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Comments: [ATTACHMENT: AMERICAN WHITEWATER GMUG COMMENTS 11232021 below. PDF CONVERSION MAY RESULT IN ERRORS. FOOTNOTES HAVE BEEN EMBEDDED IN BODY OF TEXT FOR CODING PURPOSES]

November 23, 2021

Attn: Sam Staley, Forest Planner GMUG Forest Plan Revision Team 2250 South Main St

Delta, CO 81416

Submitted Via online comment form and via email: samantha.j.staley@usda.gov

Re: Draft Plan and Draft Environmental Impact Statement

Dear Forest Planner Sam Staley,

American Whitewater appreciates the opportunity to submit comments on the Draft Plan and Draft Environmental Impact Statement for the Grand Mesa Uncompahgre and Gunnison National Forests (GMUG).

About American Whitewater

American Whitewater is a national 501(c)(3) non-profit organization with a mission "to conserve and restore our nation's whitewater resources and enhance opportunities to enjoy them safely".

With over 6,000 individual and 100 affiliate club members, American Whitewater represents the interests of over 80,000 river enthusiasts across the country. As conservation-minded whitewater recreationists, we place a high value on protecting naturally functioning river ecosystems including their fish and wildlife, geomorphic processes, and potential to provide clean and safe drinking water. Our membership and the general public highly value our nation's river systems and associated riparian zones, and we have a direct interest in maintaining healthy rivers for everyone to enjoy.

There are numerous creeks and rivers within the GMUG boundary that attract our members from across the region and the country, and we support management actions that protect and preserve healthy watersheds and their surrounding lands and that provide unique recreational opportunities. American Whitewater has continued to participate throughout the GMUG plan revision process, including submitting comments on the Draft Wilderness Evaluation, Draft Wild and Scenic Eligibility Evaluation, and the 2019 Working Draft, as well as meeting in person with the GMUG planning team and district rangers on numerous occasions.

American Whitewater is a founding member of Outdoor Alliance and we are a leading member of the local Outdoor Alliance GMUG Vision (OAGV) proposal, working closely with local and regional groups that represent human-powered recreation and environmental conservation interests on the forests. Our comments provided here are complementary to our joint comments submitted by Outdoor Alliance on the Draft Plan and DEIS.

Our below comments are divided into sections according to topics covered in the Draft Plan and DEIS. Please also see the supplementary attachment (Attachment A) that includes photos for American Whitewater's recommended Wild and Scenic eligibility segments. Suggested changes to Draft Plan language is indicated as red text [GMUG staff made these italics for database] for additions and strikethrough text for deletions.

#### Partnerships and Coordination (PART)

Partnerships and coordination with local, State, Tribal governments, nongovernmental partners, and private landowners is essential to successfully managing our national forests. The GMUG should continue to maintain and expand partnering opportunities across the forest to meet the desired conditions outlined in the Draft Revised Forest Plan.

#### Objectives

[middot] Add, FW-OBJ-PART-XX: Within two years of completing the revised forest plan, complete a strategic partner assessment across the GMUG National Forests to determine the scope and scale of partnered efforts, gaps in support, and identify the needs and issues related to Forest Service capacity.

[middot] Add, FW-OBJ-PART-XX: If a dedicated "Partnership/Stewardship Coordinator" does not exist, develop a Partnership/Stewardship Coordinator position within two years of forest plan approval to work with partners and create opportunities for collaboration and stewardship.

#### Guidelines

[middot] Add, FW-GDL-PART-XX: Every year, host a discussion at the supervisor's office with interested local governments or their economic development offices to foster shared actions that support local jobs, attract tourism, and encourage coordination on public health and safety issues.

#### Educational and Interpretive Programs (EDU)

While we are supportive of the desired condition (FW-DC-EDU- 01), the Draft Revised Forest Plan should also provide direction on how the desired condition will be met.

#### Management Approaches

[middot] Add, Campground concessionaires and other Forest Service field staff receive interpretive training in order to improve visitor education and foster a strong stewardship ethic among GMUG visitors.

#### Riparian Management Zones and Groundwater-Dependent Ecosystems (RMGD)

Providing clean water is an important ecosystem service that the GMUG National Forests provide and riparian management is critical to maintaining this ecosystem service. We appreciate the changes that were made to FW-GDL-RMGD-11. The revised guideline in how the GMUG approaches water diversions and impoundments will ensure smooth integration of recreation management with other riparian management and water uses. We have identified several forest plan components that should be revised to protect the health of riparian areas.

## Standards

[middle dot] Revise, FW-STND-RMGD-09: To maintain stream thermal cover and prevent windthrow within the riparian management zone, clear-cut timber harvest of desired native riparian vegetation shall not occur in riparian management zones.

[middle dot] Revise, FW-STND-RMGD-07:

[middle dot] Category 2: Fens, wetlands larger than one-quarter acre, lakes, springs and reservoirs: consist of the body of water or wetland and the area to the outer edges of the riparian vegetation; or to the extent of the seasonally saturated soil; or 100-foot slope distance from the edge of the wetland or the maximum pool elevation of constructed pond and reservoirs with shorelines composed of riparian vegetation, whichever is greatest (table 3).

[middle dot] Revise, FW-RMGD-STND-08: In the riparian management zone, management activities and new structures must maintain or restore the connectivity, composition, function, and structure of riparian and wetland areas in the long-term, as consistent with the Watershed Conservation Practices Handbook and its exceptions (FSH 2509.25 and FS 990A or equivalent direction).

## Guidelines

[middle dot] Add, FW-GDL-RMGD-XX: Riparian habitats should be managed to be relatively free from alterations and promote connectivity for species movement, re-connect fragmented populations and support genetic exchange.

[middle dot] Add, FW-GDL-RMGD-XX: Modifications, mitigations, or other measures should be incorporated to reduce negative impacts to riparian habitats to help provide for species needs. Project activities and special uses must be designed and implemented to maintain riparian refugia and critical life cycle needs of species, particularly for at-risk species.

### Aquatic Ecosystems (AQTC)

On rivers and streams where recreational opportunities exist (e.g. paddling, fishing, etc.), it is important that healthy aquatic ecosystems are maintained and recreational opportunities are managed in a way that does not negatively impact aquatic ecosystems.

## Standards

[middle dot] Revise, FW-STND-AQTC-05: New, replacement, and reconstructed crossings (culverts, bridges, and other stream crossings) and in-stream structures (impoundments, diversions, and weirs) on perennial streams and on intermittent streams known to be used by native fishes (bluehead sucker and flannelmouth sucker) for spawning, will accommodate flood flows and allow aquatic organism passage, unless the accommodation would increase non-native species encroachment on native fish and amphibian habitat. These same structures will also be considered as opportunities for improved river access where they exist on streams with existing or potential river recreation opportunities. Exceptions include temporary structures in place for less than one year. See also the Forestwide guideline for connectivity, SPEC-06.

[middle dot] Add, FW-STND-AQTC-XX: New, replacement, and reconstructed crossings (culverts, bridges, and other stream crossings) and in-stream structures (impoundments, diversions, and weirs) on perennial streams and on intermittent streams known to be used by recreationists, will accommodate flood flows and allow for safe boater passage.

[middle dot] Change, FW-GDL-AQTC-06 to FW-STND-AQTC-06.

## Guidelines

[middle dot] Revise, FW-GDL-AQTC-08: To maintain beaver populations and the ecological functions that beavers provide, management actions should use techniques that sustain beavers (e.g., using pipes to reduce water levels, notching dams to restore streamflow). Historic beaver habitat should be identified and restored or managed to preserve the conditions necessary for beaver to survive.

## Watersheds and Water Resources (WTR)

The rivers, streams, and water resources within the GMUG provide key ecosystem services, recreational opportunities, drinking water, and sustain wildlife and aquatic ecosystems.

Maintaining healthy watersheds and improving watershed conditions should be prioritized, especially in watersheds that provide drinking water, recreational opportunities, and support sensitive species.

## Desired Conditions

[middle dot] Revise, FW-DC-WTR-02: The Forest Service and stakeholders actively coordinate in sustaining ecological and hydrologic processes to continue to provide critical water supplies—including water quality—to communities and water users. See also the multiple ecosystem sections and the Forestwide objective for infrastructure, INFR-03.

## Objectives

[middle dot] Revise, FW-OBJ-WTR-04: Over the life of the plan Within 10 years, trend at least 1530 percent of subwatersheds toward improved watershed conditions, including their chemical, physical, and biological attributes, based upon the watershed condition framework or other accepted protocols. Actions to help accomplish this objective may include rehabilitating areas to reduce erosion and sedimentation delivery to waterbodies, improving 303(d)-listed streams, and/or other passive or active restoration efforts. See also the Forestwide objective for infrastructure, INFR-03.

## Guidelines

[middle dot] Add, FW-GDL-WTR-XX: New and reauthorized management activities should not cause departure from desired conditions.

[middle dot] Add, FW-GDL-WTR-XX: To encourage natural channel morphology and human safety on perennial and intermittent streams, new or redesigned stream crossings (such as bridges and culverts) should be wide enough to successfully pass water, sediment, wood, aquatic organisms, and river recreationists.

[middle dot] Add, FW-GDL-WTR-XX: Where known, groundwater recharge areas should be protected or restored to maintain water quality and quantity (discharge).

