Nez Perce-Clearwater National Forests

Wild and Scenic River Suitability Reports

DRAFT July 2018

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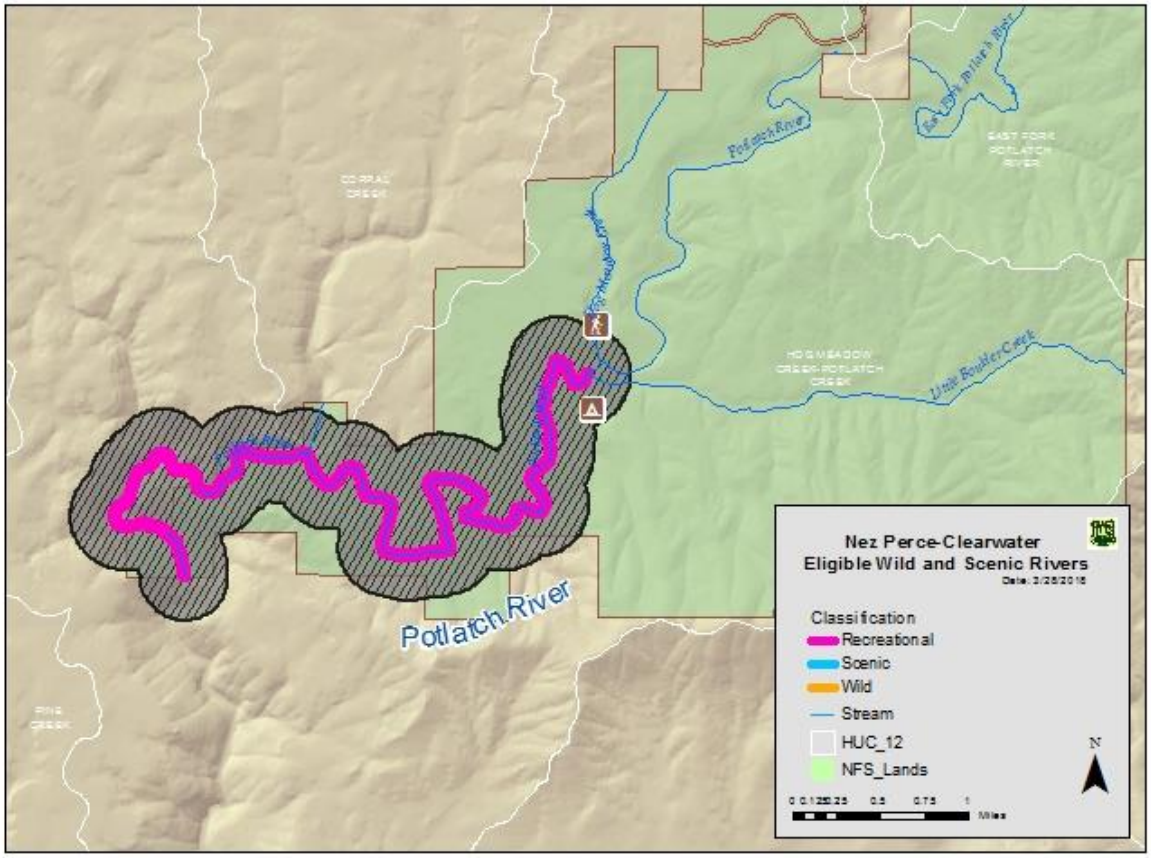
Clearwater River Basin

Potlatch River

Segment Description	Little Boulder Creek Campground to Cedar Creek Confluence
Segment Length	15.90 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	1751 acres
Preliminary Classification	Recreational
Eligibility Outstandingly Remarkable Values (ORVs)	Recreation (boatable waters)

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The Potlatch River from Little Boulder Campground to the Cedar Creek Bridge provides a unique early season kayaking opportunity 15 miles long through a deep, rugged, rocky, inaccessible gorge of basalt and granite. The easy access to the put in, on a paved road and at relatively low elevation, (2,580 feet at Little Boulder Creek and 1,440 feet at Cedar Creek) allow for boating as early as February, March, or April. During this season, other boating opportunities in the region of comparison may be icy or inaccessible due to snow. It provides challenging whitewater with rapids up to a long Class V known as Coleman Falls. An old roadbed parallels the river for a few miles, and some logging roads are visible in the lower canyon but do not provide access to the river. It is otherwise a remote and rugged steep-

walled canyon until it opens up in the lower reaches of the run a few miles from the take out. Use is primarily from within the region of comparison from the Moscow area.

The first four to five miles of the run are on National Forest System (NFS) lands with the remainder through a mix of private, State, and Bureau of Land Management (BLM) lands. The take out for this upper canyon segment is the Cedar Creek Bridge, accessible from the Cedar Canyon Road. There is no developed take out site at the bridge. Below this bridge, other boating runs are possible through a mix of private lands with fences crossing the stream. The river below Cedar Creek Bridge is not included in the eligible recreation ORV.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests; the areas both above and below the section proposed are in private ownership. The entire segment is on NFS lands suitable for timber production, and this area has been managed primarily for timber production. This area has a timber production emphasis under the 1987 Forest Plan and past management actions include timber harvest. This area is within forest plan revision proposed Management Area 3 (MA 3).

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

The proposed segment is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products to provide for economic stability for local communities. Timber harvest may be curtailed on 766 acres due to the recreational classification of the Potlatch River. If timber harvest is curtailed or foreclosed on these lands, restoration of forested vegetation would be curtailed on 41 acres within the warm dry potential vegetation type (PVT) group and 713 acres in the warm moist PVT group (additional acres occur on non-forested PVT groups). Management activities near the river would follow the direction of best management practices (BMPs) for riparian management zones. If included in the national system, management activities within the segment area would have additional restrictions. The segmented area is wider than the riparian management zone.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a memorandum of understanding (MOU) with Idaho Department of Environmental Quality (IDEQ).

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

The Forest Service's authority for finding a river eligible or suitable only applies to NFS lands. Only the Forest Service administered portions of the river would be managed as eligible or suitable. At this time, the Forest Service is not pursuing acquisition of lands or interests in lands on the basis of Wild and Scenic Rivers. However, should the Potlatch River be added to the national system by Congress, Congress may or may not authorize and/or direct the Forest Service to pursue acquisition of lands or land interests, potentially affecting up to 507 acres of private land within the current corridor. As it is not reasonably foreseeable that Congress would direct the agency to acquire lands or land interests, the cost of such action is not being calculated at this time.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. The Idaho Department of Water Resources (IDWR) administers water rights within the State. This segment is in Latah County. Latah County has not yet indicated willingness to participate in the preservation and administration of the river, nor have they indicated support or opposition to designation.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

While Latah County zoning rules do apply, it is not apparent that Latah County ordinances would prevent incompatible development nor would they necessarily protect ORVs to a degree greater than already protected by Federal and State statute (Clean Water Act, Endangered Species Act, etc.).

9. State or local government ability to manage and protect the ORVs on non-Federal lands

No non-federal lands would be affected by an agency finding that the river is suitable. ORVs were determined based on their presence on NFS lands.

The State's ability to manage and protect water resources, fish, and wildlife habitat is demonstrably high.

The State's ability to maintain free flow is not as evident.

The State's or county's ability to manage for scenery, geologic, botanic, or cultural values is less apparent, especially given the county's opposition to designating additional Wild and Scenic Rivers.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objective

Consistency with Latah County plans is not certain.

Designation is inconsistent with Idaho Department of Parks and Recreation (IDPR) programs and policies. Idaho Department of Fish and Game (IDFG) has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

Additionally, the recreation ORV may conflict with the safety interests of various agencies, including the Forest Service Palouse Ranger District. This river is seen as dangerous due to private property infrastructure (such as barbed wire fences crossing the river) and difficulty accessing it legally. As such,

promotion of this use may not be in the best interest of the American people. Recognition of the early season boating opportunity in this unique canyon may lead to future dialogue with other landowners.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this river's important contributions to the system.

13. The potential for water resources development

The potential for water resources development is moderate. Private property above and below could impact water flows. Dam construction is unlikely but possible on the Potlatch River.

Segment Suitability Determination

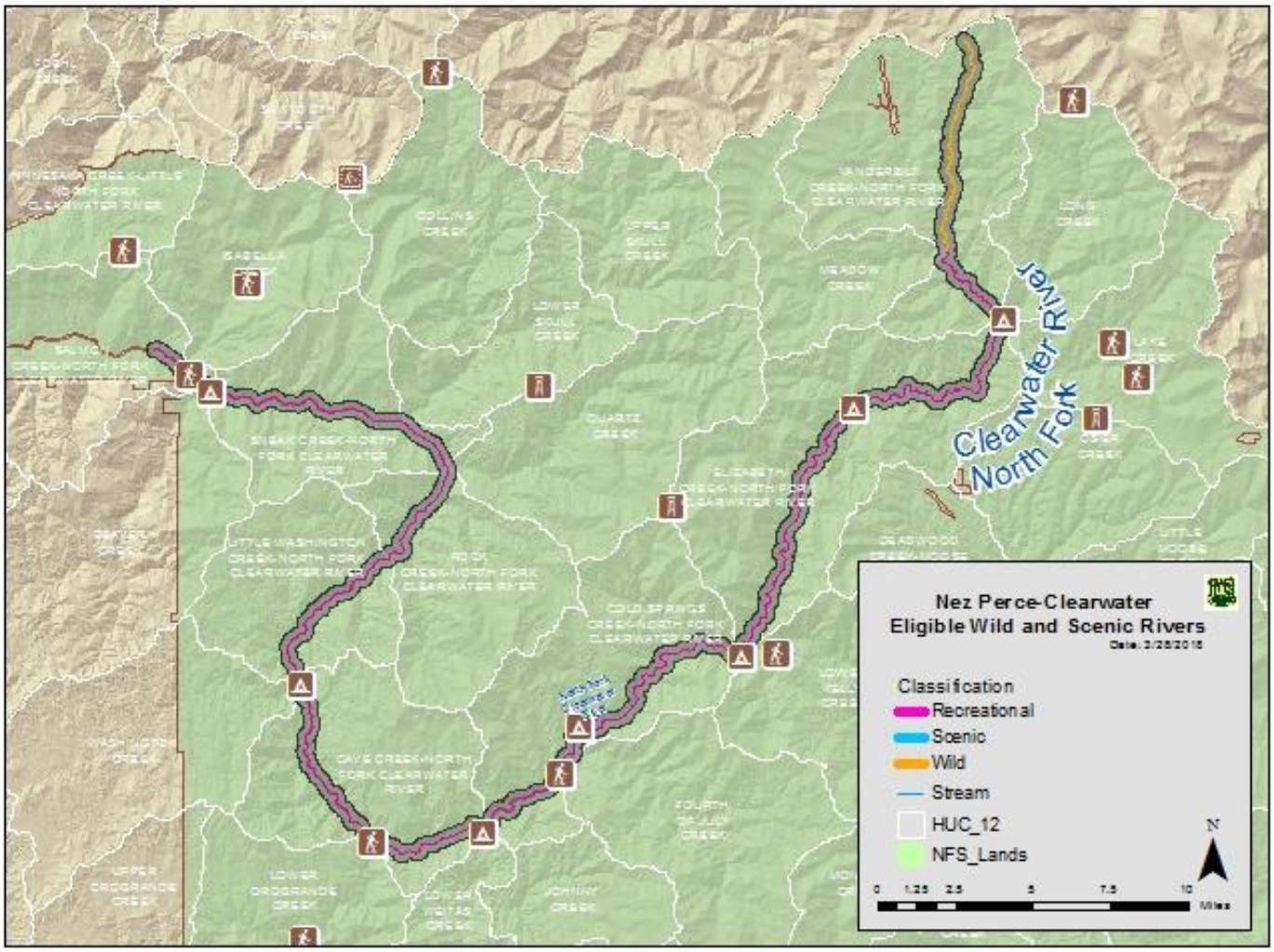
Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

North Fork Clearwater River Basin

North Fork Clearwater River

Segment Description	Confluence with Marquette Creek to source
Segment Length	78.18 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	25,017.6 acres
Preliminary Classification	Wild in the headwaters downstream to Meadow Creek, then recreational for the remainder
Eligibility ORVs	Scenery, recreation, cultural, Nez Perce Tribe cultural, fish, wildlife, and botany

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The North Fork Clearwater River forms a major, distinctive river canyon on NFS lands. This river has recreation, scenic, cultural resources, cultural importance to the Nez Perce Tribe, fish, wildlife, and botany ORVs. For the scenic ORV, it has cliffs, interesting rock formations, large boulders forming rapids, juxtaposition of white water and smooth, reflective water, and a variety of vegetation, trees, shrubs, and grasslands along its length. The Black Canyon section is particularly dramatic.

Its ORV for recreation include boating and fishing. The North Fork Clearwater River provides 79 miles of boatable water, ranging from flat water to Class IV rapids. Much of the river is readily accessible by road, so various combinations of runs can be done by various watercraft. It is also provides high quality Blue

Ribbon equivalent fishing opportunities and exemplary fly fishing opportunities for cutthroat trout that attract out-of-state visitors from within and beyond the region of comparison.

The ORV for cultural resources can be found from the point of free-flow above the reservoir upstream to the Cedars Campground. They include Forest Service administrative history as well as one of the oldest archaeological sites on the southern Columbia Plateau (among other outstanding archaeological resources).

The Nez Perce tribal staff identified this segment as having cultural and historic importance to the Nez Perce Tribe.

The fish ORV for the North Fork Clearwater River is based on diversity and abundance and habitat quality. Though impounded downstream by Dworshak Dam, the remaining free-flowing portions that have been identified as eligible provide important habitat for a large population of fluvial westslope cutthroat trout and fluvial and adfluvial bull trout, with quality and extent of available habitat that is unsurpassed within the region of comparison. The river is included as designated critical habitat for Columbia River bull trout.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. The North Fork Clearwater River has not been assessed or there is insufficient data to determine if water quality standards are being met or if beneficial uses are supported.

The wildlife ORV in the North Fork Clearwater River corridor is based on observations of nationally or regionally important populations of indigenous, river dependent wildlife. Specifically, this river hosts populations of the Harlequin duck and the Coeur D'Alene salamander. Populations of these two species occur along the majority of the North Fork Clearwater River.

The Harlequin duck has been considered rare in Idaho for more than 100 years. In Idaho, approximately 50 pairs of Harlequin ducks breed along a limited number of high quality streams within the Priest River, Kootenai River, Clark Fork River, Lake Pend Oreille, St. Joe River, Clearwater River, and the South Fork Snake River watersheds (Idaho Department of Fish and Game, 2017). Approximately 38 percent of all Harlequin duck observations in Idaho Species Diversity Database (accessed April 2017) have been observed within the forest plan area (Idaho Department of Fish and Game, 2017). Harlequin ducks breed along relatively large, fast-moving mountain streams with gradients of one to seven percent. Breeding streams are characterized by rocky substrates that support the benthic macro-invertebrates upon which the ducks feed, as well as large numbers of rapids/riffle areas interspersed with eddies. Water quality appears to be very important for successful foraging, with clear, low-acid water being optimal. Relative to other species of ducks, Harlequin ducks occur at low population densities and exhibit high breeding site fidelity, low reproductive rates, and delayed reproduction. All of these traits contribute to making Harlequin duck populations particularly slow to recover from habitat degradation or loss, or other factors that may lower duck survival. Harlequin ducks have disappeared from former breeding sites in Idaho and Montana (Wiggins, 2005). The North Fork Clearwater River contributes substantially to the population of Harlequin ducks within the plan area as well as across Idaho.

The Coeur D'Alene salamander is a regional endemic, limited to a global distribution of northern Idaho, extreme northwestern Montana, and minimally distributed in far southeastern British Columbia. The North Fork Clearwater River and St. Joe River drainages in Idaho and the lower Clark Fork and Kootenai Rivers in Montana comprise the core of the distribution (Wilson & Simmons, 1987), (Genter, Wilson, & Simmons), (Groves, 1988), (NatureServe, 2017)). The Selway River represents the southern extent of species range. Coeur d'Alene salamanders have been found in springs or seeps, waterfall spray zones, and edges of streams. It is distributed irregularly across its range in association with sharply fractured rock formations. Genetic evidence suggests there is little to no genetic exchange between populations (Howard, Seeb, & Wallace, 1993).

The botany ORV applies to the low elevation canyon sections of the river characterized by relatively warm temperatures and high precipitation. This combination of climatic factors, which is rather unusual in the Northern Rocky Mountains, is responsible for an extraordinary assemblage of coastal disjunct and endemic plant and animal taxa and the unique vegetation types found in the area. Refugia species chickweed monkey flower (*Mimulus alsinoides*) and licorice fern (*Polypodium glycyrrhiza*) have been recorded in this area downstream of the confluence with Fish Creek.

2. The current status of land ownership and use in the area

All of the lands in the corridor are managed by the Nez Perce Clearwater National Forest.

There are a number of developed recreation sites, trails, and roads along the river segment. The seven campgrounds along the river include Aquarius Campground with 11 campsites (including the two Purple Beach group campsites); Washington Creek offers 23 campsites (including one group site); Weitas and Noe Creek campgrounds each have six campsites; Hidden Creek has 13 campsites (including one group site); Cedars has five developed campsites and dispersed camping. At the confluence with Kelly Creek there is a Forest Service Work Center, Historic Kelly Fork Rental Cabin, and a campground with 15 campsites (including one group site).

There are many trails in the segment, many of which start near the river and access other areas of the national forest; 16 of them allow motorized use. Trails in the corridor include Isabella Landing Trailhead-North Fork Down River Trail 297 (open to hiking, backpacking, and motorcycles but not ATVs); Washington Ridge Trail (open to hikers, stock users, bicyclists, and motorcycles); Fourth of July Trailhead (wooden suspension pack bridge and dispersed campground); and Kelly Forks Trail (hiking and horseback riding).

Roads running alongside the river include FR 247, FR 250, FR 5425 at Cedars Campground, and FR 720, Fly Hill Road. About 2.5 miles upstream of the Cedars Campground, the river enters the Meadow Creek-Upper North Fork Idaho Roadless Area where roads cease to exist within the corridor. Over 30 other roads within the corridor provide administrative and/or public access to the campgrounds, trails, etc.

The North Fork Clearwater River runs along the boundary of a number of Idaho Roadless Areas. The following Idaho Roadless Areas with a backcountry/restoration theme are adjacent to the river: Siwash, Pot Mountain, Bighorn-Weitas, Mallard Larkin, and Moose Mountain. It also runs along the primitive themed roadless areas of Mallard Larkin and Moose Mountain. From the source to about one-half mile upriver from the confluence with Birch Creek, it is within the Meadow Creek-Upper North Fork primitive

Idaho Roadless Area. Management has been for non-motorized, dispersed recreation within the backcountry/restoration and primitive roadless areas.

The river runs through the Aquarius Research Natural Area (RNA) and adjacent to the Chateau Falls RNA. The Aquarius RNA encompasses a cross section of canyon that contains many of these rare and unique climatic elements. Chateau Falls RNA consists of steep mountainous terrain and features waterfalls on Chateau Creek. The forests burned in the catastrophic wildfire of 1919 and possibly again in 1929 or 1931, and much of the area in the RNA remains in a shrub state.

In addition, sections of the river flow through blocks of forest plan revision proposed MA 3 and 1987 Forest Plan MAs E1 and E3, which both have a timber production emphasis. Timber harvest and elk habitat improvement projects have occurred within the river corridor.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

These sections of the North Fork Clearwater River are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that would contribute to economic stability for local communities. Timber harvest may be curtailed on 4,880 acres of the segment classified as recreational that overlaps with proposed MA 3. If timber harvest is curtailed on these lands, forested vegetation restoration would be curtailed on 100 acres within the cool moist PVT group, 617 acres within the warm dry PVT group, and 4,015 acres within the warm moist OVT group.

The North Fork Clearwater River also flows through Idaho Roadless Areas with themes that allow timber harvest for ecological restoration and other purposes. If the North Fork Clearwater River is found to be suitable, restoration activities would be curtailed within the recreational segments of the river. This means that forested vegetation restoration would be curtailed on 65 acres within the cool moist PVT group, 992 acres within the warm dry PVT group, and 6,096 acres within the warm moist PVT group.

If the North Fork Clearwater River is found to be suitable, restoration activities would be further curtailed within the wild segments of the river due to limitations on tools available for restoration. This means that forested vegetation restoration would be curtailed on 49 acres within the cold PVT group, 1,300 acres within the cool moist PVT group, 164 acres within the warm dry PVT group, and 218 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the National System management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Areas along much of the North Fork Clearwater River provide winter habitat for big game, and of particular interest, for elk. Changes in vegetation succession have been cited as a factor contributing to declining elk populations ((Idaho Department of Fish and Game, 2014). Restrictions on timber harvest

may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

A variety of wildlife species, both those that are river dependent and a those that are not, have habitat within the river corridor and would benefit from protections provided through the Wild and Scenic River Act. Lynx habitat occurs along the North Fork Clearwater River, from the confluence with Lake Creek upstream to the headwaters. Conservation of these habitats within the river corridor would be preserved or enhanced should the river be included in the national system.

No changes are anticipated to the land use surrounding North Fork Clearwater River in wilderness areas, roadless areas, or RNAs. A wild and scenic designation would enhance protections.

