

Data Submitted (UTC 11): 9/8/2020 6:00:00 AM

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Title:

Comments: 1. Statement of issues and/or parts of the revision to which objection applies: American Rivers's objection challenges the Custer Gallatin National Forest's determination that Taylor Creek is ineligible for designation under the Wild and Scenic Rivers Act. 2. Concise statement explaining the objection and suggestion of how the proposed plan decision may be improved: American Rivers believes the Forest Service erred when it found Taylor Creek to be ineligible for designation under the Wild and Scenic Rivers Act. The plan decision could be improved by applying the nationally accepted criteria for conducting eligibility inventories to Taylor Creek. More specifically, American Rivers believes that Taylor Creek possesses outstandingly remarkable values (ORVs) for fisheries, wildlife, scenery, and recreation and should therefore be found to be eligible for inclusion in the National Wild and Scenic Rivers System. Fisheries ORVAs mentioned in our June 6, 2019 comments, Taylor Creek is home to one of the only native westslope cutthroat trout fisheries in the Madison Range and provides vital habitat and cold water refugia for native fish. According to the U.S. Fish and Wildlife Service, westslope cutthroat trout occupy only 9 percent of their historic range. The importance of Taylor Creek (Lower and Upper Taylor Fork) for the conservation of native fish is readily acknowledged in Appendix C of the FEIS by its inclusion as a priority watershed within the "Conservation Watershed Network." Appendix C states, "[A] 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." Selection criteria for inclusion could help identify those watersheds that have the capability to be more resilient to ecological change and disturbance induced by climate change. For all of these reasons, conservation watershed networks represent the best long-term conservation strategy for native fish and their habitats. The best available science indicates the Custer Gallatin National Forest is and will be an important stronghold for conservation of native salmonids (westslope and Yellowstone cutthroat trout) across their range and also will be important habitat for native warm-water prairie fish ecosystems in the pine savanna ecoregions. For montane watersheds, data from Montana Fish, Wildlife and Parks and the Forest Service were used to identify watersheds with larger metapopulations of westslope and Yellowstone cutthroat trout, isolate populations of westslope and Yellowstone cutthroat trout above natural or constructed barriers, and watersheds with potential of cutthroat projects in the future. Data collected by the Forest Service from 2015 to 2017 was examined to identify watersheds that consistently have an assemblage of native fish and perennial water in the pine savanna geographic areas. 1 Appendix E of the FEIS establishes criteria for identifying a fisheries ORV: "[F]isheries values may be judged on the relative merits of fish populations, habitat, or a combination of the following factors. [Bull] Populations: The river is ecologically important for native aboriginal population(s) or assemblage(s) of native fish with high conservation value. o Presence of genetically pure, or high conservation value, strains of native populations. o A lack of non-native species that would threaten the native population. [Bull] Habitat: The river provides uniquely diverse and/or high-quality habitat for native aboriginal population(s) or assemblage(s) compared to the region of comparison. o The habitat represents a pristine ecosystem relative to others in the region of comparison. o The habitat supports populations of native fish with high conservation value. o Habitat is secure from invasion of non-native species?" 2 While the criteria for establishing a fisheries ORV leaves discretion to the Forest Service to weigh a combination of factors, Taylor Creek certainly has high ecological and conservation importance for protecting native trout populations and has been identified as a watershed that has the capability of being more resilient to ecological change and disturbance induced by climate change. Remedy: Due to the fact that the Taylor Creek supports an existing population of westslope cutthroat trout and possesses habitat important for the conservation of native fisheries in the face of climate change, the Forest Service should recognize Taylor Creek as possessing a fisheries ORV. Wildlife ORV In our June 6, 2019 comments we noted the importance of Taylor Creek for providing exemplary habitat and key migration corridors for moose and grizzly bears. When describing the criteria for establishing a wildlife ORV, Appendix E states: "[W]ildlife values may be judged on the relative merits of