## Cultural and Historic Resources (CHR)

To achieve a comprehensive forest plan, it is important that this planning process proactively engage in effective and meaningful Tribal consultation. Empowering and drawing from Tribal knowledge will seek to gain a perspective on the overlap between traditional and modern Indigenous practices and other public uses on the GMUG National Forests, as well as adjacent areas. These efforts should involve collaboration from any and all interested Tribal representatives, government officials, and Tribal members. Additionally, efforts should consider

geographic locations where overlaps exist between various user group activities and Indigenous sacred sites or traditional resources (e.g. hunting, medicine collection, wood gathering, ceremonial sites, etc.). Finally, efforts should seek to identify management strategies that respect current needs, as well as historical practices of Tribal communities.

## Goals

[middot] Add, FW-GO-CHR-XX: Identify, describe, and spatially convey (if approved by the Tribe(s)) existing conflicts and impacts in Heritage GIS. Identify where Tribal values and attachments may influence ROS classifications, ROS subclass development, special area designations, and/or related management direction.

## Objectives

[middot] Change, From Management Approach to FW-OBJ-CHR-XX: Within three years of forest plan approval, collaborate with partners to identify priority cultural resources vulnerable to climate change and other stressors (increased recreation, vandalism, etc.). Identify the most vulnerable cultural and historic resources in Heritage GIS.

## Standards

[middot] Add, FW-STND-CHR-XX: When conducting management activities, the Forest Service shall accommodate, to the extent that the use is practicable and is consistent with the Forest Service essential functions, access to and ceremonial use of Indigenous sacred sites by native religious practitioners and shall maintain the confidentiality of sacred sites.

## Guidelines

[middot] Add, FW-GDL-CHR-XX: To reduce potential conflicts between recreation and cultural resources, partner with Tribes to identify areas where developed, dispersed or future potential recreation may overlap with sacred sites, traditional cultural properties, plant communities, springs, and other areas of Tribal interest and cooperatively develop appropriate management strategies to maintain or improve their values.

## Management Approaches

[middot] Add, To strengthen knowledge of and appreciation for Tribal resources, support opportunities for Tribal storytelling and assist in developing interpretive messages and educational materials that include tribes telling of their own stories.

## Lands and Special Uses (LSU)

Throughout the GMUG National Forests, there are complex property boundaries between the Forest Service, Bureau of Land Management (BLM), National Park Service (NPS), State of Colorado, and private property owners. These property boundaries often exist in or near river corridors and trail systems, complicating access to rivers and trails in some areas. Where these boundaries intersect with both water-based and land-based recreation opportunities, the Forest Service should work closely with the BLM, NPS, State of Colorado, and private property owners to preserve and improve access to recreation opportunities, while respecting existing private property rights and grazing rights.

## Lands

### Objectives

[middot] Add, FW-OBJ-LSU-XX: Within two years of plan approval, through mapping and collaboration with land owners, identify at least two opportunities for land acquisitions that would improve public access to Forest Service lands, wildlife habitat connectivity, and/or improve watershed health.

[middot] Add, FW-OBJ-LSU-XX: Every decade, acquire at least one new road or trail right-of-way that is needed as high priority access or would fill a gap in existing access to public lands.

### Special Use Permits

The Recreational In-Channel Diversion (RICD) program was established in 2001 and there are 13 existing RICDs in Colorado. This is an important tool that should be considered in the context of water use.

### Management Approaches

[middot] Revise, When considering authorizations for water developments and uses, use the State of Colorado's instream flow and/or Recreational In-Channel Diversion process to coordinate with stakeholders and provide for balanced management of environmental flows. See also the Watersheds and Water Resources - Management Approaches section.

#### Rangelands, Forage, and Grazing (RNG)

There are some areas on the GMUG that were historically popular for hiking, particularly in wilderness areas, that are now heavily impacted by sheep. Impacts to recreationists include livestock fences and unsafe interactions with herding dogs. We also recognize that recreationists may have adverse impacts on grazing, including frightening livestock or leaving gates open. The agency should help manage these conflicts where possible.

### Desired Conditions

[middot] Add, FW-DC-RNG-XX: Potential conflicts between grazing and recreation should be identified and mitigated through planning and/or education of users.

### Objectives

[middot] Add, FW-OBJ-RNG-XX: Within three years of plan approval, use mapping and other tools to assess the overlap between grazing allotments and recreational infrastructure (e.g. trails, campgrounds, dispersed camping areas, recreational rivers) to identify potential conflicts and mitigation strategies.

[middot] Add, FW-OBJ-RNG-XX: Within five years of plan approval, to mitigate recreational river hazards and avoid unauthorized cutting of private landowner fences, work with landowners and recreationists to replace hazardous fencing with boater-friendly fencing on recreational rivers.

#### Eligible Wild and Scenic Rivers (WSR)

The Eligible Wild & Scenic Rivers desired conditions and standards included in the Draft Revised Forest Plan should be supported with additional plan components. While desired conditions essentially refer to the "wild, scenic and recreation" criteria included in the Wild and Scenic Rivers Act (See FW-DC-WSR-01, FW-DC-WSR-02, and FW-DC-WSR-03), the sole standard included refers only to the Forest Service Handbook regulations in place to implement the act. We fully support managing eligible reaches and sub-basins in accordance with management direction contained in Forest Service Handbook (FSH) 1909.12, Chapter 80, Section 84, FSM 2354 and the Wild and Scenic Rivers Act. However, the 2012 Forest Planning Rule directs the Forest Service to

include standards or guidelines for management of eligible rivers to protect the values that provide the basis for their eligibility determination.<sup>1</sup>[2012 Forest Planning Rule [sect]219.10(b)(v)]. Additional plan components, including standards, are needed in the forest plan to adequately protect eligible Wild and Scenic Rivers, their free-flow character, and their identified values.

#### Desired Conditions

[middot] Add, FW-DC-WSR-XX: Education and interpretative resources contribute to the protection, understanding and appreciation of the GMUG's eligible rivers.

[middot] Add, FW-DC-WSR-XX: Outstandingly remarkable values of eligible rivers are protected.

[middot] Add, FW-DC-WSR-XX: The desired recreation settings range from Primitive in segments classified as Wild and Semi-Primitive Non-Motorized to Roaded Natural across the other segments. A variety of dispersed and developed recreational opportunities are available with typical uses including canoeing, fishing, hiking, kayaking, outfitting and guide use, and wildlife viewing.

[middot] Add, FW-DC-WSR-XX: Eligible wild and scenic river corridors are valued by the public for the ecosystem services they provide, including contributions to clean water, enhancing wildlife habitat, and recreation opportunities.

#### Standards

[middot] Add, FW-STND-WSR-XX: Eligible river corridors are not suitable for timber production. Vegetation management, including timber harvest, is suitable in eligible river corridors for purposes such as fuels reduction, restoration, or wildlife habitat enhancement if the current preliminary classification and the outstandingly remarkable values of the river segment are protected.

[middot] Add, FW-STND-WSR-XX: New dams or other structures that impede the flow of the river on eligible segments are prohibited.

[middot] Add, FW-STND-WSR-XX: Saleable mineral materials shall not be allowed in eligible river corridors.

#### Management Approach

[middot] Plan direction for eligible rivers applies to a 0.25-mile-wide (on either bank) corridor on national forest system lands or where the Forest Service holds an interest on non-Federal lands, such as scenic or access easements.

#### Wild and Scenic River Eligibility Evaluation, Appendix 11

The Western Slope of Colorado has no designated Wild and Scenic Rivers, despite that the region is host to some of the nation's most prized, free-flowing rivers and streams. To be eligible, a stream must be free-flowing and have at least one "outstandingly remarkable value" (ORV) that is regionally or nationally significant.<sup>2</sup> These ORV's are specific place-based values associated with recreation, scenery, geology, history, fisheries, culture, and other types of values, such as scientific research and climate adaptation. Eligibility is important as it ensures interim protection for these very special rivers and streams.

We appreciate the work that the Forest Service has done thus far on the Draft Evaluation and strongly support

the inclusion of 118 eligible stream miles. We especially support the addition of the four segments that were added to the eligibility inventory between the 2019 Draft Evaluation and the current draft, including Fall Creek, Muddy Creek, Anthracite Creek, and Copper Lake.

However, the Draft Wild and Scenic Eligibility Evaluation still fails to recognize numerous rivers that are both free-flowing and have at least one ORV. The eligibility phase of the Wild and Scenic Rivers Act is designed to be the most broad, with the least number of qualifications.

Factors such as competing use, land ownership, politics, water rights, and management feasibility must not be considered in the eligibility phase. The Forest Service should complete a more robust Wild and Scenic Eligibility Evaluation and consider every river segment that is both free-flowing and has one or more ORV - of which there are many within the GMUG.

Our below comments address 1) the overall process and 2) specific stream segments.

#### 1) Comments on evaluation process and approach

##### Outstandingly Remarkable Values & Criteria

##### Scientific Research ORV:

We support the identification of additional ORVs, including botanical, scientific research, and paleontology. All three of these ORVs are important to the GMUG landscape and contribute to the outstanding value of numerous streams on the Forests. However, the definitions for these ORVs need to be expanded and appropriately considered for additional stream segments.

The proposed requirement that a scientific research value be located within a research natural area is unnecessarily restrictive. We recommend eliminating this final bullet point to recognize that many of the outstanding opportunities for scientific research may be positioned outside of an RNA. The USFS has recognized that the ecosystem types in the Rocky Mountain Region are poorly represented in the RNA network.<sup>3</sup> [Routt National Forest EIS, Appendix F. Retrieved from [https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb5166048.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5166048.pdf)]

Excluding a river from recognition for a scientific research ORV because it has not been recognized in an RNA would exclude segments that demonstrate outstanding remarkable scientific research values.