The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration themed areas; however, for backcountry/restoration areas, surface occupancy is allowed unless prohibited by the forest plan. The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy in primitive theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

Wilderness area designation withdraws the area from mineral entry, and water developments in wilderness areas must be authorized by the President.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Shoshone and Clearwater counties.

Clearwater County does not support any additional designated or suitable Wild and Scenic Rivers within Clearwater County. From the Clearwater County letter to Forest Supervisor Cheryl Probert on March 12, 2018:

We also oppose any rivers being found suitable for Wild and Scenic Designation. Wild and scenic is designed to protect from dam building. We feel that none of our rivers are in jeopardy of development. All our rivers are adequately protected with The Clean Water Act, The Endangered Species Act and NEPA. We also feel that since the Lochsa and Selway rivers are already Wild and Scenic that the remaining rivers do not rise to the level of having Outstandingly Remarkable Values in comparison.

As such, it is not expected that county or local governments would participate in preservation or administration of the river.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there are no private lands in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Clearwater County Natural Resource Plan.

Designation of a river segment as suitable, particularly where the river segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act, which directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

State Protected River System: As outlined in the 2012 Idaho State Water Plan, the Idaho Water Resource Board (IWRB) is authorized to protect highly valued waterways as "State Protected Rivers" with the goal of maintaining free-flowing waterways and conserving unique river features where it is in the public interest to protect recreational, scenic, and natural values. "State Protected Rivers" are designated natural or recreational.

The North Fork Clearwater River segment from the headwaters to Wrangle Creek and the segment from Isabella to Dworshak were identified in the Comprehensive State Water Plan for the North Fork

Clearwater River Basin (Idaho Water Resource Board, 1996). These sections are designated as natural rivers and are free of substantial impoundments, dams, or other structures, and the riparian areas are largely undeveloped. The outstanding values recognized are species of concern and scenery. Activities prohibited are alterations of the stream bed, construction of hydropower projects, construction of water diversion works, construction or expansion of dams or impoundments, dredge or placer mining, and mineral or sand and gravel extraction within the stream bed.

The North Fork Clearwater River (Wrangle Creek to Isabella Creek) was also identified in the Comprehensive State Water Plan for the North Fork Clearwater River Basin (Idaho Water Resource Board, 1996). It is designated a recreational river and may include some man-made development in the waterway or riparian area. The outstanding values recognized are species of concern, boating opportunity, geological features, and scenery. Activities prohibited are construction of hydropower projects, construction of water diversion works, construction or expansion of dams or impoundments, and mineral or sand and gravel extraction within the stream bed. Stream bed alteration is allowed to provide for maintenance and construction of bridges and culverts and installation of fisheries enhancement structures. Bridges and culverts must be constructed and maintained to reduce sedimentation and to allow unrestricted fish passage. Alteration of the stream bed for recreational dredge mining is allowable as regulated by IDL and IDWR during the period June 30 to August 15. A permit from IDWR is required.

All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB's protection designations. IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursuing Federal protection of waters within Idaho.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual

congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

Some see the North Fork Clearwater River as one of the most likely rivers to be designated by Congress and are very supportive. Additionally, the history of damming on the river and the number of potential dam sites remaining on the river suggest legislation may be needed to prevent future dam building.

Alternatively, negative economic impacts to local communities could be realized if the river were to be found suitable or designated.

12. The river's contribution to river system integrity or basin integrity

This is one of the major rivers on the national forest and is itself a basin.

13. The potential for water resources development

The North Fork Clearwater River ends in the Dworshak Dam reservoir. Numerous potential dam locations have been identified in the past for the North Fork Clearwater River and its tributaries.

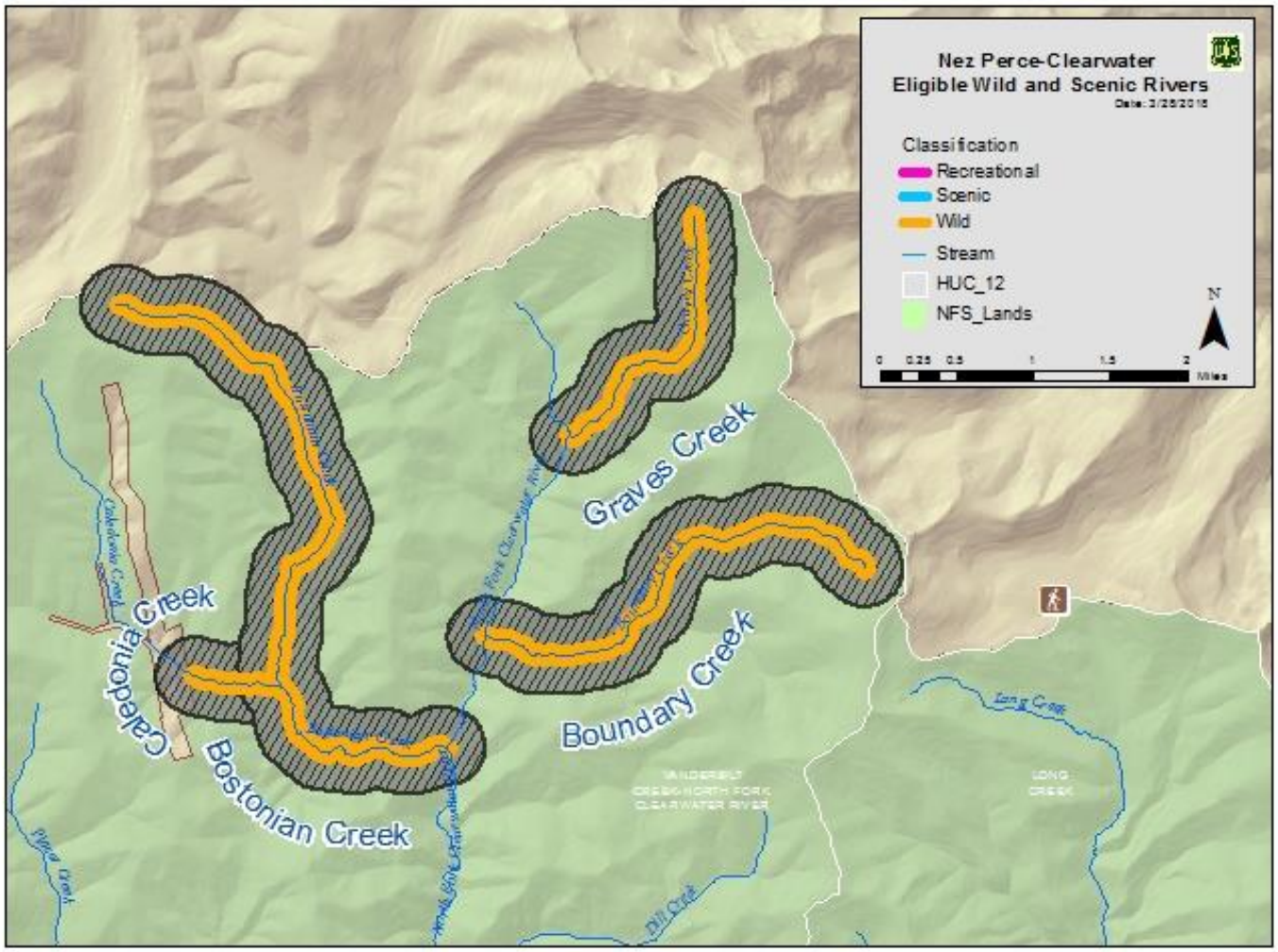
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Not suitable	Not suitable	Not suitable	Not suitable

Bostonian Creek, Boundary Creek, Caledonia Creek, and Graves Creek

Segment Description	Graves and Boundary creeks: confluence with the North Fork Clearwater River to headwaters Bostonian Creek: mouth to Headwaters Caledonia Creek: mouth to private land boundary
Segment Length	7.67 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	2,454.4 acres
Preliminary Classification	Wild
Eligibility ORVs	Fish

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The fish ORV includes habitat quality and natural reproduction. Collectively, eligible stream segments included in this group comprise the most significant complex of modeled climate shield reaches for bull trout persistence in 2040 within the region of comparison (Isaak, Young, Nagel, & Horan, 2015). Accordingly, the highest known numbers of fluvial and adfluvial bull trout within the region of comparison spawn in these streams, and habitat supports very high densities of juveniles. These streams are critically important to meet recovery goals for Columbia River bull trout. They contain designated critical habitat for bull trout, and a local population has been identified (US Fish and Wildlife Service, 2015). A population of westslope cutthroat trout is also present. There are no known non-native aquatic species.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Bostonian Creek, Boundary Creek, Caledonia Creek, and Graves Creek have not been assessed or there is insufficient data to determine if water quality standards are being met or if beneficial uses are supported.

2. The current status of land ownership and use in the area

All of the lands in the corridor proposed are managed by the Nez Perce-Clearwater National Forests. The segments are in the primitive themed Meadow Creek-Upper North Fork Idaho Roadless Area.

Historical mining took place in Bostonian Creek and Caledonia Creek. The area above the eligible segment of Caledonia Creek has a patented mining claim and is in private ownership.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

No changes are anticipated to land use since the area surrounding the creeks has been managed to protect the primitive theme of an Idaho Roadless Area. A wild and scenic designation would enhance the protections. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If these segments are found suitable, a wild designation would cause timber harvest to be foreclosed as an option for vegetation restoration on 395 acres within the cold PVT group, 1,890 acres within the cool moist PVT group, 66 acres within the warm dry PVT group, and 67 acres within the warm moist PVT group.

The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy in primitive theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Shoshone County and the county will be contacted.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

There is private land along Caledonia Creek upstream of the segment proposed for designation. If changes in water quality and sedimentation occur from land use on these private lands, the habitat for Bull Trout could be affected.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

These segments do not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition. Shoshone County will be contacted.

Designation of a river segment as suitable, particularly where the river segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is

potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could

be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

Bostonian, Boundary, Caledonia, and Graves creeks were identified as important contributors to the river system and to basin integrity. A fish ORV corresponding to the potential to support recovery goals of ESA listed aquatic species has been identified. These creeks are some of the larger tributaries in the subbasin and basin. As such, they play an important ecological role in providing clean, free flowing water, habitat for fish and wildlife species. They also are often critically important culturally in the present day, historically, and prehistorically.

13. The potential for water resources development

Water resources development is unlikely. These creeks are entirely on Federal land and are very remote. While dam construction is possible, it is unlikely.

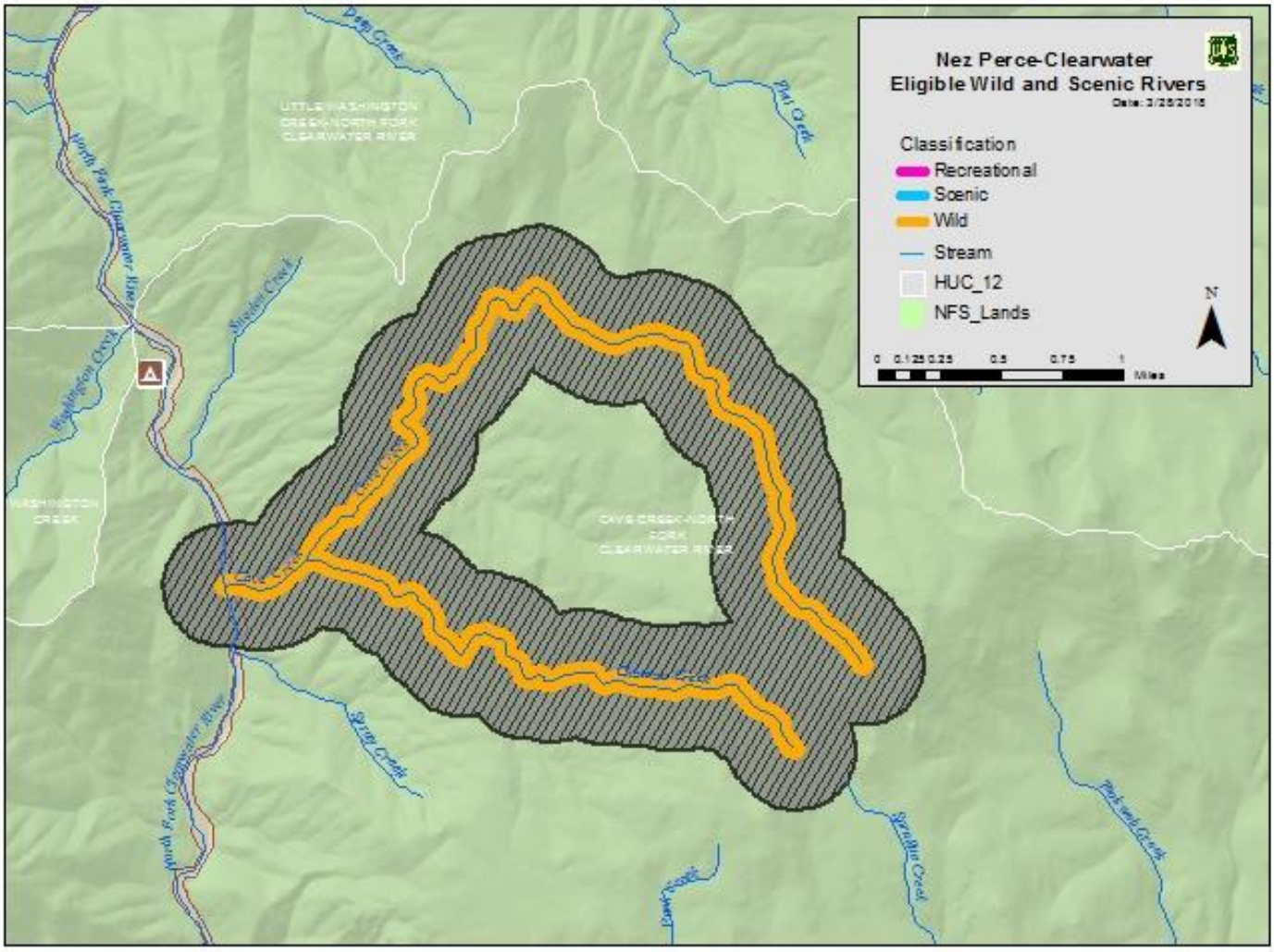
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Cave Creek and Chateau Creek

Segment Description	Chateau: confluence with North Fork Clearwater River to headwaters Cave: confluence with Chateau Creek to headwaters
Segment Length	7.14 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	2,284.8 acres
Preliminary Classification	Wild
Eligibility ORVs	Scenic

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

These North Fork Clearwater River tributaries have highly scenic waterfalls, including multiple drops over pink granite. Part of this segment is within the Chateau Falls Research Natural Area, largely due to the waterfalls. Chateau Falls RNA consists of steep mountainous terrain and features waterfalls on Chateau Creek. The area burned in the catastrophic wildfire of 1919 and possibly again in 1929 or 1931, and much of the area remains in a shrub state.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Cave Creek and Chateau Creek are

meeting water quality standards and fully supporting beneficial uses. Beneficial uses for these streams are cold water aquatic life, primary contact recreation, and salmonid spawning.

2. The current status of land ownership and use in the area

All of the lands in the corridor proposed are managed by the Nez Perce-Clearwater National Forests. The segments are mostly within the Pot Mountain Idaho Roadless Area, which is backcountry/restoration themed. A section of the Chateau Creek (confluence with Cave Creek to upstream 0.84 miles) is in the Pot Mountain Idaho Roadless Area and is part of the RNA.

Within the corridor are the non-motorized Cave Creek Trail and the Cave Point Trail. The Cave Point Trail is open to non-motorized travel and motorcycles.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

No changes are anticipated to land use since the area surrounding the creeks has been managed to protect the RNA and roadless area.

However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If these river segments are found suitable, a wild designation would cause timber harvest to be foreclosed as an option for vegetation restoration on 92 acres within the cool moist PVT group, 241 acres within the warm dry PVT group, and 1,132 acres within the warm moist PVT group.

The Idaho Roadless Rule prohibits the development of leasable minerals on these creeks in the Idaho Roadless Rule special themed areas. The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy in special theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872. There currently are no mining claims near Cave or Chateau creeks.

A wild and scenic designation would enhance the protections and prohibit water developments. These are very small streams and do not have any dam sites identified. Although waterfalls in general could be considered for small hydropower development, these streams are nowhere near private land or Forest Service administrative sites and are not at risk for this type of development. The protections in the Idaho Roadless Rule and the RNA are sufficient for the scenic features of the rocks and waterfalls.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state.

Clearwater County does not support any additional designated or suitable wild and scenic rivers within Clearwater County. From the Clearwater County letter to Forest Supervisor Cheryl Probert on March 12, 2018:

We also oppose any rivers being found suitable for Wild and Scenic Designation. Wild and scenic is designed to protect from dam building. We feel that none of our rivers are in jeopardy of development. All our rivers are adequately protected with The Clean Water Act, The Endangered Species Act and NEPA. We also feel that since the Lochsa and Selway rivers are already Wild and Scenic that the remaining rivers do not rise to the level of having Outstandingly Remarkable Values in comparison.

As such, it is not expected that county or local governments would participate in preservation or administration of the segment.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with ORVs that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate these creeks' important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. These creeks are entirely on Federal land and are very remote. While dam construction is possible, it is unlikely.

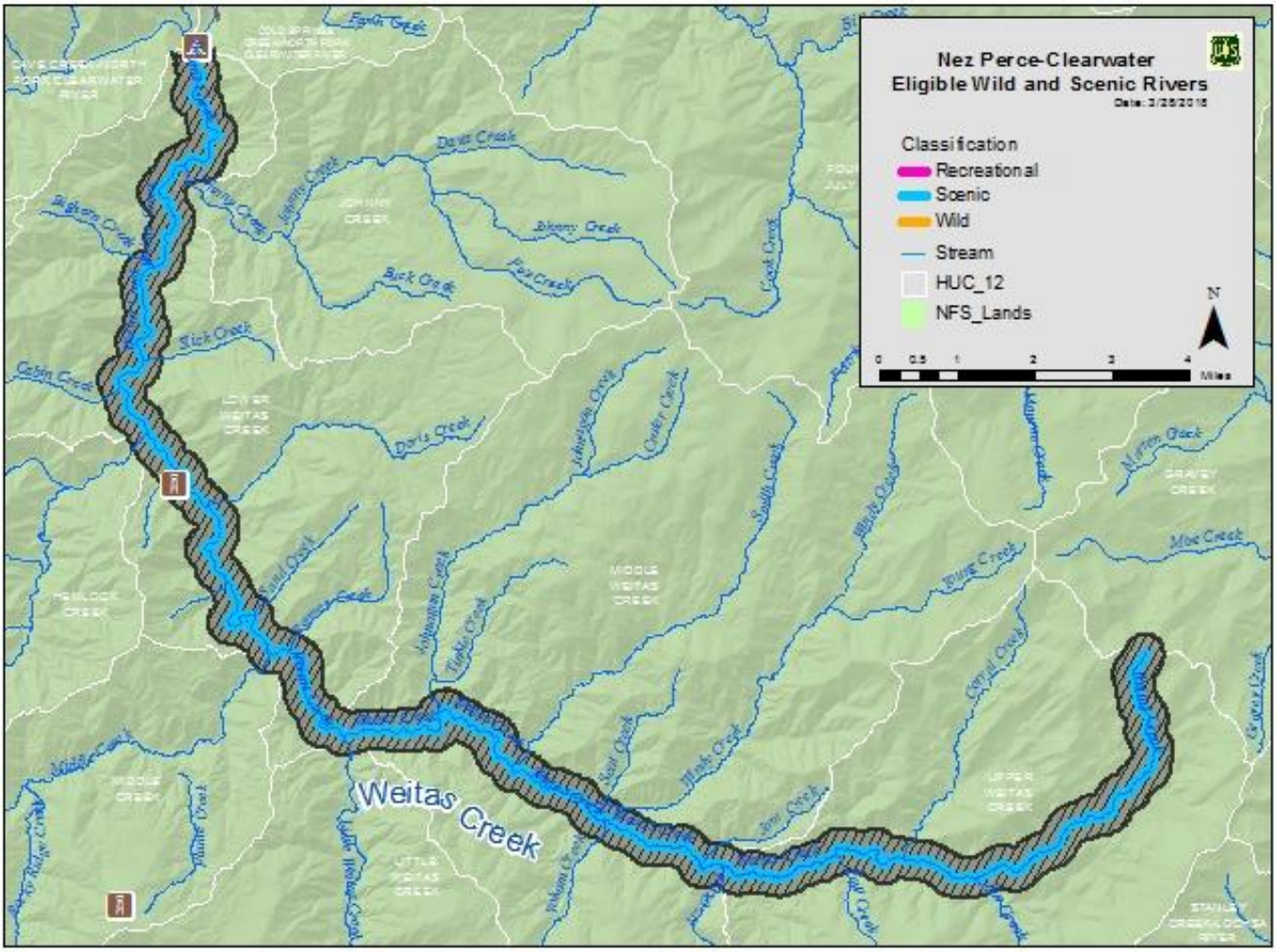
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Weitas Creek

Segment Description	Confluence with North Fork Clearwater River to headwaters
Segment Length	28.55 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	9,136
Preliminary Classification	Scenic
Eligibility ORVs	Nez Perce Tribe cultural, recreation, and fish

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

Nez Perce tribal staff identified this segment as having cultural and historic importance to the Nez Perce Tribe.

