Section 12 (referred to as the adjacency provision) of the W&S Act applies and the impact of vegetation treatment could go well beyond the quarter mile boundary. This should be disclosed in this discussion. In reading the Draft Forest Plan, timber harvest appears to be more than just "one management tool". Timber harvest in MA3 appears to be the preferred tool to provide for economic sustainability. Any action having an effect on vegetation treatment and timber harvest might preclude accomplishment of the desired condition.)

**Management Area emphasis may vary between or within proposed river corridors. Therefore, effects to or from potential land uses may vary by river corridor. (See specific river analyses)**

**Q4. The Federal agency that will administer the area should it be added to the National System.** The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is

added to the national system."Q5. The extent to which the agency proposes that administration of the river including the costs thereof, be shared by State and local agencies. The Forest Service does not propose sharing costs with State and local agencies. Water quality for the rivers would continue to be monitored under a memorandum of understanding (MOU) with Idaho Department of Environmental Quality (IDEQ)."

Q6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the National System."This analysis of river eligibility and/or suitability only applies to river segments on NFS lands. Additionally, interim protection measures on agency identified eligible/suitable rivers only apply on NFS lands. At this time, the Forest Service is not pursuing acquisition of lands or interests in lands on the basis of Wild and Scenic Rivers."(EPC's Comments: Question 6 speaks to "The need for... acquiring lands and interest" if the river was actually designated, i.e., "included in the National System". If a river is added to the National System the W&SR Act allows for acquiring interest (easements) through willing sellers or condemnation. Condemnation was used to acquire scenic easements on the Middle Fork Clearwater River and the private lands were condemned for fee title on the Snake River. This should be disclosed since some of the rivers have private land within the corridor.)"

Q7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the National System. All rivers on the Nez Perce-Clearwater National Forests are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act. IDEQ would participate in monitoring water quality. The Idaho Department of Water Resources (IDWR) administers water rights within the State."(EPC's Comments: Question 7 asks for the "degree to which the State or its political subdivision might participate in the preservation[hellip] should it be proposed[hellip]". It should be disclosed that Clearwater and Idaho Counties are on record as opposed to any additional wild and scenic river designations within their jurisdictions. The State of Idaho, encompassing but not limited to, Idaho Department of Agriculture, Idaho Department of Parks and Recreation and Idaho Department of Fish and Game need to be disclosed as well. See the official State of Idaho response to DEIS. Optional elements; Questions 8 through 13:"

Q8. The adequacy of local zoning and other land use controls in protecting the river's outstandingly remarkable values by preventing incompatible development.

a. Idaho Water Resource Board

The Idaho Water Resource Board is charged with the development of the Idaho Comprehensive State Water Plan (IWRB 2012). The plan includes the statewide water policy plan and associated component basin and water body plans which cover specific geographic areas of the state. The Idaho Water Resource Board encourages federal resource management agencies to work within the comprehensive state water planning process rather than pursuing federal protection of waters within Idaho. As shown in Table 9 all proposed suitable wild and scenic rivers have some form of protection afforded them by special land designations or classification. Sources of protection include designated wilderness, Idaho roadless areas, Idaho Comprehensive State Water Plan, Northwest Power and Conservation Council, special resource waters, and conservation watershed network.

As shown in Table 9 all proposed suitable wild and scenic rivers have some form of protection afforded them by special land designations or classification. Sources of protection include designated wilderness, Idaho roadless areas, Idaho Comprehensive State Water Plan, Northwest Power and Conservation Council, special resource waters, and conservation watershed network.

(Table 9) Proposed Suitable Rivers:

River	Wilderness or Roadless	State Protected	Yes	NPCC Protected	Yes	SRW	Yes	CWN	Yes	Portion
South Fork Clearwater	0 %									
North Fork Clearwater	54 %									

Designated by Northwest Power and Conservation Council for protection from construction of new federally-licensed dams for one of or a combination of the following indicators: resident fish only, resident fish or wildlife, anadromous fish only, anadromous and resident fish and wildlife, or determined protected under other federal or state action

2 Special Resource Water

3 Conservation Watershed Network

All streams within the Forest are protected by the Clean Water Act. Idaho Department of Environmental Quality administers the Clean Water Act through water quality standards, designation of beneficial uses, and the anti-degradation program. There are several streams on the Nez Perce-Clearwater that have distinct status that offers additional protections, including streams in wilderness and Idaho roadless area, wild and scenic rivers, special resource waters, and state protected waters."(EPC's Comments: Other protections for the rivers' values include ESA, ARPA, NHPA, and NFMA. SHPO and Idaho Historical Preservation Committee are also entities that have input. These additional protections are already in place and should be disclosed in the document.)"

b. Special Resource Waters

outlined in section 056 of the Idaho Water Quality Standards (IDAPA 58.01.02), special resource waters are those specific segments or bodies of water which are recognized as needing intensive protection to preserve outstanding or unique characteristics or to maintain current beneficial uses. There are 1,380 miles of special resource waters on the Nez Perce-Clearwater. Rivers with special resource water designations are: Potlatch River, Clearwater River, North Fork Clearwater River, Middle Fork Clearwater River, Lochsa River, Selway River, South Fork Clearwater River, American River, Red River, Salmon River, Little Salmon River, and Rapid River.c.