Colorado Parks and Wildlife manages the Colorado Natural Areas Program (est. 1977) to preserve and protect special areas with distinctive and unique high-quality natural areas. These areas are akin to the research natural areas recognized by the USFS but do not always overlap. For instance, Colorado has recognized the Gothic Research Natural Area in the Gunnison National Forest. It has also recognized the Escalante Canyon Natural Area, San Miguel River at Tabeguache Creek Natural Area, and Tabeguache Natural Area in the Uncompahgre National Forest. The requirement that scientific research ORVs be restricted to USFS NRAs alone is far too restrictive and will not ultimately protect segments that reflect these values but do not have an existing corresponding land management objective by the USFS.

Furthermore, Wild and Scenic eligible rivers and RNAs are concurrently identified during the FS plan revision process and maintaining that the ORV depends on an existing RNA status would make the process convoluted.



There could be other conflicts in the larger proposed RNA that preclude RNA designation, but do not invalidate the qualities of the river corridor for the identified scientific research values.

Recommendation: Remove the requirement that a segment possessing scientific research values be located within a research natural area and subsequently reevaluate all streams on the Forests for the existence of a Scientific Research ORV.

Climate Adaptation and Ecosystem Services ORV:

Climate adaptation and ecosystem service ORVs should be added to the list of ORVs and be appropriately identified for existing and additional eligible segments.

Eligibility, and corresponding interim protective management of eligible streams and stream corridors, can play important roles in forest adaptation to climate change. Changing temperatures, streamflows, and precipitation patterns affect the survival and health of sensitive plant species, plant communities, fish, and wildlife.

A common form of adaptation, extensively documented for many species, involves a general shifting of overall or seasonal range. Most frequently, these shifts move upstream and otherwise up in elevation.

Correspondingly, additional consideration should be given to the potential eligibility of headwaters and of other higher-elevation portions of streams in order to anticipate and accommodate those upward-moving adaptations of sensitive species.

Also, as climate change continues to impact water volumes and seasonal variability for forest landscapes and ecosystems, for irrigation water supplies, and for municipal water-supply networks, eligibility applied to key headwaters and to other intact stream segments can help minimize and manage those impacts, with an ORV for ecosystem services.

Recommendation: Ecosystem services and climate adaptation should be added as outstandingly remarkable values for select streams (particularly headwaters and other higher-elevation stream segments).

Recreation ORV:

The Forest Service still needs to broaden their interpretation of the "recreation" ORV. Interpretation of the definition is narrow and has led to the exclusion of numerous rivers that are both free-flowing and, in fact, possess a recreation ORV. The definition for a recreation ORV is written in the Forest Service Handbook (FSH)<sup>4</sup> and a similar definition is provided in the Draft Evaluation. Draft Evaluation Page 5 states, "Recreational opportunities are, or have the potential to be, popular enough to attract visitors from throughout or beyond the State of Colorado or are unique or rare within the Western Slope region of Colorado. Visitors are willing to travel

long distances to use the river resources for recreational purposes[hellip]The river may provide, or have the potential to provide, settings for national or regional usage or competitive events." (emphasis added) In this definition, "or" is used to list the ORV standards, indicating that the ORV threshold can be met by either the recreation opportunity being popular enough to attract visitors from throughout or beyond Colorado or by being unique or rare within the region. Because there is no use of "and", popularity and uniqueness are not both required. In email communication, the Forest Service stated that they focused on the latter part of the definition, using uniqueness as the primary standard for ORV qualification.<sup>5</sup> [5 Duffy, Brittany. "Re: Recreation ORVs" Message to Kestrel Kunz. 25 February 2019. E-mail.] This approach is inconsistent with the definition for recreation-based ORVs and has limited the scope of the Eligibility Evaluation. We ask the Forest Service to use the full definition for recreation ORVs and expand the Eligibility Inventory accordingly.

The definition of the recreation ORV is completely unreasonable and adds unnecessary and unachievable criteria compared to the minimum criteria defined in the Forest Service Handbook.<sup>6</sup> While the FS has some discretion to include additional criteria, it is inconsistent with the Wild and Scenic Rivers Act to have such a narrow and exclusive definition of ORVs. Table 56 in Appendix 11 includes that "Rivers that provide the most diverse opportunities to the widest range of recreationists are of higher value, while rivers that support only limited recreation for a narrower range of users (e.g., only users with advanced skill levels) in the river corridor are generally less outstanding and remarkable."<sup>7</sup> However, it is nearly impossible for one river segment to provide opportunities that are beginner-appropriate and also provide a challenge for experienced boaters. Challenging Class V creeks on the GMUG are unique and sought after by experienced and professional recreationists from around the nation and the world. While other rivers, like the lower Taylor River provide an incredibly popular opportunity that is accessible by intermediate paddlers and river outfitters. Both of these experiences provide quality recreational opportunities and should be the focus of a Recreation ORV.

Recreation ORVs should not be based on how their accessibility corresponds to the Recreation Opportunity Spectrum. If accessibility is assessed at all, it should be based on the types of existing recreational use and the preliminary classification. It should be assumed that if high quality recreation opportunities currently exist, evidenced by user data, guidebooks, and public comment, that access adequately supports a recreation ORV. Existing ROS data may be helpful for determining the preliminary classification for the segment, but not for the ORVs themselves.

Equally important, private land ownership, by definition, should not be included in an eligibility determination. Private land considerations may only be considered during Suitability studies on Congressional study rivers and designations. For the eligibility evaluation, reference to land ownership in the recreation ORV is inappropriate and should be removed from the "Notes and Rationale" section of Table 56 in Appendix 11. Segments that were deemed ineligible due to the existence of private land ownership, such as the Taylor River below Taylor Park Reservoir, need to be reexamined and determined as eligible. If the river segment currently provides outstanding recreational opportunities, which the Taylor River does, then the segment should be deemed as eligible.

Additionally, the interpretation of the Recreation ORV for fishing is entirely too narrow and does not encompass the unique and highly valuable fishing and fishery resources on the GMUG's rivers and streams. For example, in discussions on the Taylor River, the FS declared that while the Taylor River is a Gold Medal Fishery, it is not unique because there are 322 miles of Gold Medal Fisheries in Colorado. This is an incorrect interpretation

because Colorado has 105,344 total stream miles and thus only 0.3% of stream miles are Gold Medal Fisheries; this small percentage indicates that a Gold Medal Fishery on the Taylor River is actually unique when compared to the State of Colorado.<sup>8</sup> [8 <https://www.colorado.gov/pacific/cdphe/clean-water-rivers-lakes-and-streams>]

Recommendation: The definition and criteria for the Recreation ORV should be significantly expanded in order to encompass the high-quality recreation opportunities that exist on many of the GMUG's rivers.

#### Region of Comparison

Multiple scales should be employed when using Regions of Comparison to evaluate ORVs. While the FSH allows, as an alternative option, the Responsible Official to conclude that a single region of comparison can be used for evaluating ORVs, we strongly advise that multiple Regions of Comparison be used and that the regions of comparison include multiple scales.<sup>9</sup> The 1999 Report from the Interagency Wild & Scenic Rivers Coordinating Council concludes that the region(s) of comparison needs to include multiple scales and that "In addition to regional or statewide comparison, values must also be considered from a national perspective. For example, while multiple species of anadromous fish are relatively common in rivers on the Mt. Baker-Snoqualmie NF this association of multiple species is uncommon nationally."<sup>10</sup> [10 Interagency Wild and Scenic Rivers Coordinating Council. (1999). *The Wild & Scenic River Study Process*.] This example in the Mt. Baker-Snoqualmie NF is very applicable to ORVs and river segments within the GMUG National Forests and indicates that Regions of Comparison should be used to include ORVs rather than exclude ORVs.

Additionally, the Forest Service Handbook defines an ORV as a "scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar river-related value that is unique, rare, or exemplary feature and is significant when compared with similar values from other rivers at a regional or national scale."<sup>11</sup> This further indicates that multiple scales should be considered for regions of comparison. As in the Mt. Baker-Snoqualmie Forest example, the use of multiple scales for the Region of Comparison should lean on the side of including additional ORVs rather than excluding them. For example, if an ORV is not considered to be unique or exemplary within the State of Colorado, then the FS should also evaluate the ORV relative to the local region and/or the nation.

Recommendation: Employ multiple scales for the regions of comparison when evaluating ORVs, with the intent of including additional ORVs, rather than further limiting them.

Eligibility Review Process, Justification, and Documentation

Forest Service documentation on the Wild and Scenic eligibility evaluation has insufficient data and justification on the eligibility determinations. Documentation made available to the public include Appendix 11 of the Draft

Plan12, responses to public comments13, and the Excel sheet of WSR review notes.14

? Of the 962 river segments reviewed, 654 segments or 67.9% of the total segments have little to no justification. To best serve the public and diverse stakeholders, the Forest Service needs to demonstrate that a thorough analysis of each river segment has been completed.

? Numerous justifications for ineligible segments simply state that the segment did not meet the ORV threshold, but no further explanation is given (e.g., Uncompahgre River Segments 2 and 3). Providing further justification will help the public understand the process and allow for more robust public comment. Please provide details on why the ORV threshold was not met and which ORVs were considered.

Recommendation: Comprehensive justification needs to be provided for all named rivers and all rivers brought forward in public comment on the Forests and shared with the public for review.

The use of the 2005 Comprehensive Assessment is conflicting and contradictory.