In the draft wild and scenic rivers eligibility review, the cultural Nez Perce Tribe was the only ORV identified by the Forest Service. Public comment suggested scenery, recreation, botany, wildlife, history, and water quality be added as ORVs. After further review, ORVs for both recreation and fish were added. Weitas Creek did not meet the established criteria for botany, wildlife, or history. Water quality is considered an important part of all rivers and not a separate ORV.

For the recreation ORV, Weitas Creek provides an exemplary trout fly fishing experience from a trail along one of the largest tributaries of the North Fork Clearwater River. Although not as famous as the nearby Kelly Creek, use has increased with the reopening of the road bridge over the North Fork Clearwater River (near the mouth of Weitas Creek).

The fish ORV is based on abundance and diversity, natural reproduction, and habitat quality. Weitas Creek is home to one of three extremely important fluvial westslope cutthroat populations in the North Fork Clearwater River basin, and one of six in the region of comparison. Fluvial bull trout are also present. Eligible river segments are included as designated critical habitat for Columbia River bull trout, and a local population has been identified (US Fish and Wildlife Service, 2015). Habitat has been minimally affected by human disturbance.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Weitas Creek has portions that have not been assessed and other sections that are meeting water quality standards and fully supporting beneficial uses. Beneficial uses are cold water aquatic life, secondary contact recreation, and salmonid spawning.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests. The segment is within the Bighorn-Weitas Idaho Roadless Area, which is backcountry/restoration themed. The Weitas Creek area is a popular recreation destination and is significant tributary to the North Fork Clearwater River.

Within the segment, FR 105 leads to Weitas Campground at the confluence with the North Fork Clearwater River. Also Trail 20 (which allows for non-motorized and motorcycles use) runs along the creek for over 27 miles. Dozens of non-motorized trails are present in the segment.

The Weitas Guard Station, FR 555 (with a bridge crossing the creek), FR 555-C, and FR 555-F are within the segment.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A wild designation would curtail motorized use in this area.

The area has been managed to protect the backcountry/restoration theme of an Idaho Roadless Area. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If these river segments are found suitable, the scenic designation would cause increased restrictions for timber harvest and would likely foreclose timber harvest as an option for vegetation restoration on 89 acres within the cold PVT group, 548 acres within the cool moist PVT group, 450 acres within the warm dry PVT group and 4,295 acres within the warm moist PVT group.

The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for backcountry/restoration areas, surface occupancy is allowed unless prohibited by the forest plan. The rule does not protect this area from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

As one of the large tributaries to the North Fork Clearwater River, a wild and scenic designation would enhance protections and prohibit water developments.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Clearwater and Idaho counties and the counties will be contacted.

Clearwater County does not support and additional designated or suitable wild and scenic rivers within Clearwater County. From the Clearwater County letter to Forest Supervisor Cheryl Probert on March 12, 2018:

We also oppose any rivers being found suitable for Wild and Scenic Designation. Wild and scenic is designed to protect from dam building. We feel that none of our rivers are in jeopardy of development. All our rivers are adequately protected with The Clean Water Act, The Endangered Species Act and NEPA. We also feel that since the Lochsa and Selway rivers are already Wild and Scenic that the remaining rivers do not rise to the level of having Outstandingly Remarkable Values in comparison.

As such, it is not expected that county or local governments would participate in preservation or administration of the river.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. The State or local government's ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Weitas Creek Outfitters, an Idaho licensed outfitter that operates under a Forest Service special use permit, offers fly fishing opportunities for their clients.

Designation of the segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near stream structures to restore habitat or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

State Protected River System: As outlined in the 2012 Idaho State Water Plan, the IWRB is authorized to protect highly valued waterways as "State Protected Rivers" with the goal of maintaining free-flowing

waterways and conserving unique river features where it is in the public interest to protect recreational, scenic, and natural values. “State Protected Rivers” are designated natural or recreational.

Weitas Creek (from the headwaters to the mouth) was identified in the Comprehensive State Water Plan for the North Fork Clearwater River Basin (Idaho Water Resource Board, 1996). It is designated a natural river and is free of substantial impoundments, dams, or other structures, and the riparian area is largely undeveloped. The outstanding values recognized are species of concern, salmonid spawning, and scenery. Activities prohibited are alterations of the stream bed, construction of hydropower projects, construction of water diversion works, construction or expansion of dams or impoundments, dredge or placer mining, and mineral or sand and gravel extraction within the stream bed.

All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB’s protection designations. IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursue Federal protection of waters within Idaho.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the “best of the best” rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the

Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly

remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

Friend of the Clearwater, a regional advocacy group, strongly supports a finding of suitable or designation of Weitas Creek.

12. The river's contribution to river system integrity or basin integrity

Weitas Creek is an important large tributary to the North Fork Clearwater River, which is also an eligible river.

Weitas Creek was identified as an important contributor to the river system and to basin integrity. Multiple ORVs have been identified, including a fish ORV corresponding to the creek's potential to support recovery goals of ESA listed aquatic species. Weitas Creek is one of the larger tributaries to the North Fork Clearwater River. As such, it plays an important ecological role in providing clean, free flowing water, habitat for fish and wildlife species. They also are often critically important culturally in the present day, historically, and prehistorically.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on Federal land and is very remote. While dam construction is possible, it is unlikely.

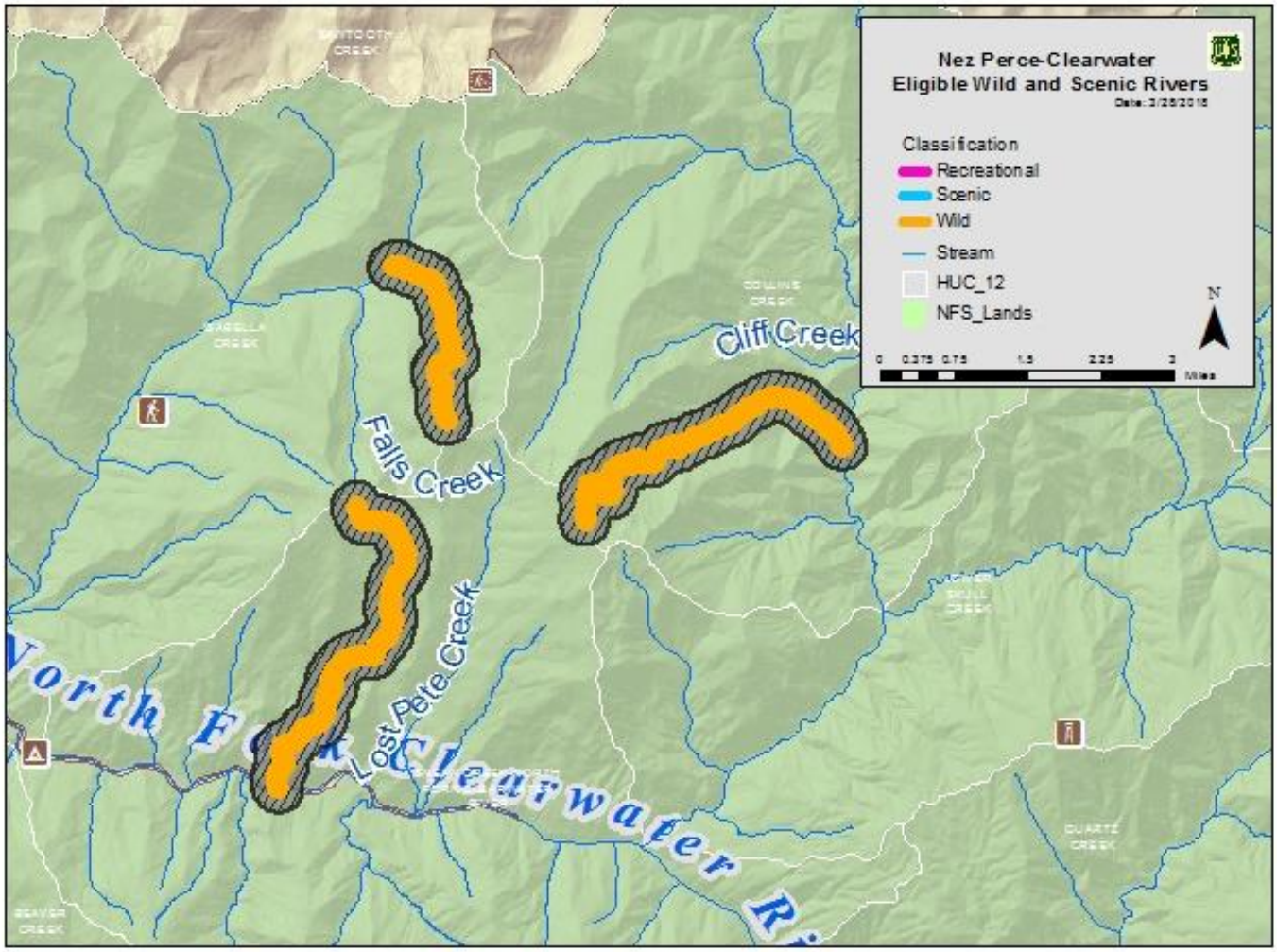
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Cliff Creek, Falls Creek, Lost Pete Creek

Segment Description	Cliff Creek: confluence with Collins Creek to headwaters Falls Creek: confluence with Isabella Creek to headwaters Lost Pete Creek: confluence with North Fork Clearwater River to headwaters
Segment Length	9.94 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	3,180.8 acres
Preliminary Classification	Wild
Eligibility ORVs	Geology

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The United States Geological Survey's (USGS) physiographic provinces were chosen as the region of comparison for geology. Within the national forest boundary there are two USGS physiographic provinces: Columbia Plateau and Northern Rocky Mountains. A physiographic province is a geographic region with distinct landscape characteristics and commonly distinct rock types. The Northern Rocky Mountains consist largely of dissected uplands not related to specific uplifts. The Northern Rocky Mountains includes mountains lying north and west of Yellowstone National Park and into Canada. The Columbia Plateau is the area between the Northern Rocky Mountains and the Cascade Range and Basin and Range Province. The Columbia Plateau is distinguished as a plateau surface on a substratum of lava.

For the most part, the Nez Perce-Clearwater National Forests do not have very many water-related geological ORVs (features directly related to water/streams). The region of comparison includes Glacier

National Park, Flathead National Forest, Kootenai National Forest, Idaho Panhandle National Forest, Beaverhead-Deerlodge National Forest, Payette National Forest, Custer Gallatin National Forest, Salmon Challis National Forest, Sawtooth National Forest, and the Helena and Lewis and Clark National Forest. With such a large region of comparison, the geological ORVs truly have to be outstanding in order to be considered.

The waterfalls in Cliff Creek, Falls Creek, and Lost Pete Creek in the North Fork Clearwater subbasin are outstandingly remarkable.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Cliff Creek and Lost Pete Creek are meeting water quality standards and fully supporting beneficial uses. Beneficial uses for Cliff Creek are aesthetic, cold water aquatic life, secondary contact recreation, and wildlife habitat. Beneficial uses for Lost Pete Creek are cold water aquatic life, primary contact recreation, and salmonid spawning. Falls Creek is listed as impaired (class 4A) for water temperature and is not supporting cold water aquatic life and salmonid spawning beneficial uses. It is fully supporting secondary contact recreation. Falls Creek is included in the EPA approved Lower North Fork Clearwater River Temperature TMDL Addendum. A TMDL implementation plan is a water quality improvement strategy that includes the development of the total maximum daily load (TMDL) allocated to a stream.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

Cliff Creek and Falls Creek are in the Mallard-Larkins Idaho Roadless Area (wildland recreation theme). Lost Pete Creek is in the Mallard-Larkins Idaho Roadless Area (wildland recreation and primitive themes).

A couple of non-motorized trails are in this segment, and there are no roads.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

Changes to land use are not anticipated since the surrounding area has been managed to protect the Mallard-Larkins Idaho Roadless Area.

A wild and scenic designation would enhance protections.

In the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes within primitive theme areas. If the segment of Lost Pete Creek that flows through the primitive theme area of the Mallard-Larkins Roadless Area is found suitable, the wild designation would foreclose timber harvest as an option for vegetation restoration on 133 acres within the cool moist PVT group, 54 acres within the warm dry PVT group, and 354 acres within the warm moist PVT group.

The Idaho Roadless Rule prohibits the development of leasable minerals on these creeks. No road construction or reconstruction or surface occupancy is allowed within primitive or wildland recreation theme areas. However, the rule does not protect from water developments or mining activities

governed by the General Mining Law of 1872. Nevertheless, water development is not ideal on these creeks given their relatively small size, location, and lack of non-Federal ownership.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state.

Clearwater County does not support and additional designated or suitable wild and scenic rivers within Clearwater County. From the Clearwater County letter to Forest Supervisor Cheryl Probert on March 12, 2018:

We also oppose any rivers being found suitable for Wild and Scenic Designation. Wild and scenic is designed to protect from dam building. We feel that none of our rivers are in jeopardy of development. All our rivers are adequately protected with The Clean Water Act, The Endangered Species Act and NEPA. We also feel that since the Lochsa and Selway rivers are already Wild and Scenic that the remaining rivers do not rise to the level of having Outstandingly Remarkable Values in comparison.

As such, it is not expected that county or local governments would participate in preservation or administration of the river.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This does not apply since all lands in the corridors are NFS lands.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop

the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments

and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate these creek's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. These creeks are entirely on Federal land and are very remote. While dam construction is possible, it is unlikely.

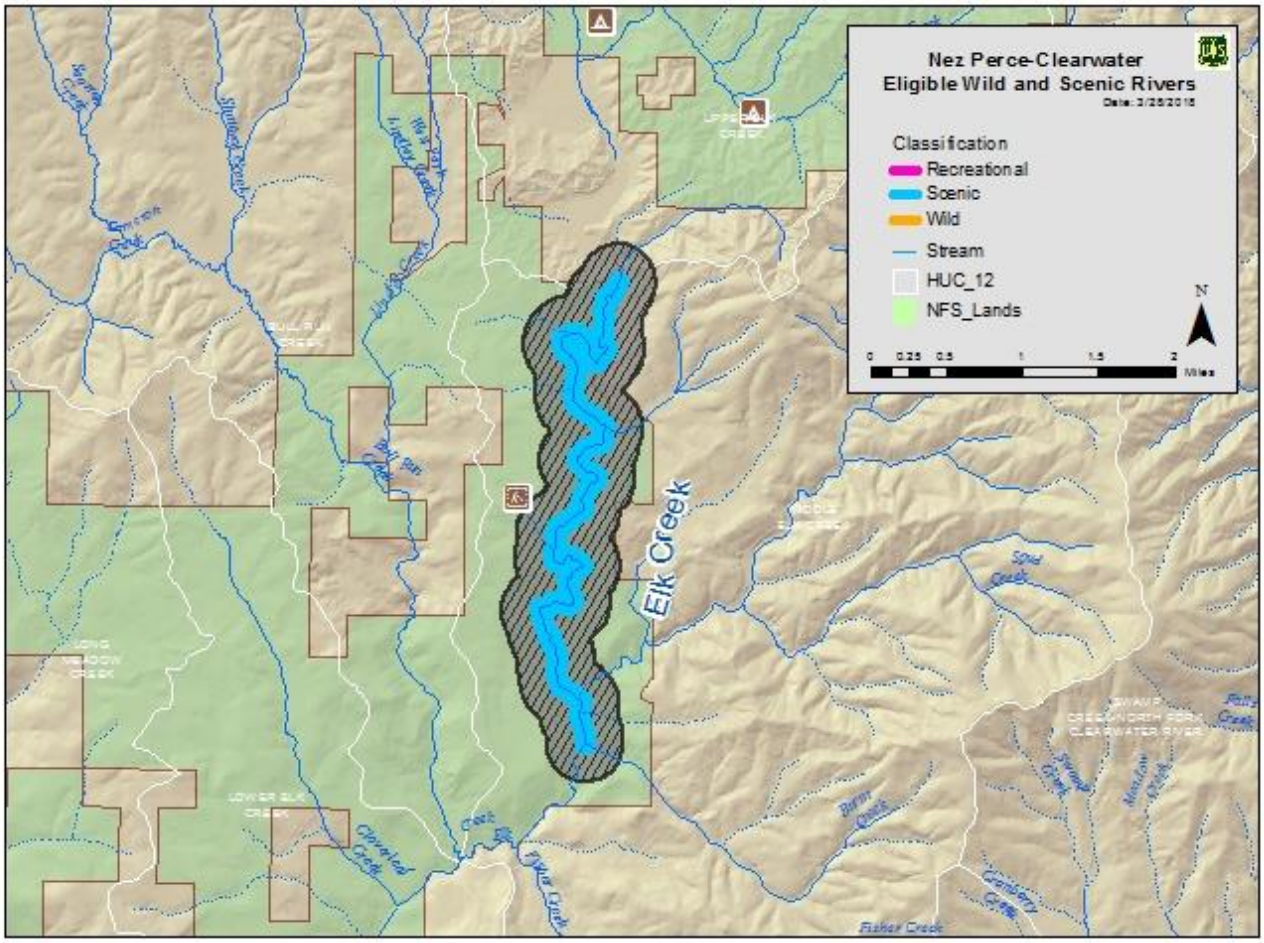
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Elk Creek

Segment Description	Downstream of Elk Creek Reservoir and above Dworshak Reservoir high pool
Segment Length	4.86 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	1,600 acres (including 125 acres of private land)
Preliminary Classification	Scenic
Eligibility ORVs	Scenic, recreation, and botany

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The scenic ORV is based on a series of highly scenic waterfalls that is unique because of the presence of five waterfalls in different types from punchbowl to cataract dropping in basalt cliffs within a one-half mile segment of Elk Creek. The waterfalls are accessed from a trail and are visible across open grassland and rock formations in the canyon. The area has long been managed for its high scenic quality.

The Elk Creek Falls Trail has a national recreation trail designation for this popular, family-friendly trail two miles from the city of Elk River, population 125. Although there are many waterfalls in the region of comparison, few waterfalls can be reached by hiking only a few miles across gentle terrain. It is a featured site along the Elk River backcountry byway. Pools below the waterfalls are also used for swimming/soaking.

Elk Creek exhibits core coastal refugia plant associations that are remnants of the last Ice Age. Although there are other examples of coastal refugia on the national forest, only six streams exhibit the core coastal refugia characteristics.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Elk Creek is listed as impaired (class 4A) for water temperature, physical substrate habitat alterations, and other flow regime alterations and is not supporting cold water aquatic life and salmonid spawning beneficial uses. It is fully supporting primary contact recreation. Elk Creek is included in the EPA approved Clearwater River Subbasin, Lower North Fork Clearwater TMDL Plan. A TMDL implementation plan is a water quality improvement strategy that includes the development of the TMDL allocated to a stream.

2. The current status of land ownership and use in the area

There is mixed ownership with both NFS lands and private lands. The Elk Creek Falls Trail that provides access to the waterfalls is managed as a national recreation trail. A 720 acre portion of the corridor has been managed as the Elk Creek Falls National Recreation Area (NRA) since 1977. Management has been

for non-motorized, dispersed recreation associated with viewing the waterfalls. Timber management has been used to manage for hazard and disease trees.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

Changes to land use are not anticipated since much of the area has been managed to protect the waterfalls and the national recreation trail.

The proposed segment is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current vegetation conditions towards the desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 76 acres due to the scenic classification. If timber harvest is curtailed on these lands, restoration of forested vegetation would be curtailed on 38 acres within the warm dry PVT group and 728 acres within the warm moist PVT group. About 60 percent of the acres mentioned are within the Elk Creek Falls Recreation Area, so it is unlikely that vegetation management would change. However, current management of the recreation area is guided by the 1987 Forest Plan. As the 1987 Forest Plan is revised, it is possible that management direction for the recreation area would change.

Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the segment would have additional restrictions. The segment is wider than the riparian management zone.

A variety of wildlife species, both those that are river dependent and a those that are not, have habitat within the corridor and would benefit from protections provided through the Wild and Scenic River Act. High quality fisher habitat occurs along Elk Creek. Conservation of these habitats within the corridor would be preserved or enhanced should this creek be included in the national system.

A wild and scenic designation would enhance protections. Water flow is currently sufficient to maintain waterfall values even during mid-August low flows. Upstream surface water rights include the city of Elk River with six CFS for municipal water and Idaho with 25 CFS for fish propagation in the Elk Creek Reservoir, an Idaho Fish and Game recreational fishery. Several other water rights for minor amounts are decreed for commercial and domestic use. If designated, the Forest Service would pursue a water right to maintain ORVs. If demand for water rights increases, the water flows through the falls could be affected.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this creek would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

The Forest Service's authority for finding a river eligible or suitable only applies to NFS lands. Only the Forest Service administered portions of the creek would be managed as eligible or suitable. At this time, the Forest Service is not pursing acquisition of lands or interests in lands on the basis of wild and scenic rivers. However, should Elk Creek be added to the national system by Congress, Congress may or may not authorize and/or direct the Forest Service to pursue acquisition of lands or land interests, potentially affecting up to 125 acres of private land within the corridor. As it is not reasonably foreseeable that Congress would direct the agency to acquire lands or land interests, the cost of such action is not being calculated at this time.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

Elk River is a recreation-based community and encourages visitors to enjoy Elk Creek Falls in their electronic and print media. IDEQ would participate in monitoring water quality. IDWR administers water rights within the state.