Northwest Power and Conservation Council Protected AreasIn 2003, the Northwest Power and Conservation Council determined that for specific stream reaches, hydroelectric development would have unacceptable risks of irreversible loss to fish and wildlife and identified these stream reaches as "Protected Areas". In essence, Protected Areas are places where fish and wildlife values are judged to outweigh the value of electricity those areas could generate. Under the Northwest Power Act and the Federal Power Act, federal entities; specifically, the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation; must consider protected area status and restrictions when making decisions regarding hydroelectric facility permits and access to electricity from those facilities. Inclusion in a protected area does not prohibit hydroelectric development at a site. However, the Council 1) calls on FERC not to license a new hydroelectric development in a protected area, and 2) calls on BPA not to acquire the power from such a project should one be licensed by FERC, nor to allow access to the Pacific Northwest-Pacific Southwest Intertie, or "power grid", in a way that would undermine the protected areas policy. The Northwest Power and Conservation Council identified 2,385 miles of protected areas or streams on the Nez Perce-Clearwater. Protected Area designations by the Council are not the only constraint on hydroelectric development. Federal designations such as wilderness areas, wild and scenic rivers, and other designations can constrain hydroelectric development, as can state statutes. The Northwest Power and Conservation Council identified 1,215 miles of stream already protected under other federal or state action.d. Comprehensive State Water Plan - State Protected River DesignationsThe Idaho Water Resource Board prepared components of the Comprehensive State Water Plan for the North Fork Clearwater River Basin (IWRB 1996) and South Fork Clearwater River Basin (IWRB 2005). The purpose of the plans are to provide guidance for the development, management, and protection of water and related resources in the North Fork and South Fork Clearwater River Basins in compliance with provisions of the Idaho State Constitution and Idaho State Code. The Idaho Water Resource Board has determined that the value of preserving the designated waterways of the North Fork and South Fork Clearwater River basins is in the interest of and for the benefit of the state as a whole. All landowners; private, state, and federal; are encouraged to manage their lands consistent with the Idaho Water Resource Board's protection designations. The Idaho Water Resource Board also encourages federal resource management agencies to work within the comprehensive state water planning process rather than pursuing federal protection of waters within Idaho. To protect the public interest, current resource use, and the multiple-use character of the basins, the Idaho Water Resource Board designates specific streams and stream segments as protected with the classification or natural or recreational. There are 534 miles of stream with state protected river designations. See Appendix K - Water and Aquatic Resources for more information.e. Conservation Watershed NetworksA conservation watershed network is a designated collection of watersheds where management emphasizes habitat conservation and restoration to support native fish and other aquatic species. The goal of the network is to sustain the integrity of key aquatic habitats to maintain long-term persistence of native aquatic species."Q9.

The State or local government's ability to manage and protect the outstandingly remarkable values on non-Federal lands.This factor requires an evaluation of the river protection mechanisms available through the authority of State and local governments. Such mechanisms may include, for example, State-wide programs related to population growth management, vegetation management, water quantity or quality, or protection of river-related values such as open space and historic areas.No non-federal lands would be affected by an agency finding that the river is suitable. ORVs were determined based on their presence on NFS lands."The State's ability to manage and protect water resources, fish, and wildlife habitat is demonstrably high. The State's ability to maintain free flow is not as evident."(EPC's comments: Item b has unsubstantiated conclusions. Although there was evidence in this report that supports the conclusion that the State's ability is "demonstrably high", this information should be disclosed to support that conclusion. We were not able to find any evidence presented in this report that supports the conclusion that the State's ability is "not as evident". This document should present

the evidence that the Forest used to support this conclusion.)"Q10. The consistency of designation with other agency plans, programs, or policies, and with meeting regional objectives. Designation may help or impede the goals of Tribal governments, or other Federal, State, or local agencies. For example, designation of a river may contribute to State or regional protection objectives for fish and wildlife resources. Similarly, adding a river that includes a limited recreation activity or setting to the National System may help meet State-wide recreation goals for that activity or setting. Designation might, however limit irrigation and/or flood control measures in a manner inconsistent with regional socioeconomic goals."Designation of a river segment as suitable, particularly where the river segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act, which directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts."(EPC's Comments: The W&SR Act refers to "protect and enhance" not maintained. This is an important distinction. The State of Idaho's position, which encompasses all of its agencies, needs to be disclosed. See State of Idaho comments to DEIS.)"State Protected River System: As outlined in the 2012 Idaho State Water Plan, the Idaho Water Resource Board (IWRB) is authorized to protect highly valued waterways as "State Protected Rivers" with the goal of maintaining free-flowing waterways and conserving unique river features where it is in the public interest to protect recreational, scenic, and natural values. "State Protected Rivers" are designated natural or recreational. ""Q11. Support or opposition to designation. Assessment of this factor will define the political context. The interest in designation or non-designation by other Federal agencies; State, local and Tribal governments; national and local publics; and the State's Congressional delegation should be considered. The Nez Perce-Clearwater National Forest solicited public comment regarding river eligibility and suitability for inclusion in the National Wild and Scenic Rivers System. In general, there is a broad spectrum of support or opposition for additional wild and scenic rivers. Some members of the public, including some river conservation groups have offered a variety of rivers that they believe should be found to be eligible, if not suitable. Groups such as American Rivers, American Whitewater, Idaho Rivers United and Outdoor Alliance provided comment. While these groups have advocated for specific rivers, all were already included in the review process and considered for eligibility or designation. Additionally, some members of the public, including a variety of river advocacy groups, believe all rivers with identified ORVs should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate sometime in the future. Some only support designation of rivers that have potential for future dam sites that may impact free flow. Some feel that rivers in designated wilderness areas already have enough protection as only the President can authorize dam construction in designated wilderness areas. Others feel that if there is potential for dam construction, even if it's in wilderness, the river should be designated as suitable since no other statute prohibits dam construction. Some members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated as suitable."(EPC's Comments: There are state agencies and other organization that do not agree with or do not support the determination of Suitable should be listed as was done in item b above for the agencies and organizations that do support a determination of Suitable. The rationale for the lack of support should also be disclosed in this report; particularly that many agree with protection of the river's values, but find the additional bureaucracy brought by the W&SR Act to be a hinderance to achieving efficient protection goals and objectives.)The Clearwater County Board of Commissioners does not support the designation of wild and scenic rivers within Clearwater County as described in the Clearwater County Natural Resource Plan of 2018."The Idaho County Board of Commissioners does not support any additional designated or suitable wild and scenic rivers within Idaho County; from the Idaho County Natural Resources Plan, August 2016."(EPC Comments: Idaho County had an Advisory Vote on November 6, 2018. That Advisory vote asked the County's voters if they were in favor or against adding more wild & scenic segments in Idaho County. The final vote was 4,954 against additional designations and 1,997 in favor of additional designations. This represent a degree of public opposition or support for W&S Rivers and should be considered and disclosed in this suitability study. Although this vote was not taken by other surrounding Counties, it can easily be inferred give the adjacent