? More than half of the justifications only cite the 2005 Working Maps and Comprehensive Assessment Appendix W-2, which does not provide sufficient evidence for or against eligibility (e.g., Ruby Anthracite Creek, Taylor River headwaters, Slate River Below Eligible 2 segments, Poverty Gulch, San Miguel River, etc.). Appendix W-2 is simply a list of rivers that were reviewed and found ineligible in the 2005 Wild and Scenic Eligibility Evaluation. The Forest Service should give further explanation for these segments and address how circumstances have or have not changed on each segment since the 2005 Eligibility Inventory. For the Recreation ORV, changed circumstances include but are not limited to broader recognition of recreational opportunities and changes to the river that make it more unique.15 As described below in our eligibility recommendations, a number of river segments in the GMUG have had changed circumstances leading to a greater presence of ORVs, and therefore necessitate additional

review.

? The Forest Service has created an inappropriate double standard for streams reviewed in the 2005 Comprehensive Assessment. For streams identified as not eligible in both 2005 and 2021, the 2005 assessment is cited as the primary or only justification for ineligibility. While for streams identified as eligible in 2005 and not in 2021, the Forest Service argues that the 2005 assessment doesn't have standing because the planning process never resulted in a decision.

Recommendation: If the 2005 Comprehensive Assessment findings are going to be used, the Forest Service should give equal weight to both ineligible and eligible segments, fully review segments not considered in 2005, and review segments that have changed circumstances since 2005.

The ineligibility justifications include contradictory reasoning.

? In some segments, the WSR Review Notes (Excel Spreadsheet) indicate that one or more ORVs were identified by the IDT and/or District Review (e.g., Slate River, Uncompahgre Gorge), but that the Responsible

Official determined the segment was not eligible when reviewing all potential eligible segments in the Forest. This is contradictory and indicates that the Forest Service is not considering every river segment that is free-flowing and possesses at least one ORV. While the Responsible Official has the final decision-making authority, decisions on ORVs should be informed by the Interdisciplinary Team, best scientific information, and public input.<sup>16</sup> In cases where the Responsible Official disagrees with identified ORVs, a defensible argument should be provided.

Recommendation: Inconsistencies on ORV identification need to be rectified or further justified. Identification of ORVs should be heavily weighted towards local expert opinion.

## 2) Comments on Individual River Segments

We appreciate the inclusion of 118 river miles in the Draft Eligibility Evaluation and the extensive work that the Forest Service undertook in this review. We support eligibility for all 118 river miles that have been identified thus far and include particularly support below for segments with recreation values. However, numerous river segments that are free-flowing and possess at least one ORV have been overlooked. The following is divided into 1) comments on river segments currently determined eligible in the 2021 Draft Plan, and 2) new river segments that should be determined eligible in the Final Plan and FEIS.

A note on American Whitewater's eligibility recommendations between 2019 and 2021: Joint comments from American Whitewater and the Outdoor Alliance GMUG Vision (OAGV) on Wild and Scenic eligibility submitted in 2019 focused solely on river segments with river recreation opportunities. Since 2019, American Whitewater and the OAGV have partnered with American Rivers, Great Old Broads, High Country Conservation Advocates, The Pew Charitable Trusts, Trout Unlimited, the West Slope Conservation Center, and others to identify river segments that qualify for eligibility. Additional river segments and ORVs are included below based on collaborative efforts and new findings since 2019.

Please also see Attachment A for photos that correspond to numerous eligible segments below and further depict their outstanding values.

Comments on river segments currently determined as eligible

### 1. Oh-Be-Joyful Creek (1B)

? Recommendation: Oh-Be-Joyful Creek (1B) should be found eligible, Recreation ORV, Scenic Classification

? Tributary of: Slate River

? Length: 1.66 miles

? Free-flowing: Yes.

? Classification: Scenic. Classification should be changed from Recreational to Scenic. Segment 1B is free of impoundments and manmade structures. The segment is paralleled by a hiking trail and a dirt road, but motorized access has been prohibited here.

? ORVs:

? Recreation. We concur with the Recreation ORV for kayaking. Oh-Be-Joyful provides a unique kayaking experience on the Western Slope and attracts visitor from across the state and the nation. Since 1995, OBJ has hosted an annual kayak competition - the steepest kayak race in the country. In addition to a series of 12' to 25' waterfalls, OBJ has numerous challenging slides. OBJ has been recognized in numerous guidebooks for being visually spectacular<sup>17</sup>, having exceptionally clean lines<sup>18</sup> [17-18: 17 Banks and Eckardt, Colorado Rivers, 162], a 5-star rating<sup>19</sup> [19 Stafford and McCutchen, Whitewater, 130], and as "king of the Colorado steeps".<sup>20</sup> [20 Davis, L., and Davis A. The River Gypsies' Guide to North America. USA, (Brushy Mountain Publishing, 2010), 206.]

? Additional Resources:

? AW River Inventory Page/Photo Gallery: Oh-Be-Joyful

? Media:

[brvbar] Kayak Session Video; Race History; 2019 Race Event; Yeti Gone Crazy Blog

## 2. San Miguel Segment 1

? Recommendation: San Miguel Segment 1 should be found eligible, Recreation & Scenery ORVs, Recreation Classification

? Tributary of: Dolores River

? Length: 0.08 miles

? Free-flowing: Yes. This segment of the San Miguel meets the requirements for free-flowing.

? ORVs:

? Recreation. We agree with the Recreation ORV for paddling on this segment of the San Miguel. This segment is part of the popular class II-III paddling stretch between Specie Creek and Beaver Creek.

? Scenery. We agree with the Scenery ORV for this segment. This stretch abuts the Uncompahgre Plateau and provides unique views of the plateau.

? Classification: Recreational.

? Additional Resources:

? AW River Inventory Page: San Miguel River Specie to Beaver Creek

### 3. San Miguel Segment 2

? Recommendation: San Miguel Segment 2 should be found eligible, Recreation & Scenery ORVs, Wild Classification

? Tributary of: Dolores River

? Length: 0.37 miles

? Free-flowing: Yes. This segment of the San Miguel meets the requirements for free- flowing.

? ORVs:

? Recreation. Agree with the Recreation ORV for paddling on this segment. It is part of the popular and scenic class III paddling stretch known as Norwood Canyon. People travel from around the state to commercially raft this stretch of river.

? Scenery. Agree with the Scenery ORV for this segment. This segment has been described as a "largely roadless, wooded canyon" and provides a very unique opportunity to experience a transition in landscapes between the alpine environment of Telluride to the desert environment of Naturita.<sup>21</sup> [21 Banks and Eckardt, Colorado Rivers, 124-125]

? Classification: Wild. We agree with the preliminary classification of Wild.

? Additional Resources:

? AW River Inventory Page: Beaver Creek to Piñon Bridge

New river segments that should be determined eligible in the Final Plan and FEIS

### 1. Ruby Fork of the Anthracite Creek

? Recommendation: The Ruby Fork Tributary should be found eligible, Recreation ORV, Wild Classification

? Tributary of: Anthracite Creek

? Ruby Fork TH 836 to Anthracite River

? Free-flowing: Yes. Ruby Fork is free of impoundments and man-made structures within this segment.

? ORVs:

? Recreation. The Ruby Fork of the Anthracite River offers a very unique, mandatory hike-in paddling experience. Paddlers hike their crafts (e.g., kayaks, packrafts, canoes) three-miles along the Dark Canyon Trail to the Ruby Fork of the Anthracite. Depending on the flows, the river provides continuous class IV-V whitewater and gradually

gets easier after the confluence with the mainstem Anthracite River. This segment has a long 3-mile required hike in, making it both unique and attractive to adventurous paddlers. After the river flows have dropped, fishermen hike out into the Dark Canyon for incredible dry-dropper fishing opportunities. Both the Ruby Fork and the Anthracite River have been recognized in paddling guide books since 1995 and described as wilderness in character with incredible scenery.<sup>22</sup> [22 Banks, G. and Eckardt, D. Colorado Rivers and Creeks. Hong Kong, (Dave Eckardt and Gordon Banks, 1995), 145.]

? Scenery. Both the Ruby Fork and the mainstem Anthracite offer jaw-dropping views of Marcellina Mountain that are unique to the river corridor. As the hiking trail connects with the Ruby Fork, you are surrounded by lupine, bluebells, and towering Aspens. Once on the Ruby Fork, Marcellina is viewed on the left and sheer cliff walls close you in on the right.

? Classification: Wild. The Ruby Fork is free of impoundments and diversions. It is only accessed via a three-mile hike on the Dark Canyon Trail (TH 836) and there are no established roads in the vicinity. There is a low-impact foot trail that follows the river from the confluence with Anthracite to the takeout at Erikson Springs CG.

? Additional Comments:

? Recreation ORV. In the Response to Public Comment document, the FS states that the Ruby Fork is not being carried forward because a public comment noted that "The main run that is starting to get popularized begins where Trail #836 reaches the Ruby Anthracite and ends at Erickson Springs."<sup>23</sup> By reviewing the GMUG GIS data it is clear that Trail #836 intersects with the Ruby Fork, as described in comments from AW and others. Therefore, the FS should correct the justification for Ruby Fork and determine the presence of a recreation ORV.

? Scenery. As indicated in the same Public Comment report, the Ruby Fork was both recommended from the public and confirmed to be highly scenic per the USFS GIS data. Based on the description provided above, the FS should determine the Ruby Fork eligible with a scenery ORV.