Clearwater County does not support and additional Designated or suitable Wild and Scenic Rivers within Clearwater County. From the Clearwater County letter to Forest Supervisor Cheryl Probert on March 12, 2018:

We also oppose any rivers being found suitable for Wild and Scenic Designation. Wild and scenic is designed to protect from dam building. We feel that none of our rivers are in jeopardy of development. All our rivers are adequately protected with The Clean Water Act, The Endangered Species Act and NEPA. We also feel that since the Lochsa and Selway rivers are already Wild and Scenic that the remaining rivers do not rise to the level of having Outstandingly Remarkable Values in comparison.

As such, it is not expected that the county government would participate in preservation or administration of the river.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

Clearwater County does have zoning ordinances. It is not apparent that Clearwater County ordinances would prevent incompatible development nor would they necessarily protect ORVs to a degree greater than already protected by Federal and State statute (Clean (Clearwater County, 2018)Water Act, Endangered Species Act, etc.).

9. State or local government ability to manage and protect the ORVs on non-Federal lands

No non-federal lands would be affected by an agency finding that the river is suitable. ORVs were determined based on their presence on Forest Service administered lands.

The State's ability to manage and protect water resources and fish and wildlife habitat is demonstrably high.

The State's ability to maintain free flow is not as evident.

The State or county's ability to manage for scenery, geologic, botanic or cultural values is less apparent, especially given the county's opposition to additional wild and scenic rivers.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

The Clearwater County board of Commissioners does not support the designation of wild and scenic rivers within Clearwater County as described in the Clearwater County Natural Resource Plan (Clearwater County, 2018)

State Protected River System: As outlined in the 2012 Idaho State Water Plan, the IWRB is authorized to protect highly valued waterways as "State Protected Rivers" with the goal of maintaining free-flowing waterways and conserving unique river features where it is in the public's interest to protect recreational, scenic, and natural values. "State Protected Rivers" are designated natural or recreational.

Elk Creek (headwaters to Deep Creek) was identified in the Comprehensive State Water Plan for the North Fork Clearwater River Basin (Idaho Water Resource Board, 1996). It is designated a recreational river and may include some man-made development in the waterway or riparian area. Recreational use is the outstanding value recognized. Activities prohibited are construction of hydropower projects, construction of water diversion works, construction or expansion of dams or impoundments, dredge or placer mining, and mineral or sand and gravel extraction within the stream bed. Stream bed alteration is allowed to provide for maintenance and construction of bridges and culverts and installation of fisheries enhancement structures. Bridges and culverts must be constructed and maintained to reduce sedimentation and to allow unrestricted fish passage.

All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB's protection designations. The IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursue Federal protection of waters within Idaho.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

There are reservoirs both upstream and downstream of the segment so system integrity is not present.

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creek's important contributions to the system.

13. The potential for water resources development

There are currently dams both upstream and downstream of the segment. Additional water rights could be filed to supply private lands in and around Elk River.

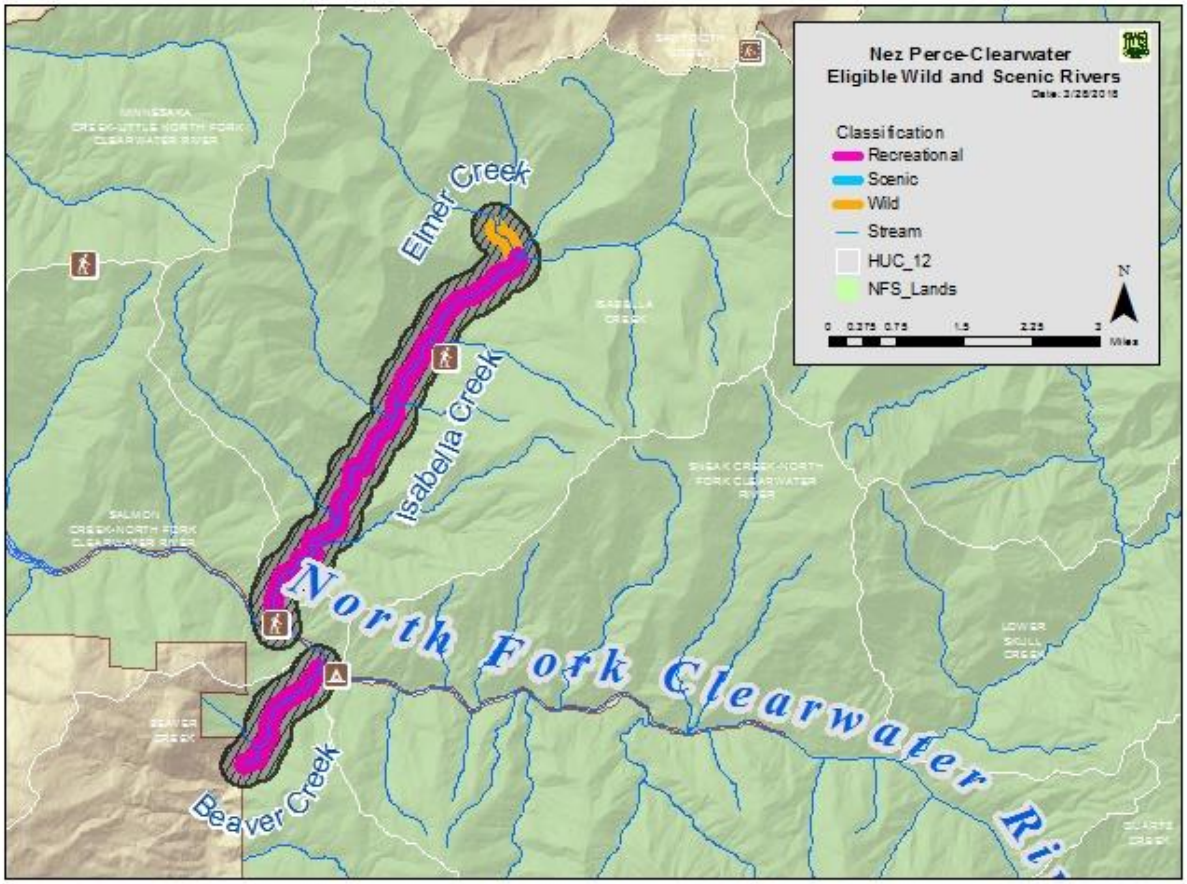
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Beaver Creek, Elmer Creek, and Isabella Creek

Segment Description	Beaver Creek: confluence with North Fork Clearwater River to 1.47 miles upstream Elmer Creek: confluence with Isabella Creek to confluence with Johns Creek Isabella Creek: confluence with North Fork Clearwater River to confluence with Jug Creek
Segment Length	7.35 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	2,352 acres (including 21 acres of private land in the Beaver Creek corridor)
Preliminary Classification	Isabella Creek and Beaver Creek: recreation Elmer Creek: wild
Eligibility ORVs	Botany

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

Beaver and Isabella creeks flow into the North Fork Clearwater River in the Aquarius RNA. This section of the North Fork Clearwater River is a low elevation canyon characterized by relatively warm temperatures and high precipitation. This combination of climatic factors, which is rather unusual in the Northern Rocky Mountains, is responsible for an extraordinary assemblage of coastal disjunct and endemic plant and animal taxa and the unique vegetation types found in the area. Aquarius RNA encompasses a cross section of canyon that contains many of these rare and unique elements.

Beaver Creek: The Aquarius RNA is on the west side of Beaver Creek from the confluence with the North Fork Clearwater River to about 0.25 miles upstream. No specific refugia species was identified for this segment.

Elmer Creek: *Thelypteris nevadensis* (Sierra wood-fern) is found here.

Isabella Creek: The mouth of this creek is in the Aquarius RNA. *Polypodium glycyrrhiza* (licorice fern) is found here, and just outside of the 0.25 segment area is a *Thelypteris nevadensis* (Sierra wood-fern) site.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Isabella Creek and Beaver Creek are listed as impaired (class 4A) for water temperature and are not supporting cold water aquatic life and salmonid spawning beneficial uses. They are fully supporting secondary contact recreation. Both creeks are included in the EPA approved Lower North Fork Clearwater River Temperature TMDL Addendum. A TMDL implementation plan is a water quality improvement strategy that includes the development of the TMDL allocated to a stream. Elmer Creek is meeting water quality standards and fully supporting cold water aquatic life, secondary contact recreation, and salmonid spawning beneficial uses.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are NFS lands managed by the Nez Perce-Clearwater National Forests.

Beaver Creek runs alongside FR 247. Aquarius Campground, FR 6061, and FR 6061A (ML-1) are within the segment. The west side of the creek from the confluence with the North Fork Clearwater River is in the Aquarius RNA, and the rest of the area is in MA 3 (roaded front). Various timber harvest activities have occurred within the Beaver Creek corridor.

Isabella Creek runs alongside of FR 700 and FR 705. Isabella Landing and Trailhead (motorcyclists are allowed), Isabella Point Trailhead (two campground units are at the trailhead), FR 5339 (ML-1), and FR 74023 (ML-1) are within the segment. The Mallard-Larkins Idaho Roadless Area runs along the west side of FR 705 within the segment and after FR 705 leaves the creek, the creek enters the roadless area (about a mile is within the primitive themed area and one-half mile is within the wild land recreation theme). From the confluence with the North Fork Clearwater River to the roadless area, this creek is in MA 3 (roaded front). Various timber harvest activities have occurred within the Isabella Creek corridor.

Elmer Creek is in the Mallard-Larkins Idaho Roadless Area (wild land recreation theme). There are no roads in this segment.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A wild designation would curtail motorized use in the corridors with roads.

The proposed segment is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to the economic stability of local communities. Timber harvest may be curtailed on 765 acres of the Isabella Creek and Beaver Creek corridors due to the recreational classification. If timber harvest is curtailed on these lands, forest vegetation restoration would be curtailed on 761 acres within the warm moist PVT group and 4 acres within the warm dry PVT group.

Isabella Creek also flows through Idaho Roadless Rule lands with themes that allow timber harvest for ecological restoration and other purposes. If this segment is found to be suitable, restoration activities would be curtailed within the corridor. This means that forest vegetation restoration would be curtailed on 15 acres within the warm dry PVT group and 330 acres within the warm moist PVT group.

Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the segment area would have additional restrictions. The segment is wider than the riparian management zone.

Areas along much of the Isabella, Beaver, and Elmer creeks provide winter habitat for big game, and of particular interest, for elk. Areas within the Isabella and Elmer creeks corridors provide habitat for mountain goats. Changes in vegetation succession have been cited as a factor contributing to declining elk populations (Idaho Department of Fish and Game, 2014). Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

A variety of wildlife species, both those that are river dependent and a those that are not, have habitat within the corridor and would benefit from protections provided through the Wild and Scenic Rivers Act. High quality fisher habitat occurs along these creeks. Conservation of these habitats within the river corridor would be preserved or enhanced should these rivers be included in the national system.

No changes to land use within the roadless areas is anticipated. The development of leasable minerals is prohibited in Idaho Roadless Areas. No road construction or reconstruction or surface occupancy is allowed within the wild land recreation and primitive theme areas. However, the rule does not protect from water developments or mining activities governed by the General Mining Law of 1872. For the segments within proposed MA 2, a wild and scenic designation would enhance protections.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for these creeks would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state.

Clearwater County does not support and additional Designated or suitable Wild and Scenic Rivers within Clearwater County. From the Clearwater County letter to Forest Supervisor Cheryl Probert on March 12, 2018:

We also oppose any rivers being found suitable for Wild and Scenic Designation. Wild and scenic is designed to protect from dam building. We feel that none of our rivers are in jeopardy of development. All our rivers are adequately protected with The Clean Water Act, The Endangered Species Act and NEPA. We also feel that since the Lochsa and Selway rivers are already Wild and Scenic that the remaining rivers do not rise to the level of having Outstandingly Remarkable Values in comparison.

As such, it is not expected that county or local governments would participate in preservation or administration of the creeks.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

State Protected River System: As outlined in the 2012 Idaho State Water Plan, the IWRB is authorized to protect highly valued waterways as "State Protected Rivers" with the goal of maintaining free-flowing waterways and conserving unique river features where it is in the public interest to protect recreational, scenic, and natural values. "State Protected Rivers" are designated natural or recreational.

Isabella Creek (Black Creek to Jug Creek) was identified in the Comprehensive State Water Plan for the North Fork Clearwater River Basin (Idaho Water Resource Board, 1996). It is designated a natural river and is free of substantial impoundments, dams, or other structures, and the riparian area is largely undeveloped. The outstanding values recognized are species of concern, salmonid spawning, recreation use, and scenery. Activities prohibited are alterations of the stream bed, construction of hydropower

projects, construction of water diversion works, construction or expansion of dams or impoundments, dredge or placer mining, and mineral or sand and gravel extraction within the stream bed.

Isabella Creek (Black Creek to mouth) and Beaver Creek (Charlie Creek to mouth) were also identified in the Comprehensive State Water Plan for the North Fork Clearwater River Basin (Idaho Water Resource Board, 1996). They are designated as recreational rivers and may include some man-made development in the waterway or riparian area. The outstanding values recognized for Isabella Creek are species of concern, salmonid spawning, recreational use, and scenery. The outstanding values recognized for Beaver Creek are species of concern, salmonid spawning, and scenery. Activities prohibited are construction of hydropower projects, construction of water diversion works, construction or expansion of dams or impoundments, dredge or placer mining, and mineral or sand and gravel extraction within the stream bed. Stream bed alteration is allowed to provide for maintenance and construction of bridges and culverts, and installation of fisheries enhancement structures. Bridges and culverts must be constructed and maintained to reduce sedimentation and to allow unrestricted fish passage.

Elmer Creek was not designated as a protected river.

All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB's protection designations. The IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursue Federal protection of waters within Idaho.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creeks' important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. These creeks are entirely on Federal land and are very remote. While dam construction is possible, it is unlikely.

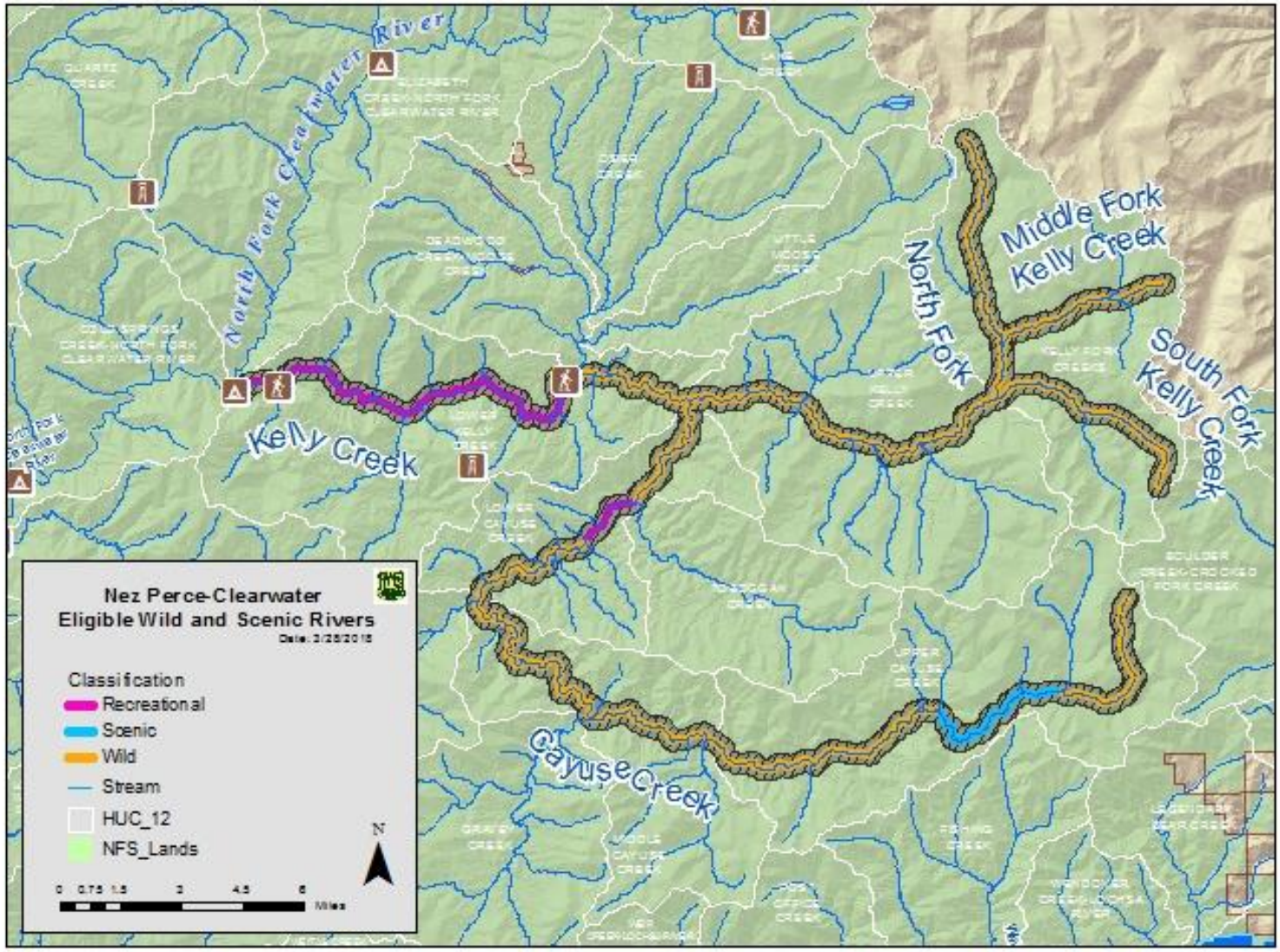
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Cayuse Creek, Kelly Creek, North Fork Kelly Creek, Middle Fork Kelly Creek, and South Fork Kelly Creek

Segment Description	Cayuse Creek: confluence with Kelly Creek to headwaters Kelly Creek: confluence with North Fork Clearwater River to confluence with Middle and North Fork Kelly creeks North Fork Kelly Creek: confluence with Kelly Creek to headwaters Middle Fork Kelly Creek: confluence with Kelly Creek to headwaters South Fork Kelly Creek: confluence with Kelly Creek to headwaters
Segment Length	79.12 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	25,318.4 acres
Preliminary Classification	Upper portion of Kelly Creek, North Fork Kelly Creek, Middle Fork Kelly Creek, South Fork Kelly Creek, middle segment of Cayuse Creek: wild Lower portion of Kelly Creek, lower portion of Cayuse Creek: recreation Upper portion of Cayuse Creek: scenic
Eligibility ORVs	Kelly Creek: recreation, scenic, cultural, Nez Perce Tribe cultural, fish, and wildlife Cayuse Creek: recreation and fish North Fork Kelly Creek, Middle Fork Kelly Creek, and South Fork Kelly Creek: fish

Segment Map


North Fork Clearwater River
Kelly Creek
Middle Fork Kelly Creek
North Fork
South Fork Kelly Creek
Cayuse Creek
Nez Perce-Clearwater
Eligible Wild and Scenic Rivers
Classification
Recreational
Scenic
Wild
Stream
HUC_12
NFS_Lands
N
Miles

Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The recreational ORV for Kelly and Cayuse creeks is their exceptional trout fishing. Although there are various fishing opportunities throughout the national forest, the unique fishing opportunities are steelhead trout and fly-fishing opportunities for cutthroat trout. Kelly and Cayuse creeks provide high quality Blue Ribbon equivalent trout fishing. IDFG maintains special catch-and-release fishing regulations for both streams. People travel from within and beyond the region of comparison to fish Kelly Creek since it offers a high quality trail-based fishing opportunity in a natural setting.

The fish ORV for Kelly and Cayuse creeks includes diversity and abundance, habitat quality, and natural reproduction. Kelly and Cayuse creeks support one of three extremely important fluvial westslope cutthroat populations in the North Fork Clearwater River Basin, and one of a half dozen in the region of comparison. Genetic integrity is high. Fluvial bull trout are also present, and eligible river segments are included as designated critical habitat for Columbia River bull trout. A local population has been identified (US Fish and Wildlife Service, 2015). Habitat has been minimally affected by human disturbance.

Fish diversity and abundance is defined as presence of two or more native fish species with high known genetic integrity, known high numbers of juvenile fish and adult fish, multiple life history strategies present, and higher fish densities than others in the region of comparison. Habitat quality is the presence of designated critical habitat for one or more ESA-listed fish species across a majority of the reaches evaluated or the presence of stream reaches with very high potential to produce and support anadromous and resident fish. Presence of stream reaches was modeled for westslope cutthroat trout and/or bull trout to provide cold water refugia in 2040 and produced moderate to high probability. Natural reproduction is defined by one or more native fish species known to occur at high levels.

The scenic ORV for Kelly Creek is a harmonious relationship of rock, water, and a variety of vegetation. Kelly Creek is a clear, swift stream flowing through a variety of terrain, including high country meadows, forests, and rocky canyons. It includes fast moving water forming rapids and still pools. The upper reaches of several of its forks (North Fork, Middle Fork, and South Fork) originate near the State line divide and include distinctive cliffs.

Nez Perce tribal staff identified Kelly Creek segment as having cultural and historic importance to the Nez Perce Tribe.

The wildlife ORV in the North Fork Clearwater River corridor is based on observations of nationally or regionally important populations of indigenous, river dependent wildlife. Specifically, this river hosts populations of the Harlequin duck. Populations of Harlequin ducks occur along Kelly Creek, but they have not been documented on Cayuse Creek.