County's responses as indicated in DEIS document. See also Idaho, Clearwater, Nez Perce, Mineral, Ravalli, Shoshone, and Lewis County's response to the DEIS.)"The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable for inclusion in the W&SR System. The members of the Clearwater Basin Collaborative [CBC] expressed a variety of levels of support and dissent for additional designations. Some members recommended portions of Fish Creek, Hungry Creek, Johns Creek, Meadow Creek, Kelly Creek, and Cayuse Creek as eligible for inclusion in the Wild and Scenic River System, but no consensus recommendation was brought forward by the Collaborative."(EPC's Comments: The response to Question 11 should be updated to accurately represent the CBC's discussion. CBC was not able to come to a consensus; however, an overwhelming majority are against wild and scenic designation for the South Fork of the Clearwater and the North Fork of the Clearwater. It also needs to be updated to reflect Efficient Public Collaboration's (EPC) consensus recommendation in this document.)"Q12. The river's contribution to river system or basin integrity. This factor reflects the benefits of a "systems" approach. For example, expanding the designated portion of a river in the National System or developing a legislative proposal for an entire river system (headwaters to mouth) or watershed could contribute to river system integrity. Numerous benefits may result from managing an entire river or watershed, including the ability to design a holistic protection strategy in partnership with other agencies and the public. All rivers and creeks on the national forest contribute to system and basin integrity, some more than others. (See specific river analyses for those rivers identified as having significant contribution to basin integrity)"(EPC's Comments: This write up should identify the full extent of the Clearwater River basin on the National Forest, including the Locsha and Selway Rivers, the Salmon River Basin, and a portion of the Snake River Basin.)"Q13. The potential for water resources development. The intent of the Act is to preserve selected rivers in free-flowing condition and to protect their immediate environments. Designation will limit development of water resources projects as diverse as irrigation and flood control measures, hydropower facilities, dredging, diversion, and channelization. Describe specific or types of projects that may be foreclosed by designation of the segment as suitable and the implications for future water resource needs. The description may include a discussion of alternative water resources projects or project sites (outside a river segment being considered), or modified projects, that may be considered if a river is recommended for designation. (See specific river analyses)"(EPC's Comments: The Suitability report should discuss/disclose the U.S. Army Corps of Engineers study (re: Study) completed in the mid 1970's that identified potential dam sites. Since the study is referred to in this Suitability Report then it is important to put it in context and to explain the changes in social and ecological conditions since the study was completed. The ID Team should discuss the relevance of the study with the U.S. Army Corps of Engineers before referring to it in this document. Also, if the agency is going to refer to it, it should be referenced properly.)River AnalysesClearwater River Basin (as outlined in the Appendix F of the DEIS)"South Fork Clearwater RiverSegment DescriptionNational Forest boundary to National Forest boundarySegment Length34.5miles (including 1.47 miles on private land)Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high-water marks)11,040acres (including 330 acres of private land)Preliminary ClassificationRecreationalEligibility ORV'sRecreation, scenic, cultural, Nez Perce cultural, fish, and wildlife[MAP: Nez Perce-Clearwater Eligible Wild and Scenic Rivers]13 Questions from Appendix F of the DEIS; Required Elements for Determining Suitability"NOTE: In this section, entries in normal text are taken directly from the Forest Service DEIS document, and entries in italics are from the EPC Collaborative Committee."Q1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national systemThe lower South Fork Clearwater River upstream from Blackerby day use site to 10 Mile Creek (downstream of Golden) forms a major distinctive river canyon on the national forest that provides a scenic ORV. This segment has an ORV for scenery even though there is a highway along the river, which affects its flow in places. This segment remains generally riverine in appearance. It has cliffs, large boulders forming rapids, the juxtaposition of white water and smooth, reflective water, and a variety of vegetation, tree, shrubs, and grasslands mixed with rock features along the segment. Distinctive features include Huddleston Bluff, a sheer cliff, noted in several comment letters. Downstream of Blackerby, the river canyon opens up and appears more pastoral with intermixed private lands and calmer water. Upstream of Ten Mile Creek (just downstream of Golden), the stream is less riverine in appearance. The river is calmer, with fewer rocks and rapids and diversity of vegetation changes. The river downstream of Blackerby or upstream of 10 Mile Creek does not have an ORV

for scenery. The recreational ORV is for steelhead fishing, which, beyond providing local opportunities, draws people from throughout western Montana and parts of Washington in particular. According to IDFG, "Adult steelhead create one of the state's most amazing fishing opportunities" (Idaho Department of Fish and Game, 2018). Within the region of comparison, the Salmon River, Clearwater River, and Middle Fork Clearwater River also provide steelhead fishing, but the smaller size of the South Fork Clearwater River allows for more bank or walk and wade fishing than the larger rivers thus providing a different type of opportunity. Although this segment includes boatable rapids with up to class five at high water, described as the Golden Canyon run (Amaral, 1990), it is more of an opportunistic run which does not draw people to the area. Within the region of comparison, the nearby Lochsa River provides extensive, challenging whitewater. The Salmon River to the south also provides readily accessible whitewater runs. Boaters are not likely to bypass the Lochsa River or the Salmon River to run the South Fork Clearwater River, so boating is not considered as contributing to the ORV. Swimming and soaking were originally considered as contributing to the ORV, but based on public comments, this use was reviewed, and it was determined that swimming/soaking is a local use and is more prevalent and of better quality on other rivers in the region of comparison, such as on the Main Clearwater, Middle Fork Clearwater, Salmon and Selway rivers. The South Fork Clearwater River's mining history is its ORV for cultural resources. The river features an outstanding collection of mining sites and features, along with the townsite of New Golden and its surrounding history. Nez Perce tribal staff identified the South Fork Clearwater River as having cultural and historic importance to the Nez Perce Tribe. The fish ORV includes diversity and abundance, natural reproduction, and cultural and historical importance. The South Fork Clearwater River functions as a migration corridor and provides winter and summer rearing habitat, as well as spawning habitat, for multiple native fish species. It is included as designated critical habitat for Snake River steelhead trout and Columbia River bull trout. The higher elevation eligible segments upstream of 10 Mile Creek are identified as a major spawning area, with very high intrinsic potential (National Marine Fisheries Service, 2017). Spawning by fall Chinook salmon has been observed in eligible reaches in the vicinity of and downstream from Mill Creek. Native spring Chinook salmon are found throughout the eligible reaches, as are bull trout, westslope cutthroat trout, and steelhead trout. Juvenile Pacific lamprey have been documented in eligible segments, suggesting that spawning has occurred in these areas. B-run steelhead trout spawn throughout the eligible reaches. In addition, the Nez Perce tribal staff identified the South Fork Clearwater River segment as having a fish ORV of cultural and historic importance to the Nez Perce Tribe. South Fork Clearwater River is listed as impaired (class 4A) for water temperature, physical substrate habitat alterations, and sedimentation/siltation and is not supporting cold water aquatic life and salmonid spawning beneficial uses. It is fully supporting primary contact recreation. It is included in the EPA approved South Fork Clearwater River TMDL Plan. A TMDL implementation plan is a water quality improvement strategy that includes the development of the TMDL allocated to a stream. The wildlife ORV for the South Fork Clearwater River is populations of Harlequin ducks. Harlequin ducks are known along the South Fork Clearwater River from the national forest boundary near Blackerby Picnic Area upstream to the confluence with Mill Creek. They are also known from the confluence with Dutch Oven Creek upstream to the confluence with Crooked River. Only four observations have been made on the South Fork Clearwater River. The Harlequin Duck has been considered rare in Idaho for over 100 years. In Idaho, approximately 50 pairs breed along a limited number of high quality streams within the Priest River, Kootenai River, Clark Fork, Lake Pend Oreille, St. Joe River, Clearwater River, and the South Fork Snake River watersheds. Approximately 38 percent of all Harlequin duck observations in Idaho are within the Nez Perce-Clearwater National Forests. Breeding streams are characterized by rocky substrates that support the benthic macro-invertebrates upon which the ducks feed, as well as large numbers of rapids/riffle areas interspersed with eddies. Water quality appears to be very important for successful foraging, with clear, low-acid water being optimal. Relative to other species of ducks, Harlequin ducks occur at low population densities and exhibit high breeding site fidelity, low reproductive rates, and delayed reproduction. All of these traits contribute to making Harlequin duck populations particularly slow to recover from habitat degradation or loss or other factors that may lower duck survival. Harlequin ducks have disappeared from former breeding sites in Idaho and Montana (Wiggins, 2005). The Selway forest snail is present on the South Fork Clearwater River. This Idaho endemic snail occurs in Idaho County in isolated colonies along the lower Lochsa River, the Selway River, the South Fork Clearwater River, the lower Salmon River and their tributaries. The global extent of the species known range occurs largely within the region of comparison with only limited