? Additional Resources:

? AW River Inventory Page: Anthracite, Ruby Fork

? Media:

[brvbar] <https://vimeo.com/224276599>

[brvbar] <https://www.youtube.com/watch?v=mEfp1NtMqtg>

## 2. Upper Taylor River

? Recommendation: The Upper Taylor River should be found eligible, Recreation & Scenery ORVs, Recreation Classification

? Tributary of: Gunnison River

? Headwaters to FS Boundary near Illinois Creek

? Free-flowing: Yes. From the headwaters to the FS Boundary, the Upper Taylor River is free of impoundments.



? ORVs:

? Recreation. A high mountain gem - the Upper Taylor River offers unique paddling and fishing opportunities. The river is incredibly scenic, with continuous beginner-intermediate whitewater. The GMUG does not offer many beginner- intermediate paddling runs, making this stretch a unique attraction for rafters, family floating trips, and kayakers alike. In addition, this stretch is very popular for dry-fly fishing opportunities.

? Scenery. The Upper Taylor is in an alpine meadow setting with incredible views of the surrounding peaks. This view is much unlike other river corridors in the region, which are commonly in canyons and densely forested.

? Classification: Recreational. The Upper Taylor River is free of impoundments and man-made structures, however the river is paralleled by an unpaved road (NF-742) and should be classified as Recreational.

? Additional Comments:

? The FS states in numerous places that the Upper Taylor is being further considered by the GMUG for a recreation ORV. We strongly encourage the GMUG to determine the Upper Taylor river eligible with recreation and scenery ORVs.

? Additional Resources:

? AW River Inventory Page: Upper Taylor River

? Media:

[brvbar] Yeti Gone Crazy Blog

### 3. Lower Taylor River (Taylor River Canyon)

? Recommendation: The Lower Taylor River should be found eligible, Recreation ORV, Recreation Classification

? Tributary of: Gunnison River

? Lottis Creek to FS Boundary near Almont

? Free-flowing: Yes. This segment is downstream of the Taylor Park Reservoir, however the segment itself is free-flowing in character with minimal man-made structures and diversions. The Reservoir User Group manages the reservoir to best mimic natural flows for fisheries. The FSH (Ch. 82.71) makes it clear that a river segment may still be considered free-flowing if it flows between large impoundments and/or if small impoundments exist within the reach.

? ORVs:

? Recreation. The Taylor River Canyon between Lottis Creek and the FS Boundary near Almont offers Class II - IV paddling opportunities in a scenic canyon setting. This stretch brings the local paddling community together for a well-loved "Taylor Tuesday" tradition and attracts paddlers from across the state. The Taylor Canyon boasts one of the longest paddling seasons in the Upper Gunnison Valley and its boulder-garden character sets it apart from other rivers in the area. In addition, the Taylor River is host to an annual Kayak and Raft Race as part of the Gunnison River Festival. This special river canyon brings together kayakers, rafters, public boaters, and

outfitters, providing numerous types of opportunities.

? Classification: Recreational. Although often not visible from the river, this stretch is paralleled by CR 742 and the river is accessed in multiple places by the road.

? Additional comments:

? The FS stated that "Accessibility contributes to the recreational value of a segment. Due to issues with accessibility on this [lower Taylor River] segment, despite its otherwise high value for recreation, it is not outstandingly remarkable within the region of comparison."<sup>24</sup> These claims are inaccurate and land ownership is not appropriate to consider in an eligibility review. This statement is also contradictory because if there is existing high value for recreation then there must be adequate access to the river for recreation.

? Except for a few inholdings, the majority of the Taylor River corridor is on public Forest Service land. There are numerous designated campgrounds within the river segment, 2 fully developed river access sites for paddlers and anglers, and multiple other river access areas on public land. There are also two commercial rafting outfitters that operate on this segment of the Taylor River, further proving that this segment is accessible to a variety of user groups.

? Additional Resources:

? AW River Inventory Page: Lower Taylor River

? Media:

[brvbar] Southwest Paddler Page

[brvbar] 2019 Taylor River Race

#### 4. Slate River (Headwaters to Poverty Gulch)

? Recommendation: From the headwaters to Poverty Gulch, the Slate River should be found eligible, Recreation, Scenery, and Botanical ORVs, Scenic Classification

? Tributary of: East River

? Headwaters to confluence with Poverty Gulch (i.e., Daisy Creek)

? Free-flowing: Yes. This segment of the Slate River is free-flowing in its entirety. There are no diversions or man-made structures and the banks are largely undeveloped, save for the Slate River Road which parallels the river in places.

? ORVs:

? Recreation. This segment of the Slate River (known as the North Fork Slate to most paddlers) provides the most challenging creek boating experience in the Gunnison Valley. It is famous for its gigantic falls, the North Fork Slate Falls, and extremely tight chutes.<sup>25</sup> [25 <http://yetigonecrazy.weebly.com/north-fork-slate.html>] While rarely paddled, guide books have given it a 4-star rating and it provides a unique challenge for the bravest of paddlers.<sup>26</sup> [26 Stafford and McCutchen, *Whitewater*, 134]. The Class V+ paddling section starts approximately one mile upstream from the confluence with Poverty Gulch.

? Scenery. The headwaters of the Slate River is nestled between Treasury and Purple Mountain, offering awe-inspiring views of the Ruby Range. Downstream of the headwaters, the extreme waterfalls provide scenic views and photography opportunities. In the 2006 Comprehensive Evaluation the USFS found the Slate eligible on the upper section for its beautiful scenery, including the dramatic canyon, gorgeous waterfalls, and hanging gardens

? Additional comments:

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

? The 2005 Comprehensive Evaluation Assessment determined this stretch to be Eligible with a scenery ORV for the canyon terrain and waterfalls. The scenery conditions have not negatively changed since 2005, indicating that the scenery ORV determined in 2005 should be carried forward in the current Draft Evaluation. Since 2005, the creek boating on this stretch has become more well-known and its uniqueness recognized in regional guide books,<sup>27</sup> [26 Stafford and McCutchen, Whitewater, 134], thus necessitating the addition of a Recreation ORV. The ORVs on this segment have become more prominent since 2005.

? Classification: Scenic. The Slate River is paralleled in some places by an unpaved road and hiking trails, however the banks are largely undeveloped and the river is void of man-made structures.

? Additional Resources:

? AW River Inventory Pages/Photo Gallery: North Fork Slate River

? Media:

[brvbar] [https://www.youtube.com/watch?v=n3Vq\\_A2kkvU](https://www.youtube.com/watch?v=n3Vq_A2kkvU)

[brvbar] <https://vimeo.com/183392076>

[brvbar] Yeti Gone Crazy Blog - North Fork Slate

## 5. Slate River (Poverty Gulch to Oh-Be-Joyful)

? Recommendation: The Slate River should be found eligible, Recreation ORV, Scenic Classification

? Tributary of: East River

? Poverty Gulch to Oh-Be-Joyful

? Free-flowing: Yes. There are no man-made structures in the river, although small well-rights and small conditional water rights exist on the Slate River. At this time, this river segment meets the qualifications for free-flowing.

? ORVs:

? Recreation. This stretch of the Slate River has been recognized in multiple guidebooks for the region.<sup>28</sup> [28

Stafford and McCutchen, Whitewater, 132; Banks and Eckardt, Colorado Rivers, 164] It provides a different experience than the other creeks in the valley; its gradient is less significant than the other creeks in the area and the hydraulics are fierce. Still a challenging Class V kayaking run, this segment has a longer paddling season than its neighbors.

? Classification: Scenic. The Slate River is paralleled in places by an unpaved road (CR 734) and hiking trails and is accessible at certain points. The river drops away in many places as it flows through the Slate River canyons. There are no man-made structures in the river, although small well-rights and small conditional water rights exist on the Slate River.

? Additional Resources:

? AW River Inventory Pages/Photo Gallery: Upper Slate River

? Media:

[brvbar] [https://www.youtube.com/watch?v=n3Vq\\_A2kkvU](https://www.youtube.com/watch?v=n3Vq_A2kkvU)

[brvbar] <https://vimeo.com/183392076>

[brvbar] Yeti Gone Crazy Blog - North Fork Slate

## 6. Slate River Segment (Oh-Be-Joyful to Town of Crested Butte)

? Recommendation: The Slate River should be found eligible, Recreation, Botanical, & Wildlife ORVs, Scenic Classification

? Tributary of: East River

? Oh-Be-Joyful to Town of Crested Butte

? Free-flowing: Yes. There are a couple insignificant diversions upstream of the Coal Creek confluence and the Mount Emmons Mining Company has a small conditional water right near the Oh-be-Joyful confluence, however none of these impact the natural flow regime of the river and at this time the segment meets the qualifications for free-flowing.

? ORVs:

? Recreation. In the past few years this segment of the Slate River has become incredibly popular for Stand Up Paddleboarding (SUP), a relatively new sport. It has been recognized as some of the best SUP in the state for its mellow floating experience, grandeur views of the Slate River Valley, and surrounding natural environment. This segment also offers a rare beginner opportunity for kayakers. In the Upper Gunnison Valley there are no other flatwater boating opportunities where people can learn to paddle in a safe environment.

? Botanical. Please refer to High Country Conservation Advocates' comments on this segment for in depth details on the Botanical ORV of this segment.

? Wildlife. Please refer to High Country Conservation Advocates' comments on this segment for in depth details on the Wildlife ORV for the high-altitude heron habitat.

? Additional Comments: Although part of this segment extends outside of the USFS Boundary, we believe that its many ORVs warrant its inclusion as an Eligible river segment. According to the FSH,29 a river segment may extend beyond the USFS Boundary in certain circumstances. In this case, there are ORVs that extend downstream of the USFS Boundary on the Slate River that depend on protections under the Wild and Scenic Rivers Act. Additionally, the river maintains its incredibly scenic environment and remoteness until it reaches the Town of Crested Butte.