The Harlequin duck has been considered rare in Idaho for over 100 years. In Idaho, approximately 50 pairs of Harlequin ducks breed along a limited number of high quality streams within the Priest River,

Kootenai River, Clark Fork, Lake Pend Oreille, St. Joe River, Clearwater River, and the South Fork Snake River watersheds (Idaho Department of Fish and Game, 2017). Approximately 38 percent of all Harlequin duck observations in Idaho Species Diversity Database (accessed April 2017) have been observed within the forest plan area (Idaho Department of Fish and Game, 2017). Harlequin ducks breed along relatively large, fast-moving, mountain streams with gradients of one to seven percent. Breeding streams are characterized by rocky substrates that support the benthic macro-invertebrates upon which the ducks feed, as well as large numbers of rapids/riffle areas interspersed with eddies. Water quality appears to be very important for successful foraging, with clear, low-acid water being optimal. Relative to other species of ducks, Harlequin ducks occur at low population densities and exhibit high breeding site fidelity, low reproductive rates, and delayed reproduction. All of these traits contribute to making Harlequin duck populations particularly slow to recover from habitat degradation or loss or other factors that may lower duck survival. Harlequin ducks have disappeared from former breeding sites in Idaho and Montana (Wiggins, 2005). Kelly Creek contributes to the population of Harlequin ducks within the plan area as well as across Idaho. Cayuse Creek is not known to have populations of Harlequin ducks.

The Forest Service administrative history from the mouth to Deer Creek (approximately 11 miles) is the cultural ORV for Kelly Creek.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Kelly Creek, North Fork Kelly Creek, Middle Fork Kelly Creek, and South Fork Kelly Creek are meeting water quality standards and are fully supporting beneficial uses. Beneficial uses for these streams are aesthetic, cold water aquatic life, secondary contact recreation, wildlife habitat, and agricultural/industrial water supply. Cayuse Creek has not been assessed or there is insufficient data to determine if water quality standards are being met or if beneficial uses are supported.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

Kelly Creek runs through forest plan revision proposed MA 3, the Bighorn-Weitas Idaho Roadless Area (backcountry restoration theme), Hoodoo Idaho Roadless Area (wild land recreation theme), Mallard-Larkins Idaho Roadless Area (backcountry restoration theme) and the Moose Mountain Roadless Idaho Areas (backcountry restoration and primitive themed areas). The following roads are within the segment ML 4 roads FR 250 and FR 255; ML 3 road FR 255-A; and ML 2 roads FR 581 and FR 581-A. The Kelly Creek Work Center (including a campground, trailhead and retail cabin), the Junction Creek Trailhead and the Junction Mountain Trail (open to non-motorized and motorcycle use), and nine non-motorized trails.

Kelly Creek has one mining claim, Glory Hole, within the segment corridor near the intersection of FR 581 and FR 255. The Huff-n-Puff Claim, Moose Bar Placer, and Sweetwater Placer Claims are location adjacent to the corridor (within 0.25 miles).

The North, Middle, and South Forks of Kelly Creek are within the Hoodoo Idaho Roadless Area (wild land recreation theme). Two non-motorized trails are in the area. The headwaters of the South Fork Kelly Creek (about the first 0.5 miles) is within the proposed Rhodes Peak RNA.

Cayuse Creek runs through MA 3, the Hoodoo Idaho Roadless Area (wild land recreation theme), and the Bighorn-Weitas Idaho Roadless Area (backcountry restoration and special area of historic and tribal significance themes). ML 2 roads FR 500, FR 581 and FR 581-A are all within the Cayuse Creek corridor. Two of these roads cross the creek. The Cayuse Landing Field, the Lunde Creek Rock Garden Trail (non-motorized and motorcycle use), and a couple of non-motorized trails are also within the corridor.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A wild designation would curtail motorized use in the corridors with roads.

Some sections of these eligible segments are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions and where timber harvest provides products, which contribute to economic stability for local communities. Timber harvest may be curtailed on 293 acres of the segments classified as recreational and scenic that overlap with proposed MA 3. If timber harvest is curtailed on these lands, forest vegetation restoration would be curtailed on 88 acres within the cool moist PVT group, 78 acres within the warm dry PVT group, and 127 acres within the warm moist PVT group. Additionally, about nine acres of the Kelly Creek corridor within proposed MA 3 are classified as wild. If this segment is found suitable for designation as a wild river, timber harvest would be foreclosed on these nine acres. Of these acres, eight acres are within the warm moist PVT group and one acre is within the cool moist PVT group.

Portions of Cayuse and Kelly creeks also flow through Idaho Roadless Areas with themes that allow timber harvest for ecological restoration and other purposes. If these segments are found to be suitable, restoration activities would be curtailed within the recreational and scenic segments of the creek that flow through the Idaho Roadless Areas. This means that forest vegetation restoration would be curtailed on 265 acres within the cool moist PVT group, 552 acres within the warm dry PVT group, and 1,744 acres within the warm moist PVT group.

If Cayuse and Kelly creeks are found to be suitable, restoration activities would be curtailed within the wild segments that flow through Idaho Roadless Areas because tools for restoration would be further limited. This means that forest vegetation restoration would be curtailed on eight acres within the cold PVT group, 1,017 acres within the cool moist PVT group, 675 acres within the warm dry PVT group, and 2,280 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the segment area would have additional restrictions. The segment is wider than the riparian management zone.

Areas along much of Kelly and Cayuse creeks provide winter habitat for big game, and of particular interest, for elk and mountain goats. Changes in vegetation succession have been cited as a factor contributing to declining elk populations (Idaho Department of Fish and Game, 2014). Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing

the number of tools available to manage forest vegetation succession. If included in the national system, management activities within the corridor would have additional restrictions within any sections within forest plan revision proposed MA 3.

A variety of wildlife species, both those that are river dependent and those that are not, that have habitat within corridor would benefit from protections provided through the Wild and Scenic Rivers Act. Lynx habitat occurs in sections of Kelly Creek upstream from the confluence with Cayuse Creek and in the whole of Cayuse Creek. These habitats within the corridor would be conserved or enhanced should these creeks be included in the national system.

No changes are anticipated to land use within the roadless areas. The Idaho Roadless Rule limits road construction or reconstruction within backcountry restoration theme areas; however, for backcountry restoration theme areas surface occupancy is allowed unless prohibited by the forest plan. The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy in wild land recreation, primitive, and special area of historic and tribal significance theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

As one of the large tributaries to the North Fork Clearwater River, a wild and scenic designation would enhance the protections and prohibit water developments.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for these creeks would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridors are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the State.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (August 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

2. ***Desired Condition:*** *In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

5. ***Guideline:*** *To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

Similarly, Clearwater County does not support and additional Designated or suitable Wild and Scenic Rivers within Clearwater County. From the Clearwater County letter to Forest Supervisor Cheryl Probert on March 12, 2018:

We also oppose any rivers being found suitable for Wild and Scenic Designation. Wild and scenic is designed to protect from dam building. We feel that none of our rivers are in jeopardy of development. All our rivers are adequately protected with The Clean Water Act, The Endangered Species Act and NEPA. We also feel that since the Lochsa and Selway rivers are already Wild and Scenic that the remaining rivers do not rise to the level of having Outstandingly Remarkable Values in comparison.

As such, it is not expected that county or local governments would participate in preservation or administration of the creeks.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridors or visible from the corridors.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

Designation of a creek segment as suitable, particularly where the creek segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

State Protected River System: As outlined in the 2012 Idaho State Water Plan, IWRB is authorized to protect highly valued waterways as “State Protected Rivers” with the goal of maintaining free-flowing waterways and conserving unique river features where it is in the public interest to protect recreational, scenic, and natural values. “State Protected Rivers” are designated natural or recreational.

Kelly Creek (headwaters to Moose Creek, including North Fork Kelly, Middle Fork Kelly, and South Fork Kelly) and Cayuse Creek (headwaters to mouth) were identified in the Comprehensive State Water Plan for the North Fork Clearwater River Basin (1996). These sections are designated as natural rivers and are free of substantial impoundments, dams, or other structures, and the riparian areas are largely undeveloped. The outstanding values recognized are species of concern, salmonid spawning, recreation use, and scenery. Activities prohibited are alterations of the stream bed, construction of hydropower projects, construction of water diversion works, construction or expansion of dams or impoundments, dredge or placer mining, and mineral or sand and gravel extraction within the stream bed.

Kelly Creek (Moose Creek to mouth) was also identified in the State Water Plan and is designated a recreational river and may include some man-made development in the waterway or riparian area. The outstanding values recognized are species of concern, salmonid spawning, recreational use, and scenery. Activities prohibited are construction of hydropower projects, construction of water diversion works, construction or expansion of dams or impoundments, dredge or placer mining, and mineral or sand and gravel extraction within the stream bed. Stream bed alteration is allowed to provide for maintenance and construction of bridges and culverts and installation of fisheries enhancement structures. Bridges and culverts must be constructed and maintained to reduce sedimentation and to allow unrestricted fish passage.

All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB’s protection designations. IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursue Federal protection of waters within Idaho.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

Friends of the Clearwater submitted Cayuse and Kelly creeks on behalf of Dr. Fred Rabe for preliminary selection for wild and scenic river designation. Cayuse Creek is described as having some of the largest stands of old growth left in the Clearwater River Basin.

12. The river's contribution to river system integrity or basin integrity

These creeks were identified as an important contributor to the river system and to basin integrity. Multiple ORVs have been identified, including a fish ORV corresponding to the creeks' potential to support recovery goals of ESA listed aquatic species. These creeks are some of the larger tributaries in

the subbasin or basin. As such, they play an important ecological role in providing clean, free flowing water, habitat for fish and wildlife species. They also are often critically important culturally in the present day, historically, and prehistorically.

13. The potential for water resources development

Water resources development is unlikely. These creeks are entirely on Federal land. While dam construction is possible, it is unlikely.

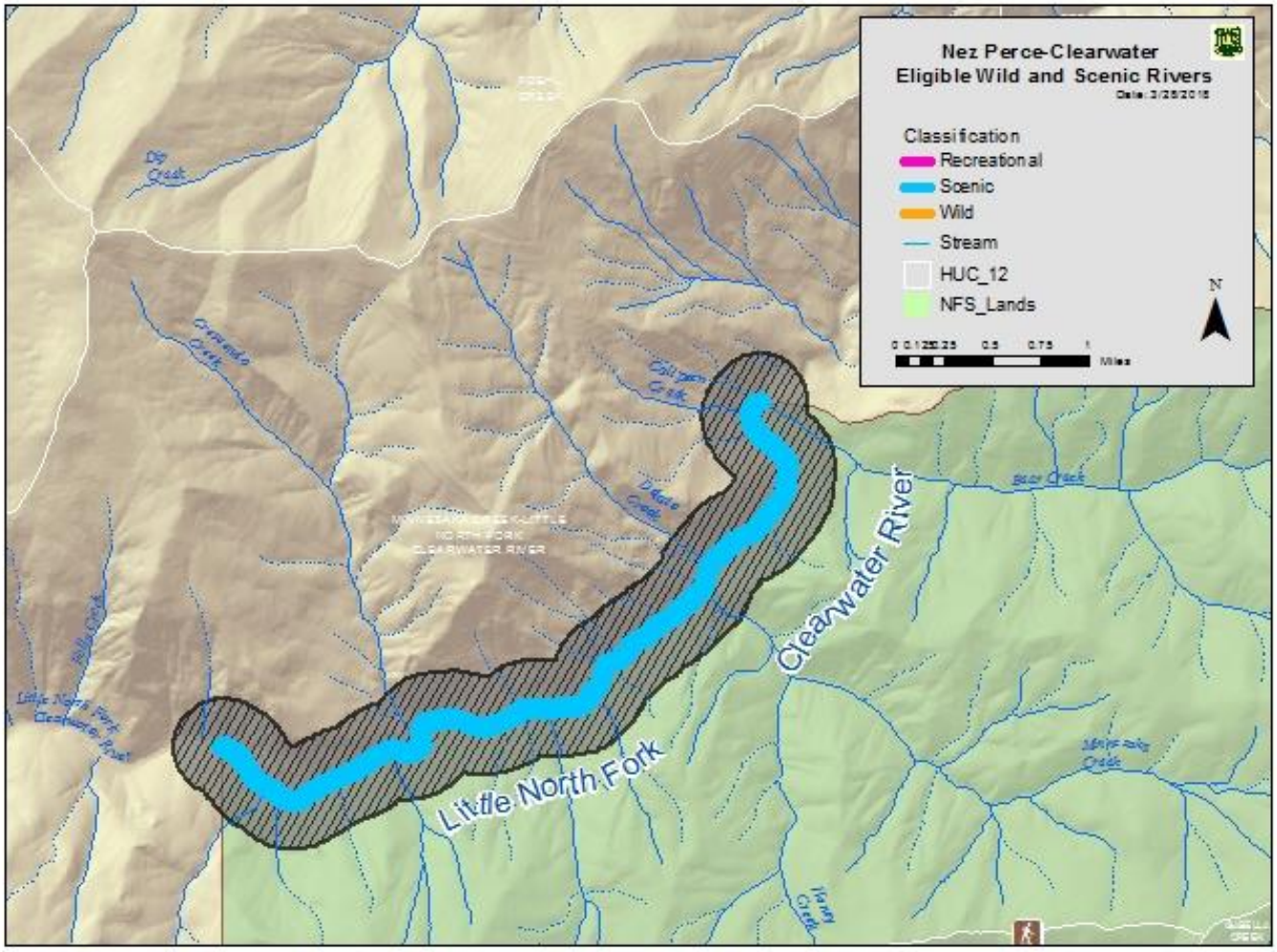
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Suitable	Not suitable	Suitable	Suitable

Little North Fork Clearwater River

Segment Description	National forest boundary to national forest boundary
Segment Length	3.50 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	1,388.8 acres
Preliminary Classification	Wild
Eligibility ORVs	Scenic, botany, recreation, fish, and Nez Perce Tribe cultural

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The scenic ORV is based on a diversity of water, vegetation, and rock features. The segment includes several rapids that provide a dramatic contrast of whitewater and rocks and steep canyon slopes. The Forest Service found the Little North Fork Clearwater River within the Idaho Panhandle National Forest eligible for scenery. Most of the Little North Fork Clearwater River is managed by that national forest. Approximately four miles of the south side of the river is managed by the Nez Perce-Clearwater National Forest.

Recreation is an ORV (on both the Idaho Panhandle National Forest and the Nez Perce-Clearwater National Forest) due to the river providing a multi-day whitewater boating opportunity that is accessible by roads at both ends and does not require a competitive permit. This is relatively rare in the region of comparison. The Salmon River and Hells Canyon require permits and are much larger rivers. Meadow Creek provides a multi-day boating opportunity but requires a hike-in of three-plus miles, which limits the types of boats.

This botany ORV for this segment is that it exhibits core coastal refugia plant associations that are remnants of the last Ice Age. Although there are other examples of coastal refugia on the forest only six streams exhibit the core coastal refugia characteristics.

The fish ORVs are based on abundance and diversity, natural reproduction, and habitat quality. The Little North Fork Clearwater River supports a population of fluvial and potentially adfluvial westslope cutthroat trout population, which exhibits higher abundance than a majority of others within the region of comparison. The Little North Fork Clearwater River is one of three extremely important fluvial westslope cutthroat populations in the North Fork Clearwater basin, and one of a half a dozen in the region of comparison. Fluvial bull trout are also present, and eligible river segments are included as designated critical habitat for Columbia River bull trout, and a local population has been identified (USFWS 2015). Habitat has been minimally affected by human disturbance. There are no known non-native species present in eligible segments.

The IDEQ 305(b)/303(d) 2014 Integrated Report (IDEQ 2014) presents the current status of water quality for Idaho's waters. Little North Fork Clearwater River has not been assessed or there is insufficient data to determine if water quality standards are being met or if beneficial uses are supported.

2. The current status of land ownership and use in the area

The Little North Fork Clearwater River is the boundary between the Nez Perce-Clearwater National Forests and the Idaho Panhandle National Forests. All of the land on the south side of the corridor is managed by the Nez Perce-Clearwater National Forests. The land on the north side of the river and upstream of the Nez Perce-Clearwater National Forests is managed by the Idaho Panhandle National Forest. Below the boundary, the Little North Fork continues onto Potlatch lands with a takeout there.

The Idaho Panhandle National Forest identified 26.6 miles of the Little North Fork Clearwater River corridor as eligible for inclusion in the national system. Identifying the segment on the Nez Perce-Clearwater National Forests for inclusion as part of the national system would complement the preliminary classification across the river and directly upstream.

There are no roads or trails in the corridor. The segment is in the Mallard-Larkins Idaho Roadless Area and is managed under the primitive theme.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

Since the surrounding area is within the Mallard-Larkins Idaho Roadless Area and the north side of the river has already been identified as an eligible wild river by the Idaho Panhandle National Forest, no changes to land use are anticipated. The segment is within proposed MA 2, roadless area.

However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If this river segment is found suitable, the scenic designation would cause increased restrictions for timber harvest and would likely foreclose timber harvest as an option for vegetation restoration. This option would likely be foreclosed on 424 acres within the warm moist PVT group.

The Idaho Roadless Rule prohibits the development of leasable minerals on this river. No road construction or reconstruction or surface occupancy is allowed within primitive theme areas. Minerals activities under the General Mining Law of 1872 are allowed under all Idaho Roadless Rule themes and are allowed in a suitable wild and scenic river. There are currently no mining claims adjacent to this river (on the Nez Perce-Clearwater National Forests).

There are at least three potential dam sites on the Little North Fork Clearwater River. Existing laws, rules, and regulations do not protect the river from water developments or restrict instream mining. As one of the large tributaries to the North Fork Clearwater River, a wild and scenic designation would enhance the protections and prohibit water developments.

Areas along the Little North Fork Clearwater River provide winter habitat for big game, and of particular interest, for elk. Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

A variety of wildlife species, both those that are river dependent and those that are not, that have habitat within the corridor would benefit from protections provided through the Wild and Scenic River Act.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests and the Idaho Panhandle National Forest) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Clearwater and Shoshone counties and the counties will be contacted. The portion on the Nez Perce-Clearwater National Forests is in Clearwater County. The Clearwater County Board of Commissioners opposes the designation of Wild and Scenic Rivers in Clearwater Counties (Clearwater County Natural Resource Plan 2018).

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

Although there is no private land in the corridor or visible from the corridor, Potlatch Corporation owns lands used for a takeout.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

IDEQ lists the Little North Fork River as a "Natural" river in their 1996 North Fork Basin Plan.

The Clearwater County Board of Commissioners does not support the designation of any Wild and Scenic Rivers in Clearwater County (Clearwater County Natural Resource Plan 2018). From the Clearwater County letter to Forest Supervisor Cheryl Probert on March 12, 2018:

We also oppose any rivers being found suitable for Wild and Scenic Designation. Wild and scenic is designed to protect from dam building. We feel that none of our rivers are in jeopardy of development. All our rivers are adequately protected with The Clean Water Act, The Endangered Species Act and NEPA. We also feel that since the Lochsa and Selway rivers are already Wild and Scenic that the remaining rivers do not rise to the level of having Outstandingly Remarkable Values in comparison.

Designation of a river segment as suitable, particularly where the river segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

State Protected River System: As outlined in the 2012 Idaho State Water Plan, IWRB is authorized to protect highly valued waterways as “State Protected Rivers” with the goal of maintaining free-flowing waterways and conserving unique river features where it is in the public interest to protect recreational, scenic, and natural values. “State Protected Rivers” are designated natural or recreational.

Little North Fork Clearwater River (Meadow Creek to Cedar Creek) was identified in the Comprehensive State Water Plan for the North Fork Clearwater River Basin (1996). It is designated a natural river and is free of substantial impoundments, dams, or other structures, and the riparian area is largely undeveloped. The outstanding values recognized are species of concern, boating opportunity, and scenery. Activities prohibited are alterations of the stream bed, construction of hydropower projects, construction of water diversion works, construction or expansion of dams or impoundments, dredge or placer mining, and mineral or sand and gravel extraction within the stream bed.

All landowners, private, State, and Federal, are encouraged to manage their lands consistent with IWRB’s protection designations. IWRB also encourages Federal resource management agencies to work within the comprehensive State water planning process rather than pursue Federal protection of waters within Idaho.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the “best of the best” rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

There is a reservoir downstream of the eligible segment so river system integrity is not present.

13. The potential for water resources development

There is a dam downstream of the eligible segment. Three potential dam sites have been identified on this river. Current laws and regulations would prevent dam construction.

Water resources development is unlikely. This river is entirely on Federal land and is very remote. While dam construction is possible, it is unlikely.