observations just outside of this area. This species is found in intact mixed coniferous forest, usually in low elevation, well-shaded, moist areas along medium to large streams. Sites usually have a diverse understory and a substantial duff layer (Idaho Department of Fish and Game, 2017). Only the section of this river from the national forest boundary near Blackerby day use area upstream to the confluence with Mill Creek supports Selway forestsnail."(EPC's Comments: Question 1 asks, "Characteristics that do or do not make the area (the corridor) a worthy addition to the national system". This question needs to be answered in the context of all rivers in the area. This report does not distinguish the characteristics of this river with the characteristics of other rivers. We found it hard to answers the question out of context.For example, there are currently four designated W&S Rivers with a fishery ORV (Snake River Steelhead) on this National Forest; Lochsa, Middle Fork Clearwater, Selway, and Salmon. Other rivers adjacent to the Forest that have Snake River Steelhead are the Rapid, Imnaha, Minam, Grande Ronde, Middle Fork Salmon, Lostine, Wenaha and Wallowa, and three creeks, Joseph, Sheep, and Deep. With this many rivers in the area, the addition of one more is not justified.The write-up on the Harlequin Duck is another example of inadequate context. It is not disclosed that there are three other designated W&S Rivers on the National Forest that already recognize the Harlequin Duck; Middle Fork Clearwater, Selway, and Lochsa. With this many rivers citing the Harlequin Duck, the addition of one more is not justified."Q2. The current status of land ownership and use in the areaThere is mixed ownership with NFS lands and private land. This suitability report and the associated ORVs only pertain to the Forest Service administered lands portion of the segment and corridor.South Fork Clearwater River is within the forest plan revision proposed MA 3. The segment on NFS lands suitable for timber production, proposed MA 3, has been managed for timber production and other objectives under the 1987 Forest Plan and timber harvest has occurred along many portions of the segment. State Highway 14 runs along the river throughout the whole segment from Grangeville to Elk City. Developments in the corridor include Castle Creek Campground (nine sites), South Fork Campground (nine sites), Meadow Creek Campground (three sites), Leggett Creek Campground (fivesites), Nelson Creek Picnic Area, Backerby Picnic Area, Cotter Bar Picnic Area, and McAllister Picnic Area. The Johns Creek and Cougar Creek Trailheads are in the corridor along with the following motorized trails: Center Star Mine Road, Cougar Creek Trail, and Dutch Oven Trail. Dozens of Forest Service, county, and private roads branch off of Highway 14 and are within the corridor, including Cover Placers Road (FR 279), Cooked River Road (FR 233), FR 484 and FR 492.There are 30 mining claims within the corridor, and the Forest Service has four mapped rock sources: Crooked River Mouth, South Fork Tailing, Leggett Creek, and Reed Creek. Suction dredging is authorized under permit for up to 15 miners in upper portions of the South Fork Clearwater River.There are four livestock grazing allotments in this area.""Q3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national systemIf the segment is designated recreational, changes to existing motorized use would not be anticipated.Highway 14 parallels the South Fork Clearwater River for much of its length and provides the only paved access to Elk City. Unstable slopes have resulted is several large slides that have closed the highway for several months during recent years. This resulted in a large unvegetated landslide scar. Being able to maintain the highway and manage slides is critically important to Idaho County and Elk City residents. The electrical power distribution line managed by Avista, which provides power to Elk City, parallels the highway and the river. Accessing and maintaining the power line is also very important."(EPC's Comment: Question 3 asks about the potential of uses that would be foreclosed, or curtailed if the area is included in the national W&S river system; meaning designated. The write-up identified the importance of certain uses, but we found it did not adequately address the question. In the same way that the Courts have ruled on Highway 12 along the Lochsa River, the National Forest would have regulatory authority over the use of Highway 14. This could curtail or preclude commercial hauling along the river as it has on the Highway 12.Landslides along Highway 14 frequently involve the free flow of the river. The ability of the County to quickly deal with these slides would be adversely impacted by having to get approval from the National Forest before taking action. The maintenance of Avista and Frontier utilities requires vegetation treatments that would require additional analysis and/or restrictions. Suction dredging on the river would likely be eliminated. These direct effects of W&S river designation should be disclosed in the Suitability Report.)"The segments are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may