either terrestrial or aquatic wildlife populations or habitat, or a combination of these conditions and may include the following factors. Populations: The river, or area within the river corridor, contains nationally or regionally important populations of indigenous wildlife species. Of particular significance are species diversity, species considered to be unique, and/or populations of Federal or State-listed or candidate threatened or endangered species, or species of conservation concern. Habitat: The river, or area within the river corridor, provides uniquely diverse or high quality habitat for wildlife of national or regional significance, and/or may provide unique habitat or a critical link in habitat conditions for Federal or State-listed or candidate threatened or endangered species, or species of conservation concern. Contiguous habitat conditions are such that the biological needs of the species are met, particularly where such habitats meet the year-round or important seasonal biological needs of the species.

Based on this definition, we believe Taylor Creek is deserving of a wildlife ORV. Among other wildlife values, Taylor Creek provides important undeveloped riparian habitat for one of the densest grizzly bear populations in the lower 48 states. The importance of Taylor Creek for grizzly bears has been well documented. Research by the Craighead Institute documents that some of the best core habitat for grizzly bears extends from the confluence of the Gallatin River and Taylor Creek up to the headwaters of Taylor Creek. Chuck Schwartz, who oversees the Yellowstone Interagency Grizzly Bear Study Team, stated "The Taylor Fork has the highest density of bears in the northern half of the greater Yellowstone ecosystem," Schwartz says. With plenty of elk calves, rodents, and a wide variety of native plants to eat, some grizzly bear sows have given birth to as many as four cubs in a litter, twice the usual number. "It's not just incredibly productive for grizzly bears," Schwartz says, "the Taylor Fork is a rich piece of real estate for a whole array of species."

In Appendix F, Responses to Comments on the Draft Environmental Impact Statement and Draft Revised Forest Plan, the Forest Service dismissed comments that Taylor Creek was deserving of a wildlife ORV stating, "The fact that any mammals, such as moose, beaver, river otter, or grizzly bear at times use rivers and floodplain habitats is not an outstandingly remarkable value, but a part of their normal habitat. These examples did not meet the outstandingly remarkable value definition used for wildlife."

We do not believe this response by the Forest Service recognizes that the Taylor Creek provides truly exemplary habitat for the federally listed grizzly bear. Remedy: Taylor Creek should be found to possess a wildlife ORV.

Scenery ORV While there are more than 940 named rivers and streams on the Custer Gallatin National Forest, there are very few places on the forest where you can drive more than 12 miles along an uncrowded and barely developed riparian corridor and experience numerous ecosystem types, including montane, subalpine, and alpine tundra. As noted in our previous comments, Taylor Creek is a remarkably open and verdant valley that possesses multi-colored geology and striking views of the immense peaks of the Madison Range that are truly unique within the region of comparison. When describing the criteria for establishing a scenery ORV, Appendix E, states: "Scenery (from the Forest Service Manual). 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. Considerations specific to the Custer Gallatin NF include the following factors. Rivers that have outstandingly remarkable scenery would draw viewers from inside and outside the region of comparison. They would have some combination of a number of the following visual attributes, or only one or a few attributes where they are very unique or visually outstanding. Rock, land and water forms

- Visually striking cliffs, canyons
- Visually strong and easily discernible examples of geologic forms and processes; visually distinctive strata layers or differential erosion
- Rock colors that contrast dramatically with the surrounding vegetation, adjacent rock or soil
- Exposed rocks and visually dominant rock expanses
- Dramatic topographic contrasts
- Unusually tall or spectacular waterfalls or awesomely powerful rapids surrounded by cliffs and boulders
- Striking juxtaposition of powerful whitewater and slow-moving calm sections
- Banks that exhibit a lot of variety in line and form
- Unusual and varied meanders, islands, braids and small ponds or lakes along the river
- Vegetation
- Old "character" trees that lean over or visually frame the water channel or are rooted among or on rocks along the water's edge
- Striking seasonal color and texture variations
- Strong juxtapositions of textures, colors and shapes, such as tall conifer stands intermixed with lush willow and grass meadows