? Classification: Scenic. The majority of this segment is significantly distanced from CR 734 and is only paralleled by a non-motorized trail in some places. Although the segment has a couple minimal diversions and cattle fencing, it is largely void of man-made structures and the banks are undeveloped.

? Additional Resources:

? AW River Inventory Pages/Photo Gallery: Middle Slate River

? Media:

[brvbar] [https://www.youtube.com/watch?v=n3Vq\\_A2kkvU](https://www.youtube.com/watch?v=n3Vq_A2kkvU)

#### 7. Daisy Creek (i.e., Poverty Gulch)

? Recommendation: Daisy Creek should be found eligible, Recreation & Scenery ORV, Scenic Classification

? Tributary of: Slate River

? Headwaters to Slate River Confluence

? Free-flowing: Yes. Daisy Creek is free-flowing in its entirety; it is free of impoundments, man-made structures, and diversions.

? ORVs:

? Recreation. Daisy Creek flows from its headwaters in Daisy Pass through Poverty Gulch and into the Slate River. Advanced paddlers put in below the first significant falls (40' tall) and quickly find themselves in fast moving water that drops over a series of short slides and drops. The thrill of the whitewater heightens as Big Wood Falls (22' tall) approaches. While still technical, Big Wood Falls offers a unique waterfall experience, without the commitment required of Oh-Be-Joyful.

? Scenery. Daisy Creek meanders through the high alpine fields below Daisy Pass before it drops away from the meadows and into a committing, forested canyon. The character of the canyon is remote and the latter part of the run offers incredible views of the Slate River Valley.

? Classification: Scenic. The majority of Daisy Creek is set back from any roads or trails and requires a steep hike down into the canyon at the base of the 40' waterfall. At certain points the river is accessed by a 4x4 road (Poverty Gulch Rd) and towards the end of the stretch there exists a bridge over the creek.

? Additional Resources:

? AW River Inventory Page: Daisy Creek

? Media:

[brvbar] <https://vimeo.com/134668326>

8. East River: Headwaters to Gothic Rd. Bridge below RMBL

? Recommendation: East River should be found eligible, scientific, botanical, and historic ORVs, Recreational Classification

? Tributary of: Gunnison River

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

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

? ORVS:

? Scientific. An entire page on RMBL's website is devoted to river-related studies, titled "Water Research".<sup>30</sup> [30 Accessed at <http://www.rmbll.org/scientists/water-research>] A quick search of the RMBL publication database will reveal numerous scientific articles discussing East River study projects.

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

? Additional comments:

? It passes through the high alpine Gothic Valley, where the Rocky Mountain Biological Laboratory (RMBL) holds several instream flow water rights dating back to 1976 for scientific purposes on the East and its tributaries. The East and its tributaries contain breeding populations of Brook Trout and native Colorado Cutthroat Trout. In the Comprehensive Evaluation Report completed in July of 2006, the USFS identified 6.7 miles of the East River as eligible for wild and scenic for scenic and botanical characteristics.

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

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

## 9. East River: Gothic Rd Bridge to Meanders

? Recommendation: The East River should be found eligible, Recreation ORV, Scenic Classification

? Tributary of: Gunnison River

? Gothic Road Bridge to East River Meanders

? Free-flowing: Yes. The East River is free of impoundments and man-made structures

? ORVs:

? Recreation. The primary section of the "Upper East" is the easiest of the four high-quality creeks in Crested Butte, but the end of this stretch includes "Stupid Falls", a spectacular waterfall that is one of the tallest in the State. At moderate flows, the upper stretch provides an unique opportunity for intermediate paddlers to test their skills on slides and moderately sized falls.<sup>31</sup> [31 Stafford and McCutchen, Whitewater, 136] This segment is set in the Gothic Valley, the wildflower capital of Colorado and provides scenic views of the East River corridor.

? Classification: Scenic. Immediately after the put-in bridge, the river drops away from the road into a narrow canyon and there is a mandatory hike-out to a dirt road at the end of the segment. The river banks are largely undeveloped and there are no impoundments or man-made structures in the river.

? Additional Resources:

? AW River Inventory Page/Photo Gallery: Upper East

? Media:

[brvbar] <https://vimeo.com/129999464>

[brvbar] <https://www.youtube.com/watch?v=F5r97FRPTvc>

## 10. East River: Meanders

Recommendation: The East River Meanders should be found eligible, Scenery and Geology ORVs, Scenic Classification

[middot] Tributary of: Gunnison River

[middot] Length: Stupid Falls to Slate River Confluence

[middot] Free-flowing: Yes. The East River is free of impoundments and man-made structures

[middot] ORVs:

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

o Geologic. The Handbook criteria include a description for geology that "the feature(s) may be in an unusually active stage of development, represent a "textbook" example, or represent a unique, rare or exemplary combination of geologic features (erosional, volcanic, glacial, or other geologic structures)."32 The East River meanders are and exemplary "textbook" example of an oxbow river system.33 [33 <https://www.nps.gov/articles/meandering-stream.htm>] The textbook structure of this system has been documented in studies;34 [34 Predicting Cutoff Locations Along Meander Bends on the East River in Crested Butte, Colorado. Stauffer, Sophie J., Rowland, Joel C., Sutfin, Nicholas A. and Fratkin, Mulu. Earth & Environmental Science Division, Los Alamos National Laboratory, MS-J495, Los Alamos, NM 87545, [ssauffer@lanl.gov](mailto:ssauffer@lanl.gov)] one described that "Lidar and Worldview 2 multispectral satellite imagery collected in 2015 revealed approximately 100 abandoned channels in our 10 kilometer long study reach that occupy approximately 25% of the floodplain. Abandoned channels preserve the shape of former river meander bends." Thus, the East River meanders meet the criteria for a geologic ORV.

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

#### 11. San Miguel (Keystone Canyon and Sawpit)

? Recommendation: The San Miguel should be found eligible, Recreation ORV, Recreation Classification

? Tributary of: Dolores River

? Keystone to USFS-BLM boundary

? Free-flowing: Yes. This segment of the San Miguel river is free-flowing with no impoundments or made-made structures.

? ORVs:

? Recreation. Keystone Canyon has been described as the best creek boating option in the area, providing a class V- to V+ boating experience unlike anywhere else in the San Miguel drainage.35 [35 Stafford and McCutchen, Whitewater, 202.] Keystone Canyon starts 3.5 miles downstream of Telluride and ends at the Bilk Creek access point. Downstream of Bilk Creek is a Class II-III stretch of river frequently described as having quality whitewater and incredibly scenic views.36 [36 <https://westerncooutdoors.com/archives/3002>]

? Additional Comments: This segment abuts the BLM segment of the San Miguel (27.2 miles from the USFS boundary near Lime to downstream of Norwood), which was determined to be Eligible (and Suitable) by the BLM Uncompahgre Field Office.37 [37 [https://eplanning.blm.gov/epl-front-office/projects/lup/62103/78805/90472/WSR\\_Suitability\\_Report\\_Final\\_04272012.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/62103/78805/90472/WSR_Suitability_Report_Final_04272012.pdf)] This segment of the San Miguel River is the longest segment within the USFS boundary and also the most scenic and unique.

? Classification: Recreational. Sections of the San Miguel River are paralleled by Highway 145 and the river is intersected by CR 63L.

? Additional Resources:

? AW River Inventory Page: San Miguel Box



## 12. Uncompahgre River (Uncompahgre Gorge)

? Recommendation: The Uncompahgre River should be found eligible, Recreation, Geology, Heritage & Scenery ORVs, Scenic Classification

? Tributary of: Gunnison River

? Red Mountain Creek to Ouray Ice Park

? Free-flowing: Yes. There is a small diversion at the end of this segment in the Ouray Ice Park (Ice Box Canyon), however the segment itself is free of diversions and impoundments and is free-flowing.

? ORVs: We agree with the ORVs identified by the District Review, including Recreation, Scenery, Heritage and Geology. We expand on the Recreation ORV below.

? Recreation. From Red Mountain Creek to the hydropower plant above the Ouray Ice Park, the Uncompahgre Gorge offers challenging Class IV-V whitewater in an incredibly scenic gorge. This is the most challenging section of the Uncompahgre

River, as well as the most remote. The canyon walls within the Uncompahgre Gorge are among the tightest in Colorado.

? Additional Comments:

? The Draft Evaluation cites incorrect reasoning for ineligibility on this segment. The "WSR Review Notes" indicate that more information is needed regarding land ownership, water quality, highway impacts, etc. However, these factors are outside the scope of Eligibility and should not be considered at this time.

? The District Review identified ORVs of Recreation, Scenery, Geology, and Heritage and advocated for Eligibility determination on multiple occasions. These valid insights from the local District Review team and from public comment should drive the Eligibility determination and this segment should be found eligible.

? Classification: Scenic. The Uncompahgre Gorge is set back from the road system as it flows through the gorge, although it is paralleled by Highway 550 and the end of the segment runs through the Town of Ouray and the Ouray Ice Park. Between the put-in and the Ouray Ice Park there are no road or trail intersections and the river is free of impoundments within the segment identified.