be curtailed on 6,014 acres due to a recreational classification. Areas along the South Fork Clearwater River provide both summer and winter habitat for big game, and of particular interest, for elk. Changes in vegetation succession have been cited as a factor contributing to declining elk populations (Idaho Department of Fish and Game, 2014). Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession."(EPC's Comments: There is little quality habitat in the river corridor as there is a road (highway) along the river; roads are a major contributor to poor habitat, particularly elk. The area mainly referred to in this discussion is outside the corridor; therefore, the adjacency provision of the W&SR Act should be discussed and disclosed here. This would also apply to the discussion on fisher below.)"The river contains significant portions of high quality habitat for the fisher. These habitats occur from the national forest boundary near Elk City downstream until approximately the confluence with Otter Creek. These habitats would be protected or enhanced if this river is found suitable and added to the national system."Q4. The Federal agency that will administer the area should it be added to the national system"(EPC's Comments: There should be a reference to this topic being discussed earlier in the general responses above.)"Q5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies"(EPC's Comments: There should be a reference to this topic being discussed earlier in the general responses above.)"Q6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national systemThe Forest Service's authority for finding a river eligible or suitable only applies to NFS lands. Only the Forest Service administered portions of the river would be managed as eligible or suitable. At this time, the Forest Service is not pursuing acquisition of lands or interests in lands on the basis of wild and scenic rivers. However, should the South Fork Clearwater River be added to the national system by Congress, Congress may or may not authorize and/or direct the Forest Service to pursue acquisition of lands or land interests, potentially affecting up to 330 acres of private land within the current corridor along approximately 1.5 miles of river. As it is not reasonably foreseeable that Congress would direct the agency to acquire lands or land interests, the cost of such action is not being calculated at this time."(EPC's Comment: This statement does not answer question 6 as it removes private land from consideration when the question is specific to private lands. Question 6 asks "should it be added to the national system" not whether it is eligible or suitable. See our response to the general responses above for question 6. This Suitability Report should disclose that it is reasonable for the National Forest to have interest in these lands should they become part of the national system. The Forest Service has demonstrated their interest in pursuing land acquisition on lands next to rivers similar to the South Fork Clearwater river (e.g., see Lochsa Land Exchange).The report needs to provide information as to why it is not reasonably foreseeable that Congress would direct the agency to acquire lands of interest. This statement is unsubstantiated in light of what has taken place in the past for W&S rivers in this area. The second part of the answer is correct, "should it be added to the national system" the Forest Service could pursue scenic easements as they did on the Middle Fork Clearwater River.)"Q7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system"(EPC's Comments: There should be a reference to this topic being discussed earlier in the general responses above. See EPC's comments in that same section.)"Q8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible developmentIdaho County does not have local zoning or land use controls. Prevention of incompatible development on private land would depend on private property owner voluntary participation, education, and outreach."(EPC's Comments: There should be a reference to this topic being discussed earlier in the general responses above. See EPC's comments there as well.)"Q9. State or local government ability to manage and protect the ORVs on non-Federal landsNo non-Federal lands would be affected by an agency finding that the river is suitable. ORVs were determined based on their presence on Forest Service administered lands."(EPC's Comments: There should be a reference to this topic being discussed earlier in the general responses above. See EPC's comments there as well.)"Q10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectivesDesignation is inconsistent with the Idaho County Natural Resource Plan. Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and

improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts. Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition. South Fork Clearwater River was identified in the Comprehensive State Water Plan for the South Fork Clearwater River Basin (Idaho Water Resources Board, 2005). It is designated a recreational river and may include some manmade development in the waterway or riparian area. The outstanding values recognized are recreational use, fish species of concern, wildlife species of concern, and salmonid spawning. The following activities are prohibited: alterations of the stream channel, except as allowed with specific provisions; construction of hydropower projects; construction of water diversion works; construction or expansion of dams or impoundments; dredge or placer mining; and mineral or sand and gravel extraction within the stream channel. The following activities are allowed if they do not impede fish passage, spawning, rearing and boat passage: 1) alterations of the stream channel for construction and maintenance of roads, bridges, and trails; public recreation facilities; fish and wildlife enhancement structures; and channel reconstruction projects approved by the IWRB and 2) construction of water diversion works for domestic, municipal, and agricultural uses. All activities must comply with all state stream channel alterations rules and standards. All works must be constructed or maintained to minimize erosion and sedimentation. Alteration of the stream bed for recreational dredge mining is allowable as regulated by IDL and IDWR from July 15 to August 15, although a permit through IDWR is required. Before a permit is granted, the applicant must obtain a NPDES general permit for small scale suction dredging in Idaho from the Environmental Protection Agency. The South Fork Clearwater River does not currently meet state water quality standards for sediment and is subject to a pollutant budget, known as a TMDL. To meet statutory requirements and state water quality standards for the South Fork Clearwater River, IDWR limits mining operations on the mainstem South Fork Clearwater River to a total of 15 power sluices or dredges (nozzle five inches in diameter or less and equipment rated at a maximum of 15 horsepower). Additionally, the South Fork Clearwater River designation requires dredge sites to be inspected by IDWR with a fisheries biologist. All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB's protection designations. The IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursue Federal protection of waters within Idaho."(EPC's Comment: There should be a reference to this topic being discussed earlier in the general responses above. See EPC's comments there as well.)"Q11. Support or opposition to designation"(EPC's Comments: There should be a reference to this topic being discussed earlier in the general responses above. See EPC's comments there as well.)"Q12. The river's contribution to river system integrity or basin integrityThe South Fork Clearwater River is one of the major rivers on the Nez Perce-Clearwater National Forests. It is a major river in the Clearwater Basin.""Q13. The potential for water resources developmentWater resource development is possible on the South Fork Clearwater River.Potential dam sites on the South Fork Clearwater River have been mapped"(EPC's Comments: See EPC's comments in the general responses to this question above. This report needs to give more context to the statement that "developments are possible". This response does not address the question as described in the FSH. It should be disclosed that there are no current water development proposals and since the corridor is mostly federal land the likelihood of any proposal is small."Clearwater River BasinNorth Fork Clearwater RiverSegment DescriptionConfluence with Marquette Creek to sourceSegment Length78.9 milesSegment Area/Corridor (one-quarter mile on each side of the segment, measured from the high-water marks)25,248 acresPreliminary ClassificationWild in the headwaters downstream to Meadow Creek, then recreational for the remainderEligibility ORV'sScenery, recreation, cultural, Nez Perce Tribe cultural, fish, wildlife, and botany13 Questions from Appendix F of the DEIS; Required Elements for Determining SuitabilityNOTE: In this section, entries in normal text are taken directly from the Forest Service DEIS document, and entries in italics are from the EPC Collaborative Committee."Q1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national systemThe North Fork Clearwater River forms a major, distinctive river canyon on NFS lands. This river has recreation, scenic, cultural resources, cultural importance to the Nez Perce Tribe, fish, wildlife, and botany ORVs. For the scenic ORV, it has cliffs, interesting rock formations, large boulders forming

