

July 23, 2021

Forest Supervisor Lesley Yen
Inyo National Forest
351 Pacu Lane, Suite 200
Bishop, CA 93514

Re: Comments on the Owens River Headwaters and Crooked Creek Comprehensive River Management Plans (CRMPs) [#57325]

Dear Supervisor Yen:

It is time that the USFS put the health of the ecosystems it is entrusted to protect for future generations at the forefront of its management plans. Unfortunately, our view is that this guiding theme is missing from the current drafts of the Cottonwood Creek and Upper Owens River Wild and Scenic Management Plans. The Wild and Scenic Rivers Act specifically charges that "Each component of the National Wild and Scenic Rivers System will be administered in such manner as to protect and enhance the values which caused it to be included in said system..." and that "...primary emphasis shall be given to protecting its aesthetic, scenic, historic, archeologic, and scientific features." For emphasis, your mandate is to PROTECT and ENHANCE. And p.7 of the plan states that "Management activities that are inconsistent with these objectives will not be permitted." The river ecosystem is the most important asset - not the recreational uses of the river. Though they may be classified as having outstanding value, there is no mandate to preserve existing recreational uses. Also, the 'recreational' classification for a segment of the river is based on past development, not best future management practices to PROTECT and ENHANCE.

The following is a list of aspects of the plan which we feel need further attention:

p.8 - Please update your discharge measurements as seen in table 1. 1991 was 30 years ago! Also, one year of discharge measurements is not really meaningful - that is just one point on a line - but where is the line going? You should have 40 years of discharge measurements so you can see historical averages and forecast future trends. Relying on 30-year-old water data in a time of severe climate change is unacceptable. You need to collect current data and collect more data. Even then, your assumptions about how these creeks are recharged may not hold up in future scenarios. As reported by NPR in "Melting Snow Usually Means Water For The West. But This Year, It Might Not Be Enough" from 23 May, 2021: "Year after year, unusually dry soils from warmer than normal temperatures and a lack of moisture are absorbing a lot of the water that melts from the snowpack. This means that water isn't making it into rivers and streams, essentially limiting the efficiency of the melting snow - one indication of how the warming climate is disrupting this delicate system in multiple ways." The California Department of water resources states quite succinctly, "Climate change is having a profound impact on California's water resources, as evidenced by greater weather extremes, reduced snowpack, higher sea level, and changes in river flows. Models predict that more precipitation will fall as rain instead of snow, exacerbating flood risks and creating additional challenges for water supply reliability. These impacts are expected to intensify in the future." [<https://water.ca.gov/Programs/All-Programs/Climate-Change-Program>]. We wholeheartedly agree with p.33 Table 5. Possible Monitoring Items and their Locations in the Wild and Scenic River and Corridor and the listing of items as they relate to water quality and flow. But these should not be 'possible' monitoring items, they should be required. Without the collection of data over time, it is not possible to make the best decisions for these river's health.

p.9 - The plan states, "Glass Creek and Deadman Creek have multiple road crossings with culverts that affect condition and flows to varying degrees." As noted above, models predict that more precipitation will fall as rain instead of snow, exacerbating flood risks and creating

additional challenges for water supply reliability. This plan should acknowledge this change and create a monitoring plan for maintaining the free flow of the creeks, even and including the wettest years. We counted no fewer than 9 stream crossings on the map of this plan. We argue that a free-flowing river cannot occur in a culvert. This plan should remove all vehicular traffic crossings and revegetate stream banks.

p.9 - The plan states "Bacterial contamination has been noted downstream of the campground on Glass Creek in late summer and autumn (USDA Forest Service 1998)." However, there is no mention of a plan to identify the source of the contamination - only speculation. The plan should create a goal of identifying and eliminating the source of contamination.

p.10 - There is a discussion of increased erosion and sediment transport in the both Glass and Deadman creeks due to unpaved roads and OHV use. The plan states "The Forest has attempted to address the problem through restricting vehicle use in the Glass/Hartley area." We assume that by the use of the word "attempted" that this restriction of use was not a success.