? Additional Resources:

? AW River Inventory Page/Photo Gallery: Uncompahgre Gorge

## 13. Uncompahgre River (Ouray to KOA CG)

? Recommendation: The Uncompahgre River should be found eligible, Recreation ORV, Recreational Classification

? Tributary of: Gunnison River

? Town of Ouray to KOA CG: 2.2 miles

? Free-flowing: Yes. This segment of the Uncompahgre is free-flowing in its entirety.

? ORVs:

? Recreation. From Ouray to the KOA CG downstream of town, the Uncompahgre provides a popular and challenging class IV-V paddling stretch known to the locals as the Quality Quickie. This segment has been in the guide books since 1995<sup>38</sup> [38 Banks and Eckardt, Colorado Rivers, 139] and continues to grow in popularity; Whitewater of the Southern Rockies gives it a 4-star rating.<sup>39</sup> [39 Stafford and McCutchen, Whitewater, 538.]

? Classification: Recreation. Although it is set back from the road, this segment is paralleled by Highway 550 and accessible at multiple points. This stretch is free of impoundments and diversions.

? Additional Resources:

? AW River Inventory Page: Ouray to KOA CG

? Media:

[brvbar] <https://vimeo.com/99315827>

#### 14. Escalante Creek

[middot] Length: 1.5 miles from start of the main stem to the USFS/BLM boundary

[middot] Classification: scenic

[middot] ORVs: vegetation/botanical, scenery, recreation, geologic, wildlife, fish, vegetation/botanical

[middot] Additional Information: Escalante Creek is regionally important habitat for resident populations of native roundtail chubs, bluehead suckers, and flannelmouth suckers, as well as serving as a spawning site for Gunnison River populations of all three of these BLM and Colorado sensitive species. The national forest portion of Escalante Creek includes no impoundments or structures. It is paralleled by an unpaved road, so it qualifies for wild or scenic classification. Escalante Creek should retain its 2005 eligibility, or it should be added to the streams studied in the draft eligibility evaluation and found eligible with outstandingly remarkable values vegetation/botanical, recreation, geologic, wildlife, and fish/rare species.

#### 15. Bridal Veil Creek (Falls)

[middot] Reach: .01 mile

[middot] Classification: recreational

[middot] ORVs: historical, wildlife, scenery

[middot] Additional information: The falls of Bridal Veil Creek retain the outstandingly remarkable values identified in 2005. The GMUG interdisciplinary team has since noted that the falls might not be on national forest land. Documentation of that location detail should be published and subject to public review and comment before removing the falls from eligibility. The GMUG's own GIS maps show that the falls are in fact on USFS lands and there is only a private property parcel set back from the river. As such, Bridal Veil Creek (falls) should retain its 2005 eligibility.

#### 16. Ingram Creek (Falls)

[middot] Reach: .01 mile

[middot] Classification: recreational

[middot] ORVs: wildlife, scenery

[middot] Additional Information: Ingram Falls retains the outstandingly remarkable value identified in 2005. The GMUG interdisciplinary team has since confirmed presence of uncommon black swift at the falls. Any changed circumstances or other evidence should be published and subject to public review and comment before removing the falls from eligibility. Otherwise, Ingram Falls should retain its 2005 eligibility.

#### 17. Monitor Creek

[middot] Length: Approximately 7.5 mile from source to national forest/BLM boundary

[middot] Classification: wild classification

[middot] ORVs: vegetation, fish

[middot] Additional Information: Immediately downstream of the GMUG portion of Monitor Creek, the BLM Uncompahgre Field Office (UFO) has determined its portion of Monitor Creek is wild & scenic eligible, with wild classification; BLM found it to be wild & scenic suitable in the BLM final suitability report (and included in the preferred alternative for the proposed UFO Resource Management Plan). The national forest portion of Monitor Creek includes no impoundments, structures, or constructed routes. It therefore qualifies for wild classification. Monitor Creek should be added to the list of streams studied in the draft eligibility evaluation, and it should be found eligible with outstandingly remarkable values vegetation and fish, consistent with and complementary to eligibility finding, and pending suitability finding, by the BLM.

#### 18. Potter Creek

[middot] Length: 6.5 miles from source to national forest/BLM boundary

[middot] Classification: wild

[middot] ORVs: vegetation, fish

[middot] Description: Immediately downstream of the GMUG portion of Potter Creek, the BLM Uncompahgre

Field Office (UFO) has determined its portion of Potter Creek is wild & scenic eligible, with wild classification; BLM found it to be wild & scenic suitable in the BLM final suitability report (and included in the preferred alternative for the proposed UFO Resource Management Plan). The national forest portion of Potter Creek includes no impoundments, structures, or significant constructed routes. The upper stream crosses the Roubideau Mesa Trail. It therefore qualifies for wild classification either for its full length or for the portion downstream of the trail. Potter Creek should be added to the list of streams studied in the draft eligibility evaluation, and it should be found eligible with outstandingly remarkable values vegetation and fish, consistent with and complementary to eligibility finding, and pending suitability finding, by the BLM.

#### 1. Cottonwood Creek

\* Length: Approximately 8 miles from source to national forest/BLM boundary

\* Classification: recreational

\* ORVs: vegetation

\*

Description: Immediately downstream of the GMUG portion of Cottonwood Creek, the BLM Uncompahgre Field Office (UFO) has determined its portion of Cottonwood Creek is wild & scenic eligible, with scenic classification. BLM found it to be wild & scenic suitable in the BLM Dominguez-Escalante National Conservation Area Resource Management Plan. The national forest portion of Cottonwood Creek includes no impoundments or structures. The segment crosses FSR 504, and an unpaved road parallels approximately three miles of the stream's upper reach. It therefore qualifies for recreational classification. Cottonwood Creek should be added to the list of streams studied in the draft eligibility evaluation, and it should be found eligible with outstandingly remarkable value vegetation, consistent with and complementary to eligibility finding, and pending suitability finding, by the BLM.

#### 1. Beaver Creek

\* Length: Approximately 2 miles, from confluence with McCulloch Creek to national forest/BLM boundary

\* Classification: wild

\* ORV: vegetation

\* Description: Immediately downstream of the GMUG portion of Beaver Creek, the BLM Uncompahgre Field Office (UFO) has determined its portion of Beaver Creek is wild & scenic eligible, with scenic classification; BLM found it to be wild & scenic suitable in the BLM final suitability report (and included in the preferred alternative for the proposed UFO Resource Management Plan). The national forest portion of Beaver Creek includes no impoundments, structures, or constructed routes. The national forest portion therefore qualifies for wild classification. Beaver Creek should be added to the list of streams studied in the draft eligibility evaluation, and it should be found eligible with outstandingly remarkable value vegetation, consistent with and complementary to eligibility finding, and pending suitability finding, by the BLM.

#### 1. Horsefly Creek:

\* Length: Approximately 17.8 miles, from source to national forest boundary

\* Classification: wild

\* ORVs: fish, wildlife/rare species, vegetation

\* Description: The national forest portion of Horsefly Creek includes no impoundments, structures, or constructed routes. The lower reach crosses a low-maintenance trail. It therefore qualifies for wild classification or, at least, wild above the trail crossing, scenic below the crossing. Horsefly Creek should be added to the list of streams studied in the draft eligibility evaluation, and it should be found eligible with outstandingly remarkable values fish, wildlife/rare species, and vegetation.

#### 1. Upper Brush Creek and West Brush Creek tributary

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

\* Classification: Scenic. West Brush Creek is only accessible by trails and primitive 4x4 roads.

\* ORVs:

o Wildlife/Habitat. West Brush Creek and Upper Brush Creek provides important habitat for a rare and ecologically crucial boreal toad population that is dependent on the West Brush Creek and Brush Creek aquatic and riparian natural environment. USFS Region 2 classifies the boreal toad as a sensitive species and the boreal toad is presently listed as an endangered species by the State of Colorado. The Boreal Toad has also been found by the Colorado Natural Heritage Program (CNHP) to be "critically imperiled" at the state level. Rare breeding populations of boreal toads are found along West Brush Creek and Brush Creek proper.

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

#### 1. Cement Creek

\* Length: The proposed reach extends from the Cement Creek Trail trailhead to below the Cement Creek Ranch where the creek drops steeply into a narrow canyon.

\* Classification: Recreational. There is a road paralleling the Cement Creek riparian area.

\* ORVs: Globally imperiled fen. There is an incredibly unique extreme rich fen along Cement Creek. In 2004, the Colorado Natural Heritage Program at Colorado State University recommended to the Colorado Department of Natural Resources that the Cement Creek extreme rich fen is a Potential Conservation Area (PCA). The assessment ranked the Cement Creek PCA as having "very high biodiversity significance" and noted that "[t]his PCA supports a globally imperiled (G2) extreme rich fen plant community and numerous state rare plants." In contrast to the wide distribution of intermediate and rich fens, extreme rich fens appear restricted to a small area in Colorado, primarily the west and north portions of South Park and Cement Creek. Rare plant communities that include a rare green sedge and an extreme rich fen plant community of Pacific bog sedge and alpine meadow rue along with rare plants such as Rolland's bulrush and variegated scouring rush.

\* Additional Information: Cement Creek is home to a mixed fishery and sampling conducted by Colorado Parks and Wildlife in 2005 and 1973 identified a Colorado River Cutthroat population in the creek

#### 1. Curecanti Creek

\* Length: Headwaters to the USFS boundary.