rapids, juxtaposition of white water and smooth, reflective water, and a variety of vegetation, trees, shrubs, and grasslands along its length. The Black Canyon section is particularly dramatic. Its ORV for recreation include boating and fishing. The North Fork Clearwater River provides 79 miles of boatable water, ranging from flat water to Class IV rapids. Much of the river is readily accessible by road, so various combinations of runs can be done by various watercraft. It also provides high quality Blue Ribbon equivalent fishing opportunities and exemplary fly fishing opportunities for cutthroat trout that attract out-of-state visitors from within and beyond the region of comparison. The ORV for cultural resources can be found from the point of free-flow above the reservoir upstream to the Cedars Campground. They include Forest Service administrative history as well as one of the oldest archaeological sites on the southern Columbia Plateau (among other outstanding archaeological resources). The Nez Perce tribal staff identified this segment as having cultural and historic importance to the Nez Perce Tribe. The fish ORV for the North Fork Clearwater River is based on diversity and abundance and habitat quality. Though impounded downstream by Dworshak Dam, the remaining free-flowing portions that have been identified as eligible provide important habitat for a large population of fluvial westslope cutthroat trout and fluvial and adfluvial bull trout, with quality and extent of available habitat that is unsurpassed within the region of comparison. The river is included as designated critical habitat for Columbia River bull trout. The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Environmental Quality, 2017) presents the current status of water quality for Idaho's waters. The North Fork Clearwater River has not been assessed or there is insufficient data to determine if water quality standards are being met or if beneficial uses are supported. The wildlife ORV in the North Fork Clearwater River corridor is based on observations of nationally or regionally important populations of indigenous, river dependent wildlife. Specifically, this river hosts populations of the Harlequin duck and the Coeur D'Alene salamander. Populations of these two species occur along the majority of the North Fork Clearwater River. The Harlequin duck has been considered rare in Idaho for more than 100 years. In Idaho, approximately 50 pairs of Harlequin ducks breed along a limited number of high quality streams within the Priest River, Kootenai River, Clark Fork River, Lake Pend Oreille, St. Joe River, Clearwater River, and the South Fork Snake River watersheds (Idaho Department of Fish and Game, 2017). Approximately 38 percent of all Harlequin duck observations in Idaho Species Diversity Database (accessed April 2017) have been observed within the forest plan area (Idaho Department of Fish and Game, 2017). Harlequin ducks breed along relatively large, fast-moving mountain streams with gradients of one to seven percent. Breeding streams are characterized by rocky substrates that support the benthic macro-invertebrates upon which the ducks feed, as well as large numbers of rapids/riffle areas interspersed with eddies. Water quality appears to be very important for successful foraging, with clear, low-acid water being optimal. Relative to other species of ducks, Harlequin ducks occur at low population densities and exhibit high breeding site fidelity, low reproductive rates, and delayed reproduction. All of these traits contribute to making Harlequin duck populations particularly slow to recover from habitat degradation or loss, or other factors that may lower duck survival. Harlequin ducks have disappeared from former breeding sites in Idaho and Montana (Wiggins, 2005). The North Fork Clearwater River contributes substantially to the population of Harlequin ducks within the plan area as well as across Idaho. The Coeur D'Alene salamander is a regional endemic, limited to a global distribution of northern Idaho, extreme northwestern Montana, and minimally distributed in far southeastern British Columbia. The North Fork Clearwater River and St. Joe River drainages in Idaho and the lower Clark Fork and Kootenai Rivers in Montana comprise the core of the distribution (Wilson & Simmons, 1987), (Genter, Wilson, & Simmons), (Groves, 1988), (NatureServe, 2017)). The Selway River represents the southern extent of species range. Coeur d'Alene salamanders have been found in springs or seeps, waterfall spray zones, and edges of streams. It is distributed irregularly across its range in association with sharply fractured rock formations. Genetic evidence suggests there is little to no genetic exchange between populations (Howard, Seeb, & Wallace, 1993). The botany ORV applies to the low elevation canyon sections of the river characterized by relatively warm temperatures and high precipitation. This combination of climatic factors, which is rather unusual in the Northern Rocky Mountains, is responsible for an extraordinary assemblage of coastal disjunct and endemic plant and animal taxa and the unique vegetation types found in the area. Refugia species chickweed monkey flower (*Mimulus alsinoides*) and licorice fern (*Polypodium glycyrrhiza*) have been recorded in this area downstream of the confluence with Fish Creek. "(EPC's Comments: See our comments to Question 1 for the South Fork River in the preceding section. Our comments on the Harlequin Duck are the same as what we submitted for the South Fork Clearwater River.