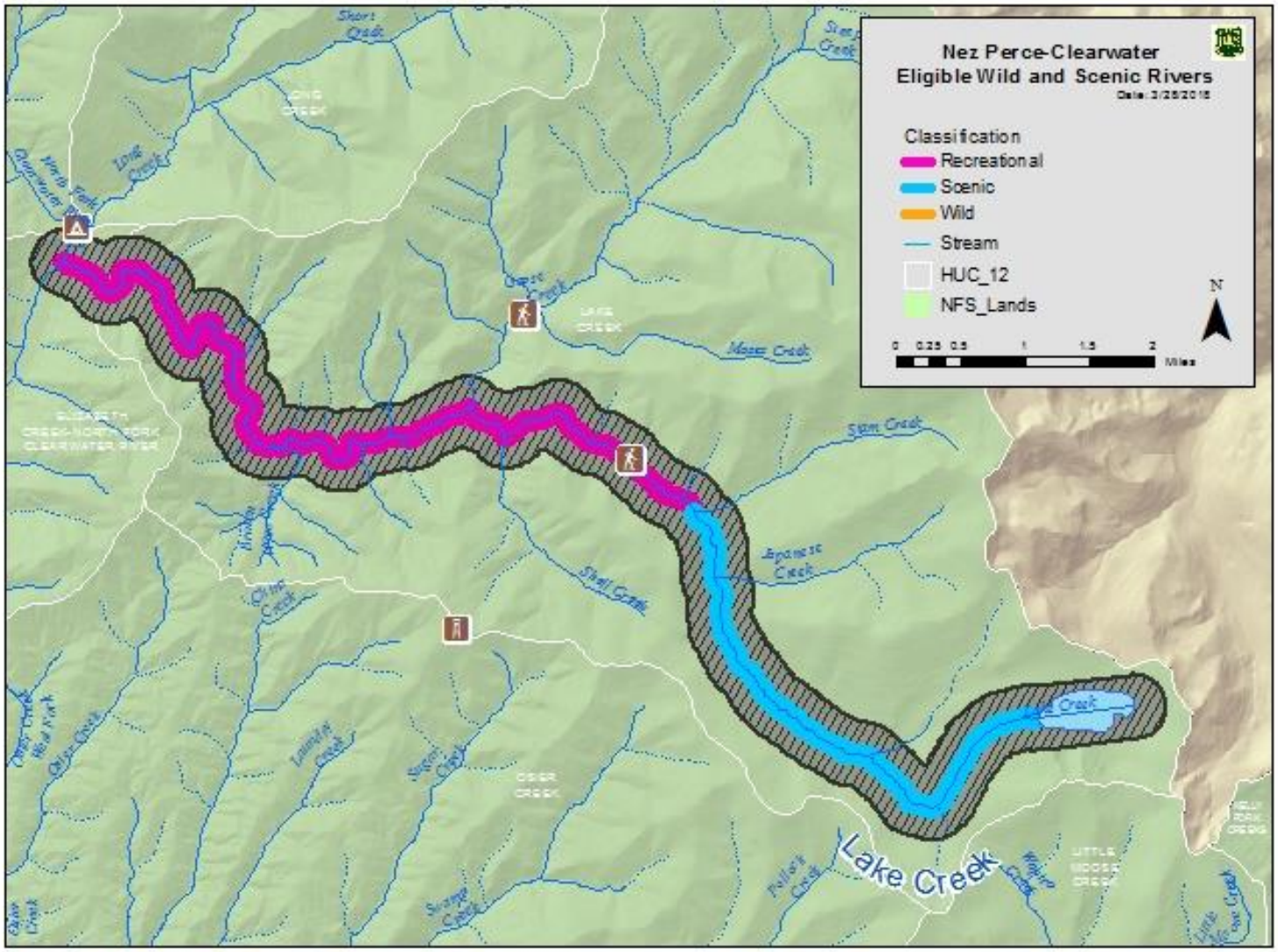
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Suitable	Not suitable	Suitable	Suitable

Lake Creek (North Fork Clearwater subbasin)

Segment Description	Fish Lake to Siam Creek Siam Creek to North Fork Clearwater River
Segment Length	12.40 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	3918 acres
Preliminary Classification	Wild
Eligibility ORVs	Fish

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The fish ORV in Lake Creek is based on natural reproduction and habitat quality. Lake Creek supports one of just two known adfluvial bull trout populations within the region of comparison. Bull trout migrate to and from Fish Lake for spawning and rearing. Lake Creek contains designated critical habitat, provides high quality habitat for spawning and rearing, and is free of non-native aquatic species. In addition to the lake-based spawning population, Lake Creek supports moderate to high numbers of fluvial bull trout migrating from the North Fork Clearwater River.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests. Lake Creek exits Fish Lake in the Hoodoo Idaho Roadless Area and continues across the roadless area boundary to its confluence with the North Fork Clearwater River near the Cedars campground. Areas within the Primitive Theme IRA are treated similarly (or are) recommended wilderness. Areas outside the IRA are available for timber harvest.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

A wild designation would curtail motorized use in this area.

A portion of Lake Creek is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 1,665 acres of the segments classified as recreational and scenic that overlap with proposed MA 3. If timber harvest is curtailed on these lands, forest vegetation restoration would be curtailed on 10 acres within the cold PVT group, 687 acres within the cool moist PVT group, 286 acres within the warm dry PVT Group, and 683 acres within the warm moist PVT group.

The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for backcountry/restoration areas, surface occupancy is allowed unless prohibited by the forest plan. The rule does not protect the creek from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this creek would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Clearwater and Idaho counties and the counties will be contacted.

Clearwater County does not support and additional Designated or suitable Wild and Scenic Rivers within Clearwater County. From the Clearwater County letter to Forest Supervisor Cheryl Probert on March 12, 2018:

We also oppose any rivers being found suitable for Wild and Scenic Designation. Wild and scenic is designed to protect from dam building. We feel that none of our rivers are in jeopardy of development. All our rivers are adequately protected with The Clean Water Act, The Endangered Species Act and NEPA. We also feel that since the Lochsa and Selway rivers are already Wild and Scenic that the remaining rivers do not rise to the level of having Outstandingly Remarkable Values in comparison.

As such, it is not expected that county or local governments would participate in preservation or administration of the river.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

Designation of a river segment as suitable, particularly where the river segment is included as designated critical habitat for an ESA-listed fish species or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this river's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on Federal land and is very remote. While dam construction is possible, it is unlikely.

Segment Suitability Determination

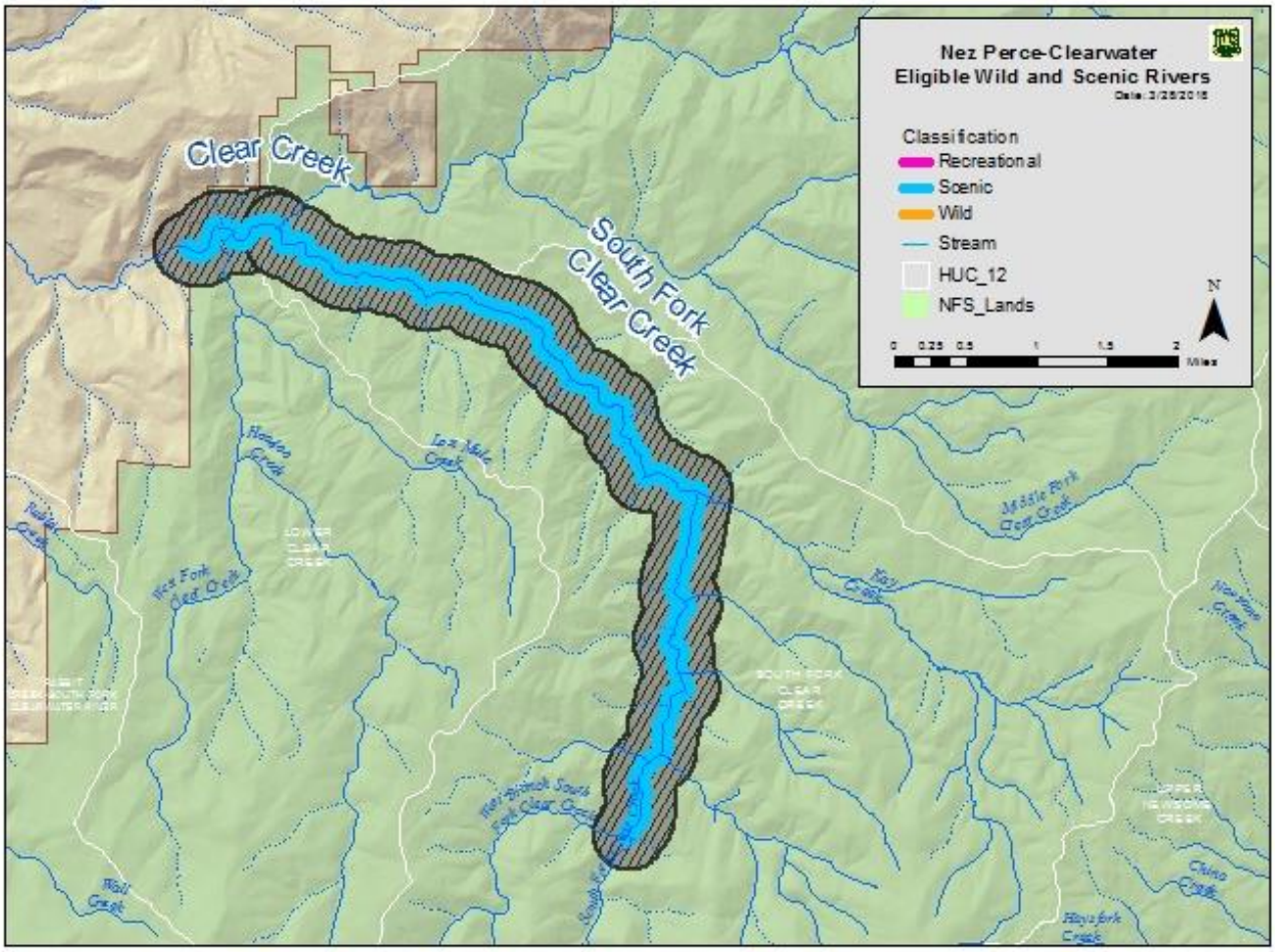
Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Middle Fork Clearwater River Basin

Clear Creek and South Fork Clear Creek

Segment Description	Clear Creek: national forest boundary to confluence with South Fork Clear Creek South Fork Clear Creek: confluence with Fork Clear Creek to headwaters
Segment Length	8.09 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	2,588.8 acres (including 13 acres of private land within the Clear Creek corridor)
Preliminary Classification	Scenic
Eligibility ORVs	Fish

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The fish ORV includes diversity and abundance and natural reproduction. South Fork Clear Creek supports spawning and rearing of wild A-run steelhead trout in high densities relative to other streams in the region of comparison. Spring Chinook salmon are present in its lower reaches, and westslope cutthroat trout are present as well. The Clear Creek watershed, including South Fork Clear Creek, has been identified as a major spawning area (NMFS 2017). South Fork Clear Creek contains designated critical habitat for Snake River steelhead trout.

Nez Perce tribal staff identified these segments as having cultural and historic importance to the Nez Perce Tribe.

The IDEQ 305(b)/303(d) 2014 Integrated Report (IDEQ 2014) presents the current status of water quality for Idaho's waters. Clear Creek is meeting water quality standards and fully supporting cold water aquatic life and secondary contact recreation beneficial uses. South Fork Clear Creek has not been assessed or there is insufficient data to determine if water quality standards are being met or if beneficial uses are supported.

2. The current status of land ownership and use in the area

Most of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests; about 13 acres in the northwest corner of the Clear Creek corridor is in private ownership. The Clear Creek segment and the South Fork Clear Creek segment (mouth and first 5.5 miles) are within the Clear Creek Idaho Roadless Rule area (backcountry/restoration theme). After leaving the roadless area, the next mile of the South Fork Clear Creek has MA 3 on the west bank and the roadless area on the east bank. It veers away from the roadless area into MA 3 for the last 0.7 miles. Some timber harvest has occurred at the point where South Fork Clear Creek leaves the roadless area.

A small section (less than one-quarter mile) of FR 9482B (ML 1) is within the buffered area of the South Fork Clear Creek. The non-motorized Clear Creek Trail and South Fork Clear Creek Trail cross the creeks in two locations.

The whole segment is within the Corral Hill active allotment.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

Some sections of South Fork of Clear Creek and Clear Creek are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 276 acres of the segments classified as scenic that overlap with proposed MA 3. If timber harvest is curtailed on these lands, forest vegetation restoration would be curtailed on one acre within the warm dry PVT group and 262 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the segment area would have additional restrictions. The segment is wider than the riparian management zone.

No changes are anticipated to the land use within the roadless areas. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If these river segments are found suitable, the scenic designation would cause increased restrictions for timber harvest and would likely foreclose timber harvest as an option for vegetation restoration. This option would likely be foreclosed on 506 acres within the warm dry PVT group and 855 acres within the warm moist PVT group. The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for backcountry/restoration areas, surface occupancy is allowed unless prohibited by the forest plan. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

Areas along the Clear Creek and South Fork Clear Creek provide winter and summer habitat for big game and of particular interest, for elk. Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

A variety of wildlife species, both those that are river dependent and those that are not, have habitat within the corridors and would benefit from protections provided through the Wild and Scenic River Act. Of particular note is the presence of high quality habitat for the fisher, which is distributed along substantial portions of these creeks. The watershed contains additional amounts of fisher habitat outside of the corridors, but only the habitat within the corridors would be protected if these creeks are included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for these creeks would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

The Forest Service's authority for finding a creek eligible or suitable only applies to NFS lands. Only the Forest Service administered portions of the creeks would be managed as eligible or suitable. At this time, the Forest Service is not pursing acquisition of lands or interests in lands on the basis of wild and scenic rivers. However, should Clear Creek be added to the national system by Congress, Congress may or may not authorize and/or direct the Forest Service to pursue acquisition of lands or land interests, potentially affecting up to 13 acres of private land in the northwest corner of the Clear Creek corridor. As it is not reasonably foreseeable that Congress would direct the agency to acquire lands or land interests, the cost of such action is not being calculated at this time.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. These segments are in Idaho County and the county will be contacted.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County.

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

2. ***Desired Condition:*** *In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

5. ***Guideline:*** *To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

As such, it is not expected that county or local governments would participate in preservation or administration of the creeks.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

Idaho County does not have local zoning or land use controls. Prevention of incompatible development on private land would depend on private property owner voluntary participation, education, and outreach.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

No non-Federal lands would be affected by an agency finding that the river is suitable. ORVs were determined based on their presence on Forest Service administered lands.

The State's ability to manage and protect water resources and fish and wildlife habitat is demonstrably high.

The State's ability to maintain free flow is not as evident.

The State or county's ability to manage for scenery, geologic, botanic, or cultural values is less apparent, especially given the County's opposition to additional wild and scenic rivers.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation of Clear Creek and South Fork Clear Creek would be inconsistent with Idaho County's Natural Resource Plan, which recommends no additional wild and scenic rivers.

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections

with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

The Nez Perce Tribe Executive Committee expressed support for eligibility for Clear Creek for cultural, fish and wildlife.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being the major tributaries and having the most ORVs. Current protections would likely perpetuate these creeks' important contributions to the system.

13. The potential for water resources development

No dam sites have been identified.

Water resources development is unlikely. These creeks are entirely on Federal land and are very remote.

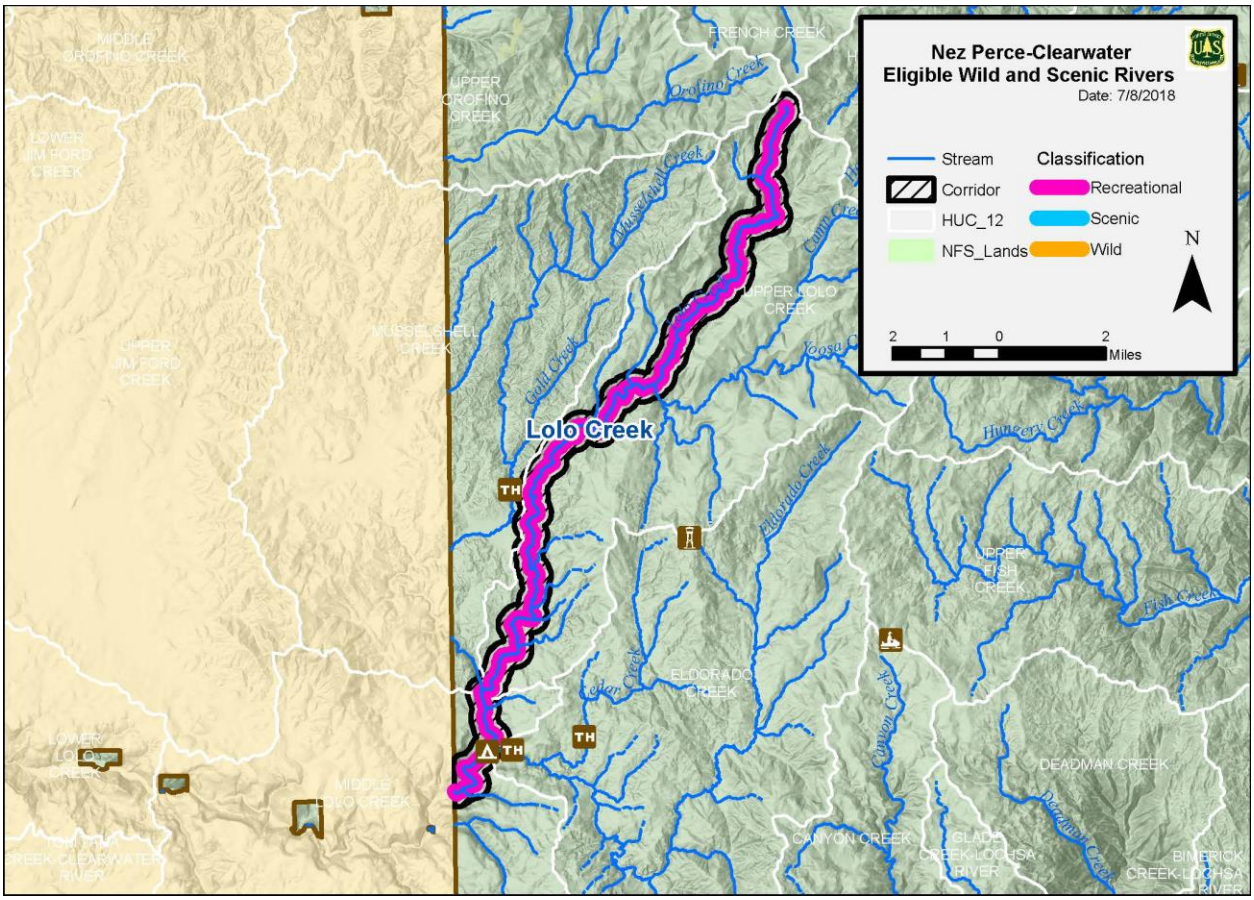
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Lolo Creek

Segment Description	National forest boundary to headwaters
Segment Length	19.8 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	5,836
Preliminary Classification	Recreation
Eligibility ORVs	Recreation, Nez Perce Tribe cultural, fish, wildlife

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The recreation ORV is for whitewater boating. A 12-mile run begins at Lolo Creek Campground and provides a run through a deep cedar-filled canyon. The creek winds between steep cliffs mixed with wide open meadows. The rapids in this segment are classes one and two. (Amaral 1990) The first 1.6 miles of the run is through NFS lands and the remainder is a mix of BLM, State, and private lands.

The BLM has found the section below the national forest boundary eligible with a recreation ORV.

The eligible scenic determination by the BLM includes a 27.19-mile segment of the Lolo Creek mainstem, from the confluence with the Clearwater River upstream to the national forest boundary, of which 14.3 miles are on BLM-administered lands. The BLM determined this segment contains the following ORVs: scenic, recreation, fish, and historic.

The Nez Perce tribal staff identified this segment as having cultural and historic importance to the Nez Perce Tribe.

The fish ORV is based on fish diversity and abundance. Lolo Creek supports a population of native steelhead trout that is distinct from the rest of the lower Clearwater River (NMFS 2017). Eligible river segments are included as designated critical habitat for Snake River steelhead trout, as well as a major spawning area for this species (NMFS 2017). Lolo Creek supports native and imperiled Pacific lamprey, and large numbers of juvenile lampreys have been observed in mainstem Lolo Creek in recent years, suggesting it provides important spawning and rearing habitat for this species. Strong populations of native western pearlshell mussels are also present in eligible river segments. Lolo Creek also supports spawning and early rearing for native spring Chinook salmon.

The IDEQ 305(b)/303(d) 2014 Integrated Report (IDEQ 2014) presents the current status of water quality for Idaho's waters. Lolo Creek is meeting water quality standards and fully supporting the cold water aquatic life beneficial use.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests. The segment is in proposed MA 3 and MAs E1 and C4 under the 1987 Forest Plan. MA E1 emphasizes timber production and MA C4 emphasizes big game winter range and timber production. As a result of these designations, timber harvest has occurred along the length of this segment.

Within the segment area, FR 100 leads to Lolo Creek Campground (with nine sites) at the confluence with Eldorado Creek. Lolo Trail Road (FR 500 Ml 4 road); ML 3 roads FR 5115 and FR 100-C; ML 2 roads 5116, FR 5112, FR 5051; and ML 1 roads FR 5512-A and FR 5112-B are within the segment. The Bradford A and B Trails, which allow for ATVs and motorcycles use, are within the corridor.

There is one mining claim, Highlow 2, within the Lolo Creek corridor.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment receives a recreational designation, changes to existing motorized use would not be anticipated.

A wild designation would curtail motorized use in this area.

The proposed segment is in forest plan revision proposed MA 3, suitable timber base, where timber harvest is one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 134 acres of the recreational classified segment. If timber harvest is curtailed on these lands, restoration of forested vegetation would be curtailed on 128 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the segment would have additional restrictions. The corridor would be wider than the riparian management zone.