In Appendix F. Responses to Comments on the Draft Environmental

Impact Statement and Draft Revised Forest Plan, the Forest Service dismissed comments that Taylor Creek was deserving of a scenery ORV stating, [ldquo]No additional rivers were found eligible after public comments were reviewed. Scenery was proposed as an outstandingly remarkable value for a long list of rivers that should be added to the list of eligible rivers. All comments and provided information was reviewed by the specialist based on the

definition used[rdquo].⁸ While American Rivers firmly believes Taylor Creek is deserving of a scenery ORV, at minimum the Forest Service should provide a more substantive response than was given to commentors regarding the uniqueness many commentors believed is exemplified along Taylor Creek. Remedy: Taylor Creek should be found to possess an ORV for scenery. Recreation ORVAs noted in our June 6, 2019 comments, Taylor Creek provides rare, easy creek boating and packrafting opportunities with a bike shuttle, as well as uncrowded hiking, wildlife viewing, hunting and angling. While there are numerous arguments for why Taylor Creek provides truly exemplary recreational opportunities, Taylor Creek is particularly unique and cherished by recreationalists for its accessibility for packrafting: Outside Bozeman[rsquo]s summer 2018 article, [ldquo]Inflated Floating[rdquo] describes Taylor Creek as a prime location for packrafting stating, [ldquo]The high-alpine snowpack should provide steady flows well into summer, so if you play your cards right, this scenic, ephemeral float will be yours for the taking. Drop a car at the highway and then drive up the drainage as far as you want before putting in; the local gurus call this[ldquo]lift-served packrafting.[rdquo] For a calorie-burning multisport option, drop a bike at the takeout instead.[rdquo]⁹ Taylor Creek provides a truly unique packrafting through world class scenery. Many rivers and streams on the forest are less accessible for packrafters because they may be too difficult and dangerous, too remote, or too time intensive on account of not being able to easily utilize a car or bike shuttle. When describing the criteria for establishing a recreation ORV, Appendix E, states: [ldquo]Recreational opportunities are, or have the potential to be, popular enough to attract visitors from throughout or beyond the region of comparison or are unique or rare within the region. River-related 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 usage or competitive events. Considerations may include some combination of the following factors. Visitation levels of high, medium, low. Span of visitation of global, national, regional or local. Unique/outstanding/exemplary recreation opportunities such as premier fishing, renowned rapids, or nationally designated trails related to the river corridor. River-related recreation opportunities: such as rivers or corridors used for premier whitewater opportunities or destination ice climbing.[rdquo]¹⁰ In Appendix F. Responses to Comments on the Draft Environmental Impact Statement and Draft Revised Forest Plan, the Forest Service dismissed comments that Taylor Creek was deserving of a recreation ORV stating, [ldquo]No additional rivers were found eligible after public comments were reviewed. A long list of rivers were mentioned in comments seeking eligibility based on an outstandingly remarkable value for recreation. The recreational activities mentioned were all reviewed again by team members based on the outstandingly remarkable value definition used. Some activities such as snowmobiling were not river related, others failed to meet the definition's guidance within the Region of Comparison[rdquo].¹¹ While American Rivers appreciates why snowmobiling may not constitute a river related ORV, we believe the Forest Service has not substantively responded to commentors who believe there are numerous river related recreational values which make Taylor Creek unique. Remedy: Taylor Creek should be found to possess an ORV for recreation.³

Conclusion American Rivers appreciates the opportunity to submit this objection. While we believe the Forest Service has done an admirable job of drafting a plan that will protect the cherished public lands as well as rivers and streams of the Custer Gallatin National Forest, we believe that Taylor Creek absolutely warrants inclusion as an eligible river for designation under the Wild and Scenic Rivers Act on account of possessing ORVs for fisheries, wildlife, scenery, and recreation.