We also submit that the Forest Service discussion on the Coeur D'Alene salamander is an analysis out of context. It is important for this analysis to consider the extent of salamander habitat across all rivers in this system, including those with W&S designation. It is also important to consider the criticality and relative quality of the salamander habitat in the North Fork Clearwater drainage in comparison the criticality and relative quality of the habitat in other rivers in the area. )"Q2. The current status of land ownership and use in the areaAll of the lands in the corridor are managed by the Nez Perce Clearwater National Forest. There are a number of developed recreation sites, trails, and roads along the river segment. There are seven campgrounds along the river. There are many trails in the segment, many of which start near the river and access other areas of the national forest. Roads running alongside the river include FR 247, FR 250, FR 5425 at Cedars Campground, and FR 720, Fly Hill Road. Over 30 other roads within the corridor provide administrative and/or public access to the campgrounds, trails, etc. The North Fork Clearwater River runs along the boundary of a number of Idaho Roadless Areas. The following Idaho Roadless Areas with a backcountry/restoration theme are adjacent to the river: Siwash, Pot Mountain, Bighorn-Weitas, Mallard Larkin, and Moose Mountain. It also runs along the primitive themed roadless areas of Mallard Larkin and Moose Mountain. From the source to about one-half mile upriver from the confluence with Birch Creek, it is within the Meadow Creek-Upper North Fork primitive Idaho Roadless Area. Management has been for non-motorized, dispersed recreation within the backcountry/restoration and primitive roadless areas. The river also runs through the Aquarius Research Natural Area (RNA) and adjacent to the Chateau Falls RNA. In addition, sections of the river flow through blocks of forest plan revision proposed MA 3 and 1987 Forest Plan MAs E1 and E3, which both have a timber production emphasis. Timber harvest and elk habitat improvement projects have occurred within the river corridor. The river runs through the Aquarius Research Natural Area (RNA) and adjacent to the Chateau Falls RNA. The Aquarius RNA encompasses a cross section of canyon that contains many of these rare and unique climatic elements. Chateau Falls RNA consists of steep mountainous terrain and features waterfalls on Chateau Creek. The forests burned in the catastrophic wildfire of 1919 and possibly again in 1929 or 1931, and much of the area in the RNA remains in a shrub state. In addition, sections of the river flow through blocks of forest plan revision proposed MA 3 and 1987 Forest Plan MAs E1 and E3, which both have a timber production emphasis. Timber harvest and elk habitat improvement projects have occurred within the river corridor."(EPC's Comments: See EPC's comments to Question 2 for the South Fork River in the preceding section. Also, it should be disclosed that there is motorized water recreational activities for approximately 3 month out of the year.)"Q3. Reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national systemIf a segment is designated recreational, changes to existing motorized use would not be anticipated. No changes to motorized use in the upper reaches that are recommended for Wild classification would occur as no motorized use is currently permitted in that section. This section of the North Fork Clearwater River is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that would contribute to economic stability for local communities. Timber harvest would be limited in the Recreational section to practices designed to protect users, or protect, restore or enhance the river environment. Timber harvest would be limited in the Wild section to actions needed in association with a primitive recreation experience, to protect users, or to protect ORVs. Therefore, experience has shown, timber harvest would be extremely limited by these management objectives on the approximately 25,000 acres within the designated corridor. Areas along much of the North Fork Clearwater River provide winter habitat for big game, and of particular interest, for elk. Changes in vegetation succession have been cited as a factor contributing to declining elk populations ( Idaho Department of Fish and Game, 2014). Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession. A variety of wildlife species, both those that are river dependent and a those that are not, have habitat within the river corridor and would benefit from protections provided through the Wild and Scenic River Act. Lynx habitat occurs along the North Fork Clearwater River, from the confluence with Lake Creek upstream to the headwaters. Conservation of these habitats within the river corridor would be preserved or enhanced should the river be included in the national system. No changes are anticipated to the land use surrounding North Fork Clearwater River in wilderness areas, roadless areas, or RNAs. The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration themed areas. However, for

backcountry/restoration areas, surface occupancy is allowed unless prohibited by the forest plan. The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy in primitive theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872. The presence of a dam on the river and the number of potential dam sites previously identified suggest potential for future dam building."(EPC's Comments: See EPC's comments to Question 3 for the South Fork Clearwater River in the preceding section. Also, it should be disclosed that designation would mostly eliminate the motorize water recreation on the river.)"Q4. The Federal agency that will administer the area should it be added to the national system"(EPC's Comments: See EPC's comments to Question 4 for the South Fork Clearwater River in the preceding section.)"Q5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies"(EPC's Comments: See EPC's comments to Question 5 for the South Fork Clearwater River in the preceding section.)"Q6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system"(EPC's Comments: See EPC's comments to Question 6 for the South Fork Clearwater River in the preceding section.)"Q7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system"(EPC's Comments: See EPC's comments to Question 7 for the South Fork Clearwater River in the preceding section.)"Q8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible developmentThis is not an issue since there are no private lands in the corridor or visible from the corridor.""Q9. State or local government ability to manage and protect the ORVs on non-Federal landsThis segment does not include any non-Federal lands.""Q10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectivesDesignation is inconsistent with the Clearwater County Natural Resource Plan.Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.The North Fork Clearwater River segment from the headwaters to Wrangle Creek and the segment from Isabella to Dworshak were identified in the Comprehensive State Water Plan for the North Fork Clearwater River Basin (Idaho Water Resource Board, 1996). These sections are designated as natural rivers and are free of substantial impoundments, dams, or other structures, and the riparian areas are largely undeveloped. The outstanding values recognized are species of concern and scenery. Activities prohibited are alterations of the stream bed, construction of hydropower projects, construction of water diversion works, construction or expansion of dams or impoundments, dredge or placer mining, and mineral or sand and gravel extraction within the stream bed.The North Fork Clearwater River (Wrangle Creek to Isabella Creek) was also identified in the Comprehensive State Water Plan for the North Fork Clearwater River Basin (Idaho Water Resource Board, 1996). It is designated a recreational river and may include some man-made development in the waterway or riparian area. The outstanding values recognized are species of concern, boating opportunity, geological features, and scenery. Activities prohibited are construction of hydropower projects, construction of water diversion works, construction or expansion of dams or impoundments, and mineral or sand and gravel extraction within the stream bed. Stream bed alteration is allowed to provide for maintenance and construction of bridges and culverts and installation of fisheries enhancement structures. Bridges and culverts must be constructed and maintained to reduce sedimentation and to allow unrestricted fish passage. Alteration of the stream bed for recreational dredge mining is allowable as regulated by IDL and IDWR during the period June 30 to August 15. A permit from IDWR is required.All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB's protection designations. IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursuing Federal protection of waters within Idaho."(EPC's Comments: See EPC's comments to Question 10 for the South Fork Clearwater River in the preceding section.)"(Q11. Support or opposition to designationMany members of the public, river conservation groups and local environmental groups have expressed support for a finding of suitable or designation of the North Fork Clearwater River.Additionally, the history of damming on the river and the number of potential dam sites remaining on the river suggest legislation may be needed to prevent future dam building.)"(EPC's Comments: There should be a reference to this topic being discussed earlier in the general responses section above. See our comments there, as well, as our comment on the South Fork Clearwater River, question 11.)"Q12. The river's contribution to river system integrity or basin integrityThis is one of the