In the case of the Upper Owens River, The plan should ban the use of OHVs for recreation. OHV use on public land is not recreation: it is wreckreation. The small number of OHV users have a disproportionate negative impact on both the environment and on the ability of other visitors to enjoy the area.

Here is a comparison of visits to the Inyo Forest for hiking vs. OHV use: as per USFS data from The 2009 Travel Management EIS, Table 3-5: Number of Visits by Activity [including non-local day use + overnight, local day use + overnight and non-primary for each], Hiking represents 210,343 visits while OHV use represents 4,711. That means just 2.2% of visits are arguably creating 99% of the negative affects on water health and quality. This is unacceptable. If we included other non-motorized visits [e.g. bird watching, relaxing, picnicking, viewing wildlife and natural features, etc.] this percentage would be even smaller.
[\[https://www.fs.usda.gov/nfs/11558/www/nepa/29451_FSPLT1_011193.pdf\]](https://www.fs.usda.gov/nfs/11558/www/nepa/29451_FSPLT1_011193.pdf) Inyo National Forest Travel Management EIS – August 2009 p.63-64]

All people using public lands should do so in a manner that does not compromise the landscape for present and future users—and by this definition there is no way to use OHVs in a manner that does not directly impact a large area of the landscape for other visitors. The operation of OHVs on public land causes water pollution, air pollution and noise pollution. They contribute to the spread of invasive weeds and the destruction of plant communities. They cause soil compaction and erosion and they disrupt and destroy wildlife and wildlife habitat. We understand the OHV use has existed in this area historically, but that does not make it an appropriate form of recreation on public lands for the future. p. 28 of the plan clearly lays out that "Public recreation and resource uses are provided that do not adversely impact or degrade the values for which the river was designated (DA-WSR-DC-02)." Keeping this standard in place, OHV use should not be allowed in this area.

No one has a right to infringe on the enjoyment and intrude upon the solitude of the vast majority of public lands users who seek quiet relaxing experience in natural landscapes. Visitors increasingly look to our national forests to find solitude, peace and quiet. This in itself is a unique experience that is more and more difficult to find in the world and the headwaters of the Owens River present a prime opportunity to offer this experience. Light-on-the-land recreation is also the most sustainable way to visit the forest and the best for the economic viability of surrounding communities. Research from the UFSF states that "Non-motorized activities and other recreation activities provide a greater contribution to local economies than motorized activities," and that "Motorized recreation activities such as OHV use and driving for pleasure have a relatively minor contribution to jobs and labor income in the economic analysis area compared to non-motorized activities and other recreation activities.

[https://www.fs.usda.gov/nfs/11558/www/nepa/29451_FSPLT1_011193.pdf: Inyo National Forest Travel Management EIS – August 2009 p.69] So it is not just removing a negative in the case of OHV use, as eliminating OHV use would make a greater positive impact on local economies and create a better visitor experience.

OHVs should not be permitted to wreck and ruin public lands. No one would allow this kind of destruction on private land, and as paying taxpayers, it is unacceptable to us that the USFS allows this behavior on our public lands. No one has a right to pollute, disturb, terrorize, vandalize, and otherwise degrade our public lands. No where in the plan is there a goal to reverse any of the destruction that has been caused by OHV [ab]use of this area for decades. The plan states, “Sedimentation of portions of Deadman Creek has been attributed to the road crossings of the creek and OHV use within and adjacent to the channel. Roadside vegetation along the dirt roads near Deadman Creek has receded as a result of vehicle damage. There is less vegetative cover and more compacted soil. Runoff from storms and consequent surface erosion have been observed to increase (Caltrout 2005).” There should be a component of the plan to do more to PROTECT the riparian habitat that exists now and ENHANCE the abused, eroded, and destroyed riparian vegetation and habitats to bring them back to a more natural state.