A wild and scenic designation would be consistent with the BLM's wild and scenic rivers suitability determination on the adjoining river segment downstream of the national forest boundary and would enhance protections and prohibit water developments.

A variety of wildlife species, both those that are river dependent and those that are not, that have habitat within the corridor would benefit from protections provided through the Wild and Scenic River Act. Of particular note is the presence of high quality habitat for the fisher, which is distributed along all of Lolo Creek. The watershed contains large amounts of fisher habitat outside of the river corridor, and only the habitat within the corridor would be protected if this river is included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this creek would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands. Downstream of the national forest boundary is mixed ownership where the Forest Service does not have jurisdiction.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state.

Idaho County does not support any additional Designated or Suitable Wild and Scenic Rivers within Idaho County. From the Idaho County Natural Resources Plan (August 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

2. ***Desired Condition:*** *In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

5. ***Guideline:*** *To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

Similarly, Clearwater County does not support any additional designated or suitable wild and scenic rivers within Clearwater County. From the Clearwater County letter to Forest Supervisor Cheryl Probert on March 12, 2018:

We also oppose any rivers being found suitable for Wild and Scenic Designation. Wild and scenic is designed to protect from dam building. We feel that none of our rivers are in jeopardy of development. All our rivers are adequately protected with The Clean Water Act, The Endangered Species Act and NEPA. We also feel that since the Lochsa and Selway rivers are already Wild and Scenic that the remaining rivers do not rise to the level of having Outstandingly Remarkable Values in comparison.

As such, it is not expected that county or local governments would participate in preservation or administration of the river.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

Designation of a river segment as suitable, particularly where the river segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual

congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with ORVs that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

Opposition to designation is especially strong among county commissioners who fear additional recreational users of this river will result in additional search and rescue operations and incur expenses that the Counties are not budgeted for.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creek's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on Federal land. While dam construction is possible, it is unlikely.

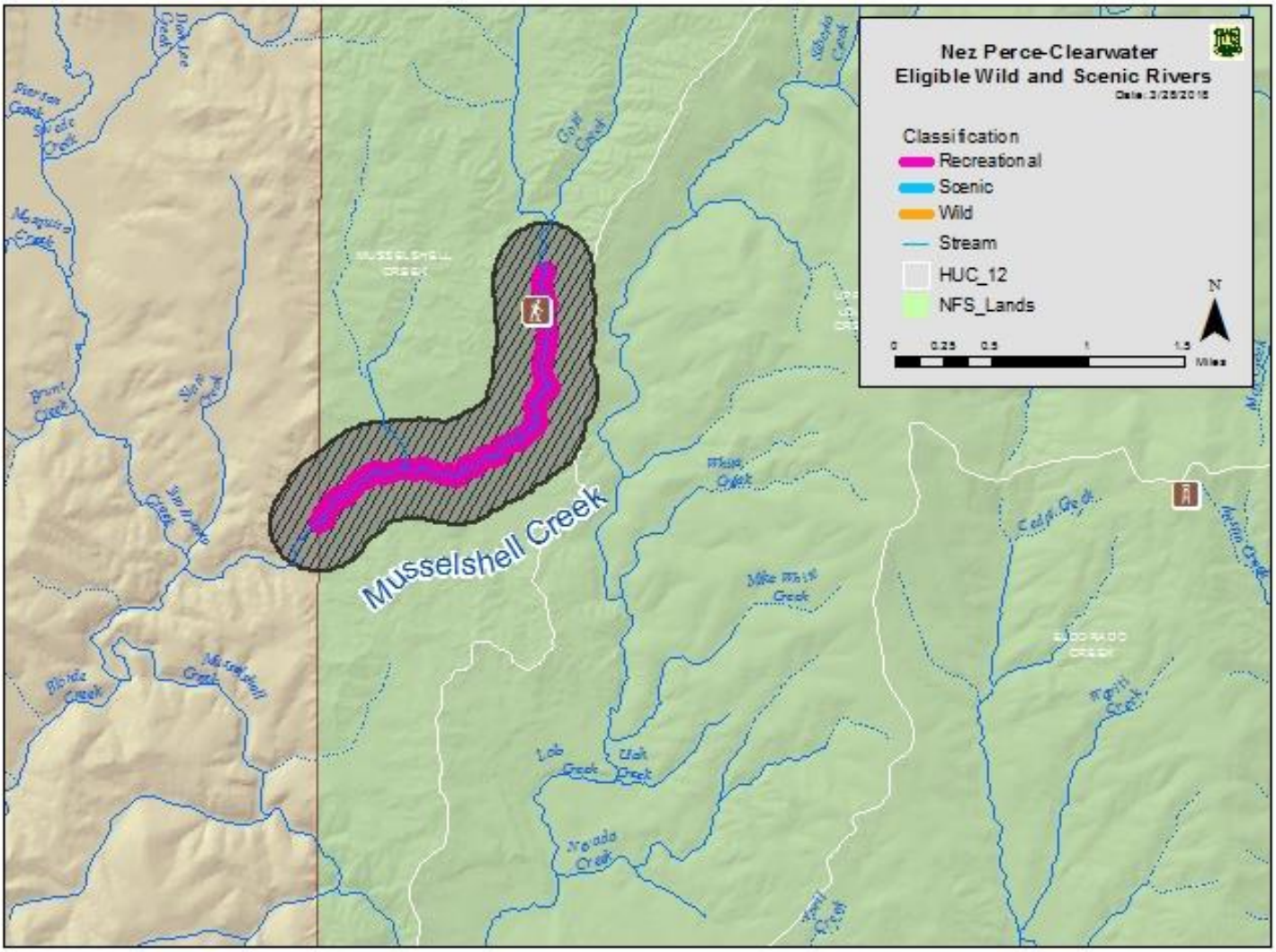
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Musselshell Creek

Segment Description	National forest boundary upstream through Musselshell Meadows to its exit from the National Historic Landmark in section 20
Segment Length	2.07 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	662.4 acres
Preliminary Classification	Recreation
Eligibility ORVs	Cultural and Nez Perce Tribe cultural

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The cultural ORV for Musselshell Meadows is that it is an important traditional camp/gathering place. The Nez Perce name Sew'issnime (Sa-w'ees-ne-ma), meaning mussel and tributary, or Musselshell Meadow drainage is attributed to the stream and adjacent meadow. The entire Musselshell Meadow is listed on the national register. The Nee Mee Poo Trail also traverses the site.

Nez Perce tribal staff identified this segment as having cultural and historic importance to the Nez Perce Tribe.

The IDEQ 305(b)/303(d) 2014 Integrated Report (IDEQ 2014) presents the current status of water quality for Idaho's waters. Musselshell Creek is listed as impaired (class 4A) for water temperature and is not supporting cold water aquatic life and salmonid spawning beneficial uses. It is fully supporting secondary contact recreation. Musselshell Creek is included in the EPA approved Lolo Creek Tributaries Temperature TMDLS Plan. A TMDL implementation plan is a water quality improvement strategy that includes the development of the TMDL allocated to a stream.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests. The segment is within proposed MA 3, suitable timber base. The corridor runs through MAs E1 (timber production emphasis) and C4 (big game winter range with timber production) under the 1987 Forest Plan. Timber harvest has occurred along portions of the stream. However, about half of the corridor is a part of the Non-Forested Land type, including Musselshell Meadow, and is not managed for timber production.

Within the corridor, FR 535 leads to Musselshell Work Center (FR 535-B) and Niimiipuu Trailhead. Also FR 100 (ML 4 road); ML 2 roads 5102, FR 5102-A, FR 5141, FR 5150 and FR 73028; and ML 1 roads FR 505 and FR 5050 are within the corridor. The Shell Desert Trail (which allows for ATVs and motorcycles use) is also within the corridor.

There is a basalt mineral material site at milepost four on FR 100. The area is within the Musselshell livestock grazing allotment, which supports one permittee's cattle subject to annual operating instructions and some restricted access to the stream through a number of miles of exclusion fencing.3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated. The proposed segment is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 231 acres based on the recreational classification. If timber harvest is curtailed on these lands, restoration of forested vegetation would be curtailed on 231 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Areas along Musselshell Creek provide summer and calving habitat for big game, and of particular interest, for elk. Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

A wide variety of wildlife species, both those that are river dependent and those that are not, that have habitat within the river corridor would benefit from protections provided through the Wild and Scenic River Act. Of particular note is the presence of high quality habitat for the fisher, which is distributed along Colt Killed Creek. Limited habitat for fisher occurs within these watersheds.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this creek would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state.

Clearwater County does not support and additional designated or suitable wild and scenic rivers within Clearwater County. From the Clearwater County letter to Forest Supervisor Cheryl Probert on March 12, 2018:

We also oppose any rivers being found suitable for Wild and Scenic Designation. Wild and scenic is designed to protect from dam building. We feel that none of our rivers are in jeopardy of development. All our rivers are adequately protected with The Clean Water Act, The Endangered Species Act and NEPA. We also feel that since the Lochsa and Selway rivers are already Wild and Scenic that the remaining rivers do not rise to the level of having Outstandingly Remarkable Values in comparison.

As such, it is not expected that county or local governments would participate in preservation or administration of the creek.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop

the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments

and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creek's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on federal land. While dam construction is possible, it is unlikely.

Segment Suitability Determination

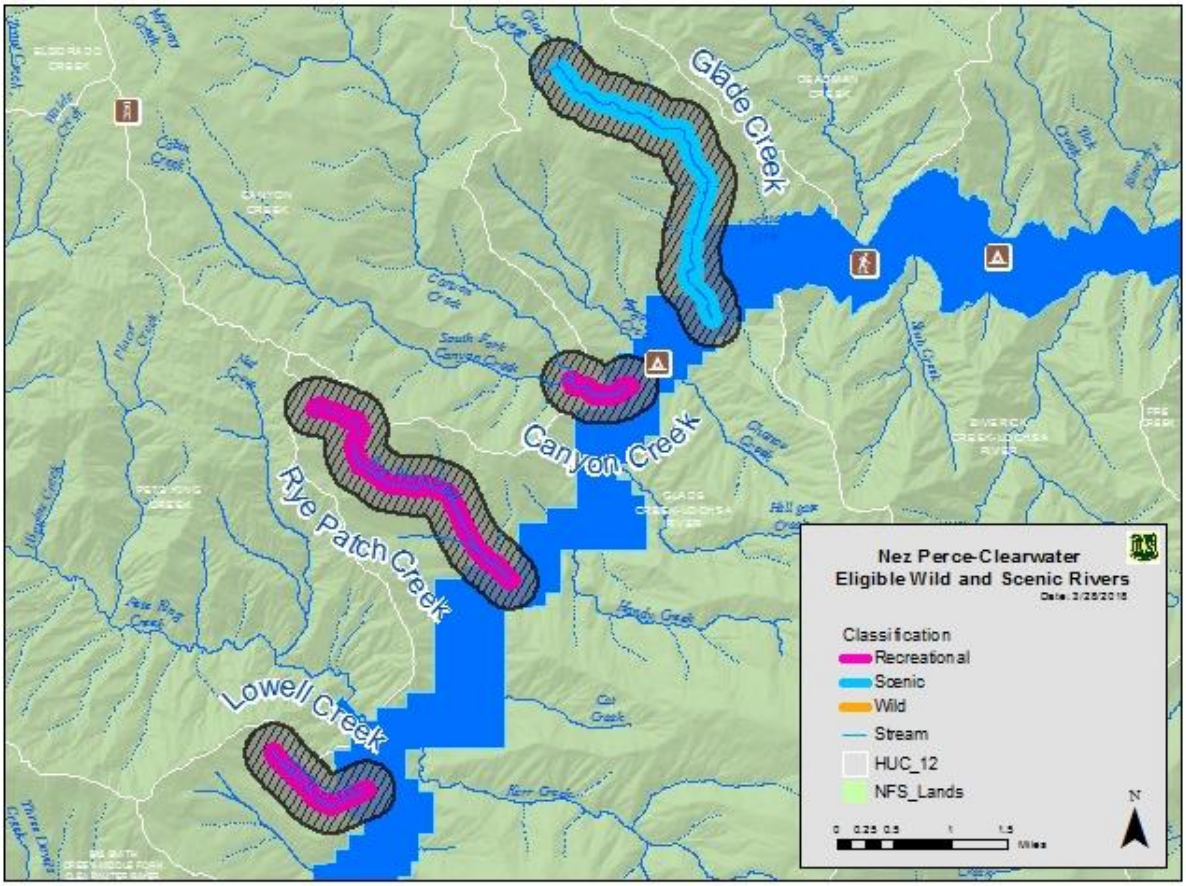
Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Lochsa River Basin

Canyon Creek, Glade Greek, Lowell Creek, and Rye Patch Creek

Segment Description	Canyon Creek: confluence with Lochsa River to confluence with South Fork Canyon Creek Glade Greek: confluence with Lochsa River to 3.26 miles upstream Lowell Creek: confluence with Lochsa River to headwaters Rye Patch Creek: confluence with Lochsa River to headwaters
Segment Length	7.65 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	2,448 acres (includes 7.56 aces on private land within Lowell Creek corridor)
Preliminary Classification	Canyon Creek, Lowell Creek, and Rye Patch Creek: recreation Glade Creek: scenic
Eligibility ORVs	Wildlife (Selway forestsnail and salmon Oregonian)

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The presence of the Selway forestsnail is a wildlife ORV for all four creeks. This Idaho endemic snail occurs in Idaho County in isolated colonies along the lower Lochsa River, the Selway River, the South Fork of the Clearwater River, and the lower Salmon River. The species was verified as extent near these rivers as recently as 2010. This species is found in intact mixed coniferous forest, usually in low elevation, well-shaded, moist areas along medium to large streams. Sites usually have a diverse understory and a substantial duff layer (Idaho Department of Fish and Game, 2017) (Idaho Department of Fish and Game, 2017).

Lowell Creek also has an observation of the salmon Oregonian, an Idaho endemic, which occurs within a limited reach in the lower Salmon River Canyon and limited portions of the Clearwater drainage. This species is found in moderately xeric to somewhat mesic habitats and is associated with talus or boulder fields often at the base of slopes or in riparian areas. Dominant plants include netleaf hackberry, grasses, willow, and dogwood. Although not aquatic nor river dependent, all known observations of this species in Idaho have been observed within river corridors. Lowell Creek is the only river with observations of this species within the plan area (Idaho Department of Fish and Game, 2017). This

observation was made in 1960 by Munroe Walton, a snail researcher who published studies on snail longevity (Idaho Department of Fish and Game, 2017). It has not been verified extent since that time. Most other observations have been recorded along the Lower Salmon River between Race Creek and Woodruff Gul or along lower elevation tributaries of the Salmon River off of NFS Lands (Idaho Department of Fish and Game, 2017).

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Canyon Creek, Glade Creek, Lowell Creek, and Rye Patch Creek are listed on the 303(d) list and designated as impaired (class 5) for water temperature and are not supporting cold water aquatic life beneficial use. Usually an EPA approved TMDL is needed to address the pollutant of concern, but according to the Lochsa River Subbasin Temperature Total Maximum Daily Loads: Addendum to the Lochsa River Subbasin Assessment document, IDEQ will rely on the Lochsa Wild and Scenic River protections and Forest Service management practices to protect canopy and restore the vegetation in areas of past harvest.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridors are managed by the Nez Perce-Clearwater National Forests. Their mouths are within the designated recreation corridor of the Wild and Scenic Lochsa River. U.S. Highway 12 runs along the Lochsa River in this area. Some habitat for the Selway forest snail and salmon Oregonian at the mouth of these streams fall within the existing designated Lochsa Wild and Scenic River.

Glade Creek crosses a number of management areas, including the Lochsa Research Natural Area, the North Lochsa Slope Idaho Roadless Area (passing through both a special area of historic and tribal significance and a backcountry/restoration theme area), and the last mile is in forest plan revision proposed MA 3. Under the 1987 Forest Plan, Glade Creek flows through MA E1 (timber production emphasis) and C4 (big game winter range with timber production) before flowing into the research natural area and Lochsa River. Timber harvest has occurred in the upper portion of the stream, where it flows through MA E1. Developments and roads in the corridor include Glade Creek Campground, Deadman Ridge Motorized Trail (T142), ML 3 Forest Road 5542, and ML 1 Forest Roads 5542M, 75269, and 75268.

Rye Patch Creek is in forest plan revision proposed MA 3 and 1987 Forest Plan MAs E1 and C4. Timber harvest has occurred along the upper third of the eligible portion of the stream. The Higgins Hump Motorized Trail (T 46), Rye Patch J Motorized Trail (T 460J) and ML 1 roads associated with these trails are within the corridor. The Chitwood #9 mining claim is within the Rye Patch Creek corridor.

Canyon Creek north side is in the North Lochsa Slope Idaho Roadless Area and the south side is in MA 3. The Canyon Creek Motorized Trail (T 107), FR 458 (ML 2), and ML 1 roads associated with this trail are within the corridor.

Lowell Creek is in forest plan revision proposed MA 3 and has a small area of private land that is already part of the recreation corridor of the Wild and Scenic Lochsa River. Under the 1987 Forest Plan, the eligible segment runs through MA C4. Timber harvest has occurred along most of the eligible segment. FR 5162 (ML 1) and Big Hill Motorized Trail (T 65) are within the corridor.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A wild designation would curtail motorized use in this area.

The proposed segment is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 1,280 acres if the segments are classified as scenic or recreational. If timber harvest is curtailed on these lands, restoration of forested vegetation would be curtailed on 95 acres within the warm dry PVT group and 982 acres within the warm moist PVT group. Management activities near the creeks would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

No changes are anticipated to land use within the roadless areas. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If these segments are found suitable, the recreational and scenic designations would cause increased restrictions for timber harvest and may further curtail timber harvest for vegetation restoration. This option may be further curtailed on 156 acres within the warm dry PVT group and 202 acres within the warm moist PVT group. The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for backcountry/restoration areas, surface occupancy is allowed unless prohibited by the forest plan. The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy in special areas of historic and tribal significance theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

Areas along these creeks provide important winter habitat for big game, and of particular interest, for elk. Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

A variety of wildlife species, both those that are river dependent and those that are not, that have habitat within the segment corridor would benefit from protections provided through the Wild and Scenic River Act. Of particular note is the presence of high quality habitat for the fisher, which is distributed along these creeks. The watershed contains large amounts of fisher habitat outside of the corridors, and only the habitat within these creek corridors would be protected if this river is included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for these creeks would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands or are already within a designated wild and scenic river corridor.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (August 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

2. ***Desired Condition:*** *In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

5. ***Guideline:*** *To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

As such, it is not expected that county or local governments would participate in preservation or administration of the creeks.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridors or visible from the corridor that is not already within the existing designated corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

Designation may be consistent with the Nez Perce Tribe Traditional Cultural Property study of the Lochsa River area. Additional input from the Nez Perce Tribe executive committee is needed.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate these creeks important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. These creeks are entirely on Federal land and are very remote. While dam construction is possible, it is unlikely.