major rivers on the national forest and is itself a basin. Its overall health contributes to and defines basin integrity."Q13. The potential for water resources developmentThe North Fork Clearwater River ends in the Dworshak Dam reservoir. Numerous potential dam locations have been identified in the past for the North Fork Clearwater River and its tributaries."(EPC's Comments: There should be a reference to this topic being discussed earlier in the general responses section above. See our comments there, as well as our response to South Fork Clearwater River, question 13.)Rationale Based on the 5 questionsForest Service Handbook 83.2 Objective of the Suitability Study identifies 5 question to be addressed by the Forest Service decision-maker. EPC has addressed these 5 questions as our rationale for our recommendation.Q1. Should the river's free-flowing character, water quality, and outstandingly remarkable values be protected, or are one or more other uses important enough to warrant doing otherwise?(EPC's Rationale for Recommendation: EPC noted that there is almost unanimous agreement that the values of the South Fork and North Fork of the Clearwater Rivers need protection. Most agree that there is currently sufficient regulation and oversight to protect the river values. There was general agreement that additional protection afforded by the W&S River Act did little to protect the rivers values that are not already protected. In some situation designation would add another layer of bureaucracy that could make it harder and more expensive to efficiently and effectively manage these river related values.On the other hand, there are other resource values (for example vegetation management, wildlife, fisheries, or recreation) that could be adversely affected by a suitability determination, particularly with the adjacency provision. As identified in the response to the 13 questions, IDFG is interested in creating better habitat for elk. Designation may hamper the Forest's ability to plan for and complete vegetation projects to accomplish wildlife objectives. Since the South Fork Clearwater has been placer mined, there have been restoration projects to restore habitat, designation would adversely affect the ability to accomplish these types of project, including on side drainages, as the adjacency provision would also apply.)Q2. Will the river's free-flowing character, water quality, and outstandingly remarkable values be protected through designation?(EPC's Rationale for Recommendation: EPC submits that the rivers' free-flowing character, water quality, and outstandingly remarkable values are currently being protected adequately by federal and state laws and regulation currently in place. The W&S designation would not provide additional useful protection.Q3. Will the benefits of designation exceed the benefits of nondesignation?(EPC's Rationale for Recommendation: EPC felt that the benefits of W&S designation would not exceed the benefits of non-designation. EPC saw very little difference between the two choices.)Q4. Is designation the best method for protecting the river corridor?(EPC's Rationale for Recommendation: EPC submits that W&S designation is not the best method of protecting the river corridor. There is ample regulation in place to protect the river corridor values. The general public appreciate the rivers' values and the current system of protection and believe that W&S designation would alter the current situation and not increase protection of the rivers' values. There is also a belief that W&S designation would complicate the decision-making process impeding the agency's ability to address resource needs.)Q5. Is there a demonstrated commitment to protect the river by any non-Federal entities that may be partially responsible for implementing protective management?(EPC's Rationale for Recommendation: There is, and has been, a demonstrated commitment to protect the river by non-federal entities that may be partially responsible for implementing protective management. These were identified in the response to the 13 questions and includes but is not limited to the following organizations:The Nez Perce TribeState of Idaho Historic Preservation Office (SHPO)Idaho Department of Fish and Game (IDFG)Public Organizations)VI. Rationale of those in DisagreementSouth Fork ClearwaterDetermination on Q1 of "Characteristics that do or do not make the area a worthy addition to the national system."Golden Canyon is only an opportunistic run because of flows adequate for whitewater boating are seasonal. When the water levels are appropriate in the spring time, boaters do frequent the river. Therefore, recreational boating should be considered in the W&S designation.In summary, the river corridor has very distinctive habitats and ecosystems, different than many other rivers and they should not be compared as much as the committee seemed to do in their recommendation. Comparisons used are not adequate for the flora/fauna/ecosystem characteristics of the river. For example, using rivers like Middle Fork Clearwater, Salmon, Rapid, Imnaha, Minam, Grande Ronde, Middle Fork Salmon, Lostine, Wenaha, Wallowa, Joseph, Sheep and Deep are not comparable. These river corridors are completely different ecosystems and characteristics. The only ones that might be comparable in the determination are the Selway and Lochsa.North Fork Clearwater (NFCW)Determination on Q1 of "Characteristics that do or do not make the

area a worthy addition to the national system."The NFCW, as outlined in the DEIS contributes substantially to the population of Harlequin ducks within the plan area and across Idaho. Although the DEIS speaks to Harlequin Duck on the South Fork it specifically states the NFCW contributed substantially to the population of Harlequin ducks in the state. The South Fork and North Fork are two completely different places and situations and should be look at as such. The committee rationale for recommendation seemed to compare the NRCW and SFCW too much and not consider them as separate and unique watersheds. I see the cultural and ecological uniqueness and importance of the North Fork Clearwater being worthy of determination of Suitable as a W&S River. VII.

The Collaborative Participants and Other Organization Contacted:

Organization in Collaborative Group Agreeing to Recommendation

Group Representative

American Legion (AL) Jinny Cash Backcountry, Hikers, Bicyclists & Equestrian, Inc Cory Biggers Clearwater County Commissioner Mike Ryan Clearwater Trekkers Leslie Anderson Community of Dixie Steve Repp Efficient Public Collaboration Marty Gardner Elk City Karen Crosby Empire Lumber Greg Danly Idaho Aviation Association (IAA) Bill Ables Idaho Co. Veterans Association (VFW) Jinny Cash Idaho County Commissioner Skip Brant Idaho Park & Rec Randy Doman Idaho Pathfinders Todd Stenzel Idaho Recreation Council Mark Jennings Idaho Soil and Water Conservation Commission Eileen Rowan Idaho State Snowmobile Association Sandra Mitchell Idaho Wild Sheep Foundation Michael Schiegel Health Care Administration Michelle Gardner Lewis and Clark ATV Club Jim McIver Mining Interest Ron Hartig Montana Mountain Bike Alliance Greg Beardslee Public Lands Access Year-round (PLAY) Dave Galantuomini River Access For Tomorrow (RAFT) Jim McIver Small Businesses Don Ebert Small Businesses Kelli Rosolini The Oregon Pilots Association (OPA) Bill Ables The Recreational Aviation Foundation (RAF) Bill Ables Twin Rivers Back Country Horseman (TRBCH) Carl Paulson Professor (Ret.) of Natural Resource Management Steve Daley-Laursen (Dr.) Director of Outdoor Recreation Program, U of I Trevor Fulton (For South Fork Clearwater only) Veterans of Foreign Wars (VFW) Jinny Cash Western Whitewater Association Shay White Organization in the Collaborative Group Pending Internal Processes for Final Response

Group Representative

Mineral County Roman Zylawski Ravalli County Chris Hoffman Lewis County Greg Johnson Lewis and Clark Chamber of Commerce Kristin Kemak Citizen at Large Tracy Duncan Professor of Environmental Philosophy Bert Baumgartner (Dr.) National Wild Turkey Foundation Alex Arnold Team Lochsa Scott Bledsoe Organization in the Collaborative Group Having a different Recommendation

Group Representative

Director of Outdoor Recreation Program, U of I Trevor Fulton (For the North Fork Clearwater only) State of Idaho Government Consulted Idaho State Representative, District 7 Representative Priscilla Giddings Agrees with the recommendation Organization/ Individual Advising the Collaborative Forest Service, ID Team Leader Zach Peterson Professor of Law Barb Cosens (Dr.) Idaho Department of Fish and Game, Clearwater Region Zach Swearingen Idaho Department of Parks and Recreation Jeff Cook