p.18 states “As such, the botany and wildlife ORVs and water quality of the creek could be sensitive to recreation-related impacts and these should be addressed by managing the characteristics of visitor use (e.g., concentrating use on established trail treads, road surfaces, and campsites, promoting low-impact use behaviors).” However, this discussion is missing the affects of OHV use on the landscape, certainly not a low-impact use.

p.22 contains use data for Glass Creek Trail in the wild portion of the river. This data set is incomplete: date should be gathered earlier in the season [May and June] to capture use in a low-snow year when the meadow above the creek is blooming and more visitors are present and data should be gathered for an entire year when the forest is open and not closed due to wildfire.

p.27-28 claims “The designated river has excellent water quality that supports diverse ecological communities. The river segment exists in a free-flowing condition with a range of flows that provide optimum conditions for wildlife, natural processes, and channel integrity.” However, the USFS has also provided information that there are multiple culverts at stream crossings along the management area. [p.9 “Glass Creek and Deadman Creek have multiple road crossings with culverts that affect condition and flows to varying degrees.”] The idea of a free-flowing river and culverts are mutually exclusive. The plan should include methods to remove the culverts and crossings and bring back the integrity of the free flowing creeks, intact banks, and their riparian habitat.

p.29 standards section should include standards for measuring capacity and thresholds for OHV operation and using hydrology best management practices to mitigate OHV impacts to water quality. As we have presented previously, however, this type of recreation does not belong in the national forest. also stated is “Consider measures that would restore damage from unauthorized vehicle use in the corridor.” This should be implemented, not just considered.

p.30 includes many future management actions related to camping resources and trails. There is no mention of OHV use or road closures and rehabilitation. This should be added to the plan.

p.34-5. We commend you for designing a monitoring plan with triggers for future management actions. And we understand that you have taken funding and staffing requirements into

consideration. However, the USFS must understand that without oversight and enforcement of objectives, this plan will not be effective. And again, there needs to be monitoring and triggers in place to control the use of OHVs in this area and that element is completely missing from this monitoring plan. We argue strongly that OHVs should be banned in the forest, but should you choose to continue allowing their operation, you need to monitor their abuse of the land so when it gets to YOUR threshold of abuse, you can make decisions to limit/ban their presence.

Unfortunately, the link on the USFS website for the Cottonwood Creek CRMP was not functioning so we were unable to review this plan. We do, however, fully support the feedback given by Friends of the Inyo that the plan should:

- add recreation as an Outstanding Remarkable Value for fishing, hiking, camping, hunting, and other possibilities for recreation that Cottonwood Creek provides.
- add Geology as an Outstanding Remarkable Value due to the presence of many important and unique geological features. These include Lower Cambrian Trilobites, which are the subject of ongoing research at White Mountain Research Station.
- recognize the eligible tributaries of Cottonwood, as they contribute to its Outstanding Remarkable Values. These include 3.7 miles of South Fork Cottonwood Creek and 3.4 miles of Poison Creek.
- recommend the present options for permanently retiring the Cottonwood Creek grazing allotment to protect the Outstanding Remarkable Values of botany, fisheries, and wildlife.
- incorporate an annual monitoring plan. Components of the monitoring plan include annual surveys for recreational use, water quality and quantity, wildlife such as spring snails, and historic and prehistoric sites.

Lastly we present an idea that should guide future management plans for these scenic rivers and other areas of the Inyo National Forest. Recent research suggests our approach to landscape preservation needs to be even bigger and better than it is now. As reported by Catrin Einhorn in The New York Times, June 10, 2021, ['Our Response to Climate Change Is Missing Something Big, Scientists Say'], "...yes, planting new trees can help. But intact wild areas are much better. The world needs to treat warming and biodiversity loss as two parts of the same problem. By protecting and restoring nature, the report said, we can safeguard biodiversity, help limit warming, improve human well being and even find protection from the consequences of climate change, like intensified flooding and storms."

Please PROTECT and ENHANCE our natural and wild places so that future generation can enjoy them even more and in a better condition than we do now.

Thank you for your time,
Patricia Barni and Christopher Hrabak