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

\*

ORVs:

\* Fishery. The National Park Service (NPS) has identified two creeks as "eligible" that extend onto USFS lands and were not included as eligible in the Draft Eligibility Evaluation: Curecanti Creek and Coal Creek (both terminating at Blue Mesa Reservoir).<sup>40</sup> [40 Nationwide Rivers Inventory, Potential Wild and Scenic Rivers within the National Park System: Colorado. See <https://irma.nps.gov/DataStore/DownloadFile/547106>] These creeks retain these some of the same unique qualities upstream as identified in the NPS assessment. However, the wild and scenic review notes provided by the Forest Planning Team and prior efforts show no evidence for why the Curecanti fishery was not considered valuable upstream of the segment identified by the NPS. The WSR Review Notes merely reference 2005 working maps and Comprehensive Assessment Appendix W-2 and explain that "District review verified no ORVs, not eligible" but without providing further justification for this finding. We encourage the Forest Planning Team to re- examine Curecanti Creek for eligibility to assess the fishery and recreational fishing values that extend upstream of NPS boundaries.

\* Additional information: This reach of Curecanti Creek is free-flowing, with no diversions or impoundments. The NPS has agreed that Curecanti Creek should be eligible for wild and scenic eligibility in their assessment of the Curecanti National Recreation Area.<sup>41</sup> One of the ORVs that makes this creek "eligible" in the NPS analysis extends onto USFS lands. In the NPS analysis, the NPS identified the downstream segment of Curecanti for its fishery, as well as for its scenic values. Although the scenic values identified in the NPS report are primarily located on the lower segment of the creek, the upper portion shares the same fishery and fishing characteristics identified in the NPS analysis.

## 1. Coal Creek

\* Length: Headwaters to the USFS boundary (terminus in the Curecanti National Recreational Area)

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

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

\* Additional information: The NPS has identified Coal Creek as eligible for wild and scenic in their assessment of the Curecanti National Recreation Area. They identified three ORVs for a reach that shares many of the same characteristics as the upstream USFS segment identified herein. In the NPS assessment it was classified as eligible for scenic, fish, and wildlife ORVs. Segment Headwaters to the USFS boundary. Outstandingly Remarkable Values Like Curecanti Creek, Coal Creek should be assessed upstream in the West Elk Wilderness for scenic, fish and wildlife values. The WSR Review Notes simply state that "Nationwide Rivers Inventory portion within Curecanti NRA, NPS confirmed no record of being considered eligible, GMUG portion no ORVs identified." However, it is unclear from the review notes provided by the NPS whether the upstream GMUG portion of these reaches were assessed for any ORVs. Given that the lower segment of Coal Creek was found eligible by NPS for Scenic, Wildlife, and Fishery ORVs, the upper portion of the creek should be assessed for similar values. Particularly when values include fishery and wildlife on the lower portion of the reach, these values may extend

upstream out of NRA boundaries.

## 1. Lamphier Lake

\*

ORVs:

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

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

\* Recreation: Lake fishing. In addition to displaying unique geologic features, Lamphier Lake also offers extraordinary fishing. Included here is one recreationalist's experience hiking and fishing Lamphier Lake and the adjacent peak. The first half of the video shows multiple photos of the lake, geographic features from afar, and pictures of healthy cutthroat cruising the lakeshore (<https://www.youtube.com/watch?v=iQE4YEzqljY>).

\* Additional information: Lamphier Lake is an outstandingly beautiful lake surrounded by unique geologic features and providing one of the best backcountry lake angling opportunities in the region. Lamphier Lake is a natural lake that has not been augmented.

## 1. Big Blue Creek and Slide Lake

\* Length: Headwaters to the USFS boundary.

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

\*

ORVs:

\* Recreation. Big Blue Creek offers excellent recreational fishing and hiking opportunities. The Big Blue Trail (232) extends along the creek.

\* Geology. There is a natural lake that formed mid-creek after a rock slide tore across the creek in the 1940s. Slide Lake offers excellent recreational fishing for brook and rainbow trout and exceptional hiking. Slide Lake is a unique geologic feature; it is a natural lake that was not created by the same means as others in the area. While most GMUG lakes were carved out glacially, Slide Lake was created by a rockslide.

\* Additional information: Big Blue Creek is free-flowing. Slide Lake was created by a natural geologic feature and is unaltered. Big Blue Creek begins at an elevation of 12,500 feet in the Uncompahgre Wilderness and extends down to 8,700 feet over the course of 25 miles.

## 1. Dry Fork of the Escalante

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

\* Classification: Scenic.

\* ORVs:

o Scientific Research. The Dry Fork of the Escalante is a Research Natural Area (RNA) as designated by the USFS. The USFS defines RNAs as "permanently established to maintain areas of natural ecosystems and areas of special ecological significance." The USFS identifies RNAs as serving three important functions, including to serve as ecosystem benchmark areas, for research into how ecosystems function, and to protect biological diversity. The Dry Fork RNA was established in 1981 as 61 acres along the Dry Fork of Escalante creek to protect the surrounding blue spruce (*Picea pungens*) that "exists in narrow stringers along the stream bottom and northwest slopes."

1.

Bear Creek (Ouray)

\* Length: Headwaters to Hwy 550

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

\*

ORVs:

\* Recreation. As described by the USFS website: The Bear Creek Trail #241 is designated as a National Recreation Trail because of its unique and spectacular nature. The Bear Creek National Recreation Trail that climbs and follows the creek is river-related; its popularity and notoriety stems from beauty of the cascading waters and waterfalls of Bear Creek.

\* Scenery. The scenery is spectacular with deep gorges, thundering waterfalls, dramatic cliffs and golden aspen in autumn qualifying Bear Creek for a Scenic ORV.

\* Geologic. Geologic features including volcanic tuff pinnacles, iron-rich intrusions and fossilized tidal ripple marks qualify for a Geologic ORV. The ripple marks specifically (and alone) should qualify Bear Creek for Wild and Scenic. This Precambrian fossilized rock dates between 1.8 - 2.1 billion years old and is the oldest evidence of the shallow sea that once occupied this region. University geology field camps from across the country visit Bear Creek as an example of significant visible geologic record.

\*

Additional Information:

\* Free-Flowing: Bear Creek is free-flowing and has no existing impoundments or diversions.

\* The trail begins at Highway 550 and ends at the Yellow Jacket Mine. Switchbacks on the first part of the trail rise steadily for an elevation gain of about 1,000 feet and cross a large talus field of unstable rock. Just after the switchbacks the trail narrows with steep drops offs. It then levels out for some stretches as it turns eastward along the Bear Creek gorge. In the WSR Review Notes, the Forest Planning Team notes that "Recreation, although along a National Recreation Trail, is not river-related" and then proceeds to determine that this segment is not eligible. We disagree with this finding; the unique and spectacular nature of this trail is river- dependent and exists because of the Bear Creek gorge. This gorge was created by the erosional forces of Bear Creek and continues to host the beautiful creek along its bottom.

\* Bear Creek was found eligible in the GMUG's 2005 Wild and Scenic Comprehensive Assessment (not adopted) but not in the current draft forest plan. There is no evidence or explanation that conditions have changed diminishing Bear Creek's ORVs that were identified in 2005.



Thank you for consideration of American Whitewater's comments on the Draft Plan and Draft Environmental Impact Statement. Please reach out if you have any questions on the comments here.

Sincerely,

Kestrel Kunz

Associate Stewardship Director Southern Rockies Program American Whitewater  
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[DUE TO A FORMATTING ERROR THAT REMOVES STRIKETHROUGH TEXT, THE FOLLOWING TEXT HAS BEEN COPIED AGAIN BELOW FOR ACCURATE CODING PURPOSES. STRIKETHROUGHS ARE INDICATED WITH A "[SUGGESTED DELETION]" BRACKETING THE PHRASE.]

\* Revise, FW-STND-RMGD-09: To maintain stream thermal cover and prevent windthrow within the riparian management zone, [SUGGESTED DELETION] clear-cut [SUGGESTED DELETION] timber harvest [SUGGESTED DELETION] of desired native riparian vegetation [SUGGESTED DELETION] shall not occur in riparian management zones.

\*

Revise, FW-STND-RMGD-07:

\* Category 2: Fens, wetlands [SUGGESTED DELETION]larger than one quarter acre [SUGGESTED DELETION], lakes, springs and reservoirs: consist of the body of water or wetland and the area to the outer edges of the riparian vegetation; or to the extent of the seasonally saturated soil; or 100- foot slope distance from the edge of the wetland or the maximum pool elevation of constructed pond and reservoirs with shorelines composed of riparian vegetation, whichever is greatest (table 3)

\* Revise, FW-STND-AQTC-05: New, replacement, and reconstructed crossings (culverts, bridges, and other stream crossings) and in-stream structures (impoundments, diversions, and weirs) on perennial streams and on intermittent streams known to be used by native fishes (bluehead sucker and flannelmouth sucker) for spawning, will accommodate flood flows and allow aquatic organism passage, unless the accommodation would increase non-native species encroachment on native fish and amphibian habitat. These same structures will also be considered as opportunities for improved river access where they exist on streams with existing or potential river recreation opportunities.[SUGGESTED DELETION] Exceptions include.....[SUGGESTED DELETION] See also the Forestwide guideline for connectivity, SPEC-06.

\* Revise, FW-OBJ-WTR-04:[SUGGESTED DELETION] Over the life of the plan [SUGGESTED DELETION]Within 10 years, trend at least 1530 percent of subwatersheds toward improved watershed conditions, including their chemical, physical, and biological attributes, based upon the watershed condition framework or other accepted protocols. Actions to help accomplish this objective may include rehabilitating areas to reduce erosion and sedimentation delivery to waterbodies, improving 303(d)-listed streams, and/or other passive or active restoration efforts. See also the Forestwide objective for infrastructure, INFR-03.

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