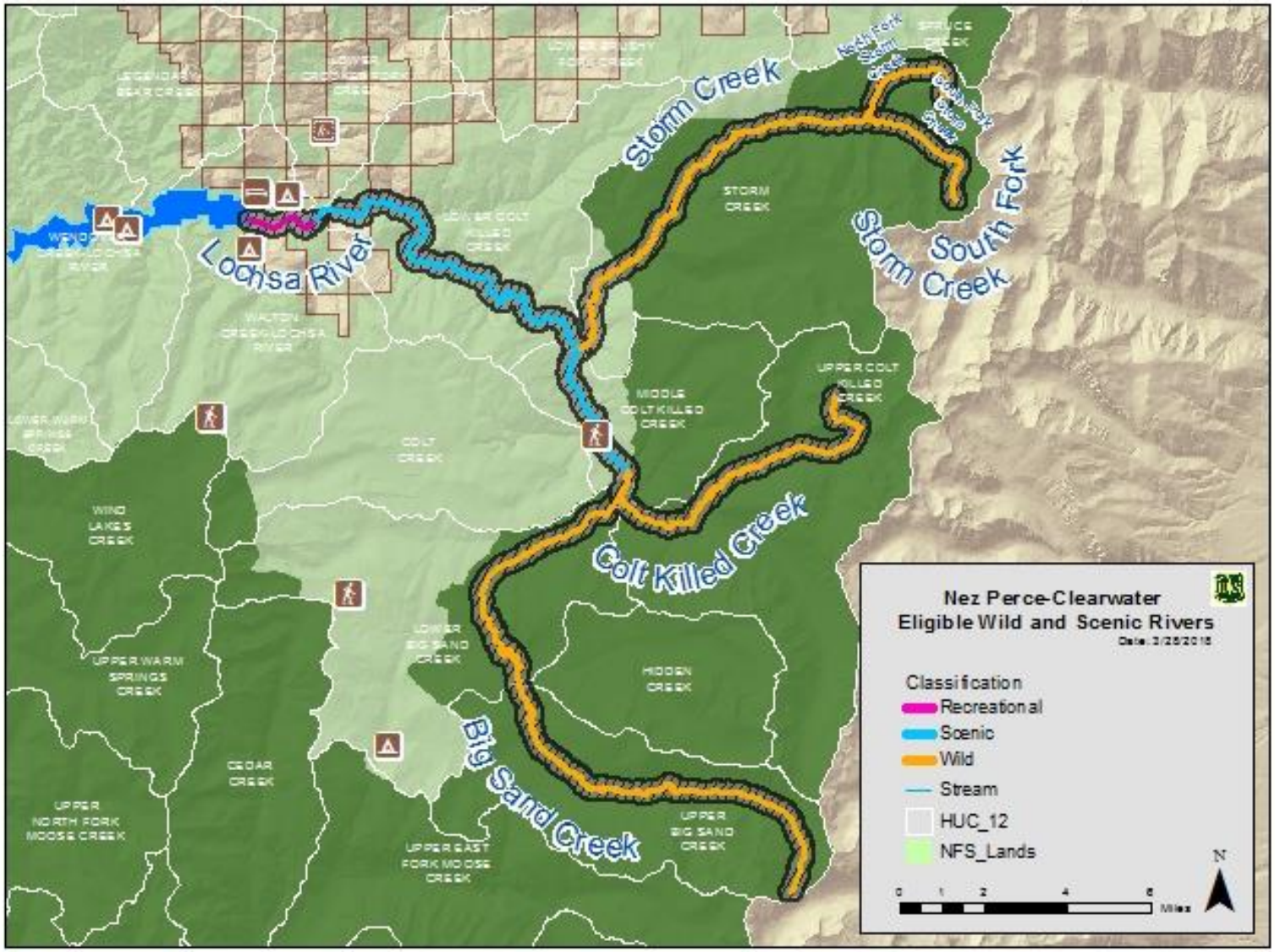
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Upper Lochsa River, Colt Killed Creek (formally known as "White Sand Creek"), Big Sand Creek, Storm Creek, North Fork Storm Creek, and South Fork Storm Creek

Segment Description	Upper Lochsa River: existing wild and scenic to Colt Killed Creek Colt Killed Creek: confluence with Lochsa River to headwaters Big Sand Creek: confluence with Colt Killed Creek to headwaters Storm Creek: confluence with Lochsa River to South Fork Storm Creek North Fork Storm Creek: confluence with Storm Creek to headwaters South Fork Storm Creek: confluence with Storm Creek to headwaters
Segment Length	62.88 miles (including 2.32 miles on private land)
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	20,121.6 acres (including 592.23 acres of private land on the Lochsa River and Colt Killed Creek segments)
Preliminary Classification	South Fork Storm Creek, North Fork Storm Creek, Storm Creek, Big Sand Creek, Colt Killed Creek (upper portion from headwaters to Dan Creek): wild Colt Killed Creek (lower portion from Dan Creek to confluence with Lochsa River): scenic Upper Lochsa River: recreational
Eligibility ORVs	Recreation, scenic, fish, and wildlife (Harlequin duck), Nez Perce Tribe cultural

Segment Map


Storm Creek
South Fork Storm Creek
Lochsa River
Colt Killed Creek
Big Sand Creek
STORM CREEK
LOWER COLT KILLED CREEK
MOOSE COLTKILLED CREEK
UPPER COLT KILLED CREEK
COLT CREEK
WIND LAKES CREEK
UPPER WARM SPRINGS CREEK
CEDAR CREEK
UPPER NORTH FORK MOOSE CREEK
UPPER EAST FORK MOOSE CREEK
LOWER BIG SAND CREEK
HIDDEN CREEK
UPPER BIG SAND CREEK
Nez Perce-Clearwater
Eligible Wild and Scenic Rivers
Classification
Recreational
Scenic
Wild
Stream
HUC_12
NFS_Lands
N
Miles

Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The recreational ORV for the Upper Lochsa River and Colt Killed Creek is their exceptional trout fishing. Although there are various fishing opportunities throughout the national forest, the unique fishing opportunities are steelhead trout and fly fishing opportunities for cutthroat trout. The Upper Lochsa River, from the Wilderness Gateway Bridge upstream to its confluence provides a catch-and-release fishing opportunity. Most of the stream reach is within the designated portion of the Lochsa Wild and Scenic River, with the upper two miles included in providing exceptional quality fly fishing. The IDFG Web site describes the Upper Lochsa River as being "known for excellent trout fishing on an easily accessible river." Although not a national recreation trail, the popular Trail 50 parallels Colt Killed Creek and provides fishing access and is an integral part of stream use. Although extreme kayakers may hike two miles in to the wilderness area to kayak a seven-mile stretch of this creek from Swamp Creek Trail to Colt Creek Cabin, this is not a common activity that warrants an ORV for recreation.

The Upper Lochsa River, Colt Killed Creek, and Big Sand Creek have fish ORVs of diversity and abundance, habitat quality, and natural reproduction. Fish diversity and abundance is defined as presence of two or more native fish species with high known genetic integrity, known high numbers of juvenile fish and adult fish, multiple life history strategies present, and higher fish densities than others in the region of comparison. Habitat quality is the presence of designated critical habitat for one or more ESA-listed fish species across a majority of the reaches evaluated or presence of stream reaches with very high potential to produce and support anadromous and resident fish. Stream reaches were modeled for westslope cutthroat trout and/or bull trout and would provide cold water refugia in 2040 with moderate to high probability. Natural reproduction is defined by one or more native fish species being known to occur at high levels. In addition, the Nez Perce tribal staff identified the Upper Lochsa River segment as having a fish ORV of cultural and historic importance to the Nez Perce Tribe.

The Upper Lochsa River, Colt Killed Creek, and portions of Big Sand Creek are identified as major spawning areas for native steelhead trout in the Snake River Recovery Plan (NMFS 2017). Storm Creek supports high densities of fluvial and resident bull trout when compared to others in the region of comparison. A bull trout local population has been identified in Colt Killed Creek, including Storm Creek (USFWS 2015). In addition, Colt Killed and Big Sand creeks support high densities of fluvial and resident westslope cutthroat trout within the region of comparison. Native spring chinook salmon spawn and rear in the upper portions of the Lochsa River and the mid to lower reaches of Colt Killed and Big Sand creeks. Non-native aquatic species are not known to exist within the eligible segments.

The IDEQ 305(b)/303(d) 2014 Integrated Report (IDEQ 2014) presents the current status of water quality for Idaho's waters. The Upper Lochsa River is listed on the 303(d) list and is designated as impaired (class 5) for water temperature and is not supporting the cold water aquatic life beneficial use. It is supporting primary contact recreation and salmonid spawning beneficial uses. Section 303(d) of the Federal Clean Water Act requires states to develop water quality improvement plans, called total TMDLs for water bodies that are not meeting their beneficial uses. The goal of a TMDL is to set limits on pollutant levels to correct water quality impairments and achieve beneficial uses of water bodies by attaining water quality standards. The EPA must approve each TMDL, after which an implementation

plan is written. In October 2012, the Lochsa River Subbasin Temperature Total Maximum Daily Loads: Addendum to the Lochsa River Subbasin Assessment was published (IDEQ 2012). This report has not yet been approved by the EPA and no TMDL implementation plan has been established. Colt Killed Creek has portions that have not been assessed and other sections that are meeting water quality standards and fully supporting beneficial uses. Beneficial uses are aesthetic, cold water aquatic life, secondary contact recreation, and wildlife habitat. Big Sand Creek is meeting water quality standards and fully supporting the following beneficial uses: aesthetic, cold water aquatic life, secondary contact recreation, wildlife habitat, and agricultural/industrial water supply. Storm Creek, South Fork Storm Creek, and North Fork Storm Creek are meeting water quality standards and fully supporting the following beneficial uses: aesthetic, cold water aquatic life, wildlife habitat, and agricultural/industrial water supply.

A scenic ORV was not determined for Upper Lochsa River. There are scenic ORVs for Colt Killed Creek, Big Sand Creek, Storm Creek, North Fork Storm Creek, and South Fork Storm Creek. Colt Killed Creek includes fast moving rapids. Storm Creek and its forks are wilderness streams beginning in high cirque basins near the Bitterroot divide, one of the most scenic areas on the national forest. Big Sand Creek is also noted in whitewater publications as truly stunning, with talus fields and vertical granite walls in addition to fast moving water with severe drops.

A wildlife ORV for the Upper Lochsa River and Colt Killed Creek is determined due to populations of Harlequin ducks. Harlequin ducks are known along the area of the Upper Lochsa River not currently designated as a wild and scenic river and in the lower section of Colt Killed Creek between the confluence with Beaver Creek downstream to the confluence with the Lochsa River (Idaho Department of Fish and Game, 2017). The Harlequin duck has been considered rare in Idaho for over 100 years. In Idaho, approximately 50 pairs breed along a limited number of high quality streams within the Priest River, Kootenai River, Clark Fork, Lake Pend Oreille, St. Joe River, Clearwater River, and the South Fork Snake River watersheds (Idaho Department of Fish and Game, 2017). Approximately 38 percent of all Harlequin duck observations in Idaho Species Diversity Database (accessed April 2017) have been observed within the forest plan area (Idaho Department of Fish and Game, 2017).Prominent among the rivers in the region of comparison for populations of Harlequin ducks is the Lochsa River, including the upper section not currently designated as wild and scenic, and the lower four miles of Colt Killed Creek. Harlequin ducks breed along relatively large, fast-moving, mountain streams with gradients of one to seven percent. Breeding streams are characterized by rocky substrates that support the benthic macro-invertebrates upon which the ducks feed, as well as large numbers of rapids/riffle areas interspersed with eddies. Water quality appears to be very important for successful foraging, with clear, low-acid water being optimal. Relative to other species of ducks, Harlequin ducks occur at low population densities and exhibit high breeding site fidelity, low reproductive rates, and delayed reproduction. All of these traits contribute to making Harlequin duck populations particularly slow to recover from habitat degradation or loss or other factors that may lower duck survival. Harlequin ducks have disappeared from former breeding sites in Idaho and Montana (Wiggins, 2005).

2. The current status of land ownership and use in the area

The Upper Lochsa River is in forest plan revision proposed MA 3. Developments and roads in the corridor include White Sand Campground, Powell Campground, Powell Ranger District Office and

facilities, Historic Lochsa Lodge, FR 102 (FR 102 A-F), FR 111, FR 368, and ML 1 roads FR 362 and FR 5646. The segment is in the checkerboard area of ownership and about one-half mile of the river is on private land.

Colt Killed Creek runs through private ownership, forest plan revision proposed MA 3, Selway-Bitterroot Wilderness Area, and the North Fork Spruce-White Sand Idaho Roadless Area (backcountry/restoration, primitive, and wild land recreation themes). ML 4 roads FR 111 and FR 368, ML 3 road FR 102, ML 2 roads 359 and FR 362, and a number of ML 1 roads are all within the corridor. The corridor also contains the White Sands Campground, Colt Creek Trailhead, and a couple of non-motorized trails.

Big Sand Creek, North Fork Storm Creek, and South Fork Storm Creek are in the Selway-Bitterroot Wilderness Area. Only non-motorized trails occur in this area.

Storm Creek run through the North Fork Spruce-White Sand Idaho Roadless Area (backcountry/restoration and wild land recreation themes) and the Selway-Bitterroot Wilderness Area. Only non-motorized trails occur in this area. Over-the-snow motorized travel is authorized within the lower Colt Killed Creek drainage, bottom of Storm Creek, and upper Lochsa River.

The corridors on NFS lands suitable for timber production, forest plan revision proposed MA 3, have been managed for timber production under the 1987 Forest Plan. This area has been managed for big game winter range and timber production and timber harvest has occurred along the lower portion of Colt Killed Creek and along the Upper Lochsa River.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A wild designation would curtail motorized use in this area.

Some of the proposed segments are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 81 acres of the segments classified as recreational or scenic that overlap with proposed MA 3. If timber harvest is curtailed on these lands, forest vegetation restoration would be curtailed on three acres within the cool moist PVT group and 78 acres within the warm moist PVT group.

Management activities near the segments would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Portions of the eligible segments run through Idaho Roadless Areas. In the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If these segments are found suitable, the scenic and recreational designations would cause increased restrictions for timber harvest and may further curtail timber harvest for vegetation restoration. This option would be further curtailed

on 155 acres within the cold PVT group, 283 acres within the cool moist PVT group, 447 acres within the warm dry PVT group, and 1,527 acres within the warm moist PVT group.

Additional segments of these rivers are classified as wild. If these river segments are found suitable, the wild designation would cause timber harvest to be foreclosed as an option for vegetation restoration. This option would be foreclosed on 16 acres within the cold PVT group, 95 acres within the cool moist PVT group, 38 acres within the warm dry PVT group, and 485 acres within the warm moist PVT group.

No changes are anticipated to the land use within the roadless areas. The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for backcountry/restoration areas, surface occupancy is allowed unless prohibited by the forest plan. The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy in wild land recreation and primitive theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

No changes are anticipated to land use within the wilderness area. Wilderness area designation withdraws the area from mineral entry, and water developments in wilderness areas must be authorized by the President.

Harlequin ducks breed in habitats that are particularly susceptible to forest management activities, water development projects, and human recreational use (Wiggins, 2005). If these segments are included in the national system, the streams would maintain the integrity (water quality, quantity, vegetation composition, and structure) and natural flow regimes of montane riparian habitats within the corridors and protect factors that influence stream occupancy of Harlequin duck reproduction and survival. These protections would enhance or protect habitat for Harlequin duck.

Areas along the Upper Lochsa River and Colt Killed Creek provide both summer and winter habitat for big game, and of particular interest, for elk. Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

A wide variety of wildlife species, both those that are river dependent and those that are not, have habitat within the segment corridor and would benefit from protections provided through the Wild and Scenic River Act. Of particular note is the presence of high quality habitat for the fisher, which is distributed along Colt Killed Creek, the lower half of Storm Creek, and portions of the Upper Lochsa River. The watershed contains large amounts of fisher habitat outside the corridors, and only the habitat within the corridors would be protected if included in the national system. Lynx habitat occurs along Storm Creek, as well as North Fork and South Fork Storm creeks, and the upper half of Colt Killed Creek. Conservation of these habitats within the corridors would be enhanced should these rivers be included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

The Forest Service's authority for finding a river or creek eligible or suitable only applies to NFS lands. Only the Forest Service administered portions of the segment would be managed as eligible or suitable. At this time, the Forest Service is not pursing acquisition of lands or interests in lands on the basis of wild and scenic rivers. However, should the Upper Lochsa River and Colt Killed Creek be added to the national system by Congress, Congress may or may not authorize and/or direct the Forest Service to pursue acquisition of lands or land interests, potentially affecting up to 592 acres of private land within the corridors. As it is not reasonably foreseeable that Congress would direct the agency to acquire lands or land interests, the cost of such action is not being calculated at this time.

No land acquisition or partial land interests would be needed for Big Sand Creek, Storm Creek, North Fork Storm Creek, or South Fork Storm Creek since all lands in the corridors are NFS lands.

At least one landowner on the Upper Lochsa River supports suitability and eventual designation. It is foreseeable that landowners, particularly on the Upper Lochsa River segment, would voluntarily aid in maintaining and enhancing the ORVs.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (August 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

*1. **Desired Condition:** The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

*2. **Desired Condition:** In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

Idaho County does not have local zoning or land use controls. Prevention of incompatible development on private land would depend on private property owner voluntary participation, education, and outreach.

This is not an issue for Big Sand Creek, Storm Creek, North Fork Storm Creek, and South Fork Storm Creek since there is no private land in the corridors or visible from the corridors.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

No non-Federal lands would be affected by an agency finding that the river is suitable. ORVs were determined based on their presence on NFS lands.

The State's ability to manage and protect water resources and fish and wildlife habitat is demonstrably high.

The State's ability to maintain free flow is not as evident.

The State or county's ability to manage for scenery, geologic, botanic, or cultural values is less apparent, especially given the county's opposition to additional wild and scenic rivers.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

At least one landowner on the Upper Lochsa River supports a suitability finding and designation for the upper two miles of the Upper Lochsa River and other important rivers within the system.

Many do not realize the Upper Lochsa River is not already designated. Support is broader for that segment than for others.

12. The river's contribution to river system integrity or basin integrity

These rivers were identified as being an important contributor to river system and basin integrity. Multiple ORVs have been identified, including a fish ORV corresponding to the potential to support recovery goals of ESA-listed aquatic species. These segments are some of the larger tributaries in the subbasin or basin. As such, they play an important ecological role in providing clean, free flowing water and habitat for fish and wildlife species. They also are often critically important culturally in the present day, historically, and prehistorically.

13. The potential for water resources development

No potential dam sites have been identified. Water resources development is unlikely.

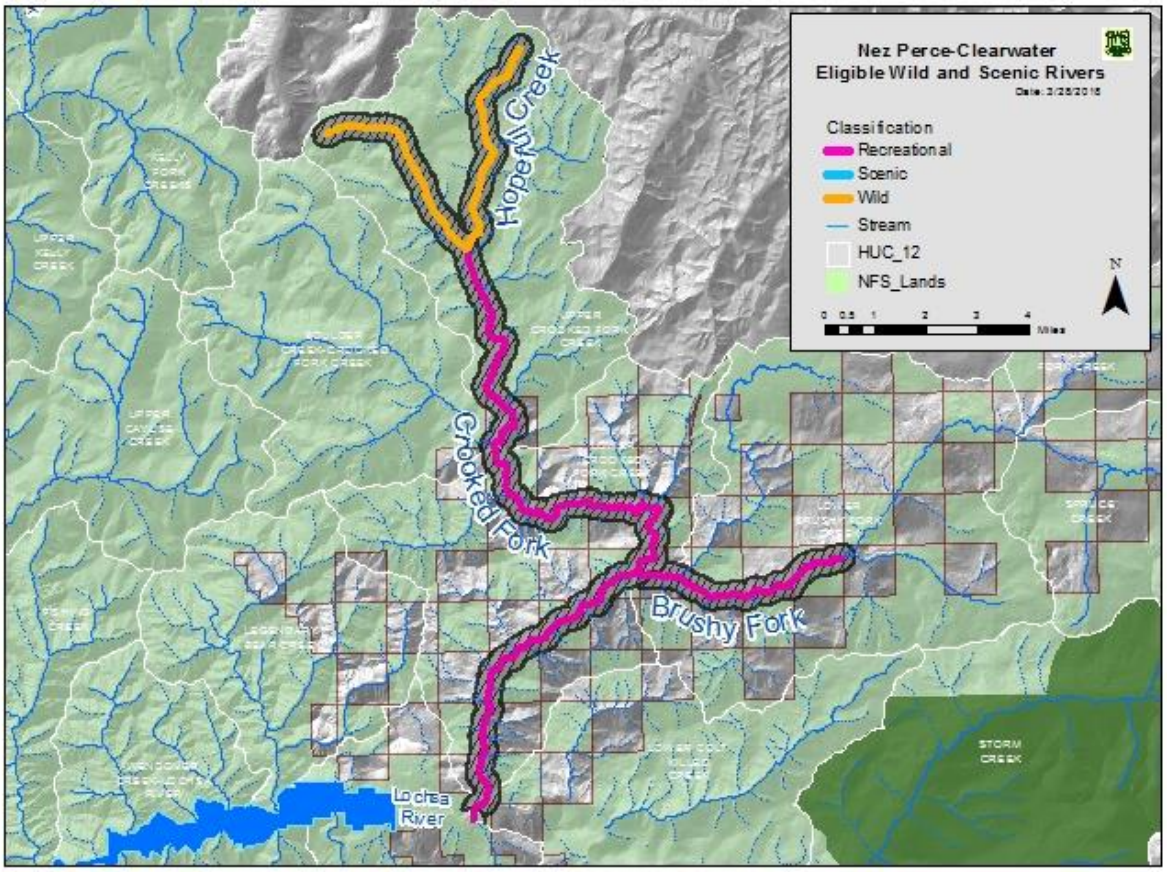
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Not suitable	Not suitable	Not suitable	Suitable

Crooked Fork Creek, Brushy Fork Creek, and Hopeful Creek

Segment Description	Crooked Fork Creek: confluence with Lochsa River to headwaters Brushy Creek: confluence with Crooked Fork Creek to Twin Creek Hopeful Creek: confluence with Crooked Fork Creek to headwaters
Segment Length	32.77 miles (including 9.1 miles of private land in the checkerboard area of ownership)
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	10,486.4 acres (including 2,831.27 acres of private land on the Crooked Fork Creek and Brushy Creek segments)
Preliminary Classification	Hopeful Creek and Crooked Fork Creek (upper portion from headwaters to Hopeful Creek): wild Crooked Fork Creek (lower portion from Hopeful Creek to Lochsa River) and Brushy Fork Creek: recreational
Eligibility ORVs	Fish, wildlife (Harlequin duck), Nez Perce Tribe cultural

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The fish ORVs for Crooked Fork and Hopeful creeks include diversity and abundance, habitat quality, and natural reproduction. Fish diversity and abundance is defined as presence of two or more native fish species with high known genetic integrity, known high numbers of juvenile fish and adult fish, multiple life history strategies present, and higher fish densities than others in the region of comparison. Habitat quality is the presence of designated critical habitat for one or more ESA-listed fish species across a majority of the reaches evaluated or presence of stream reaches with very high potential to produce and support anadromous and resident fish. Stream reaches were modeled for westslope cutthroat trout and/or bull trout and would provide cold water refugia in 2040 with moderate to high probability. Natural reproduction is defined by one or more native fish species is known to occur at high levels.

The ORV for wildlife on Crooked Fork and Brushy Fork creeks are populations of Harlequin ducks. Harlequin ducks occur from the mouth of Crooked Fork Creek upstream to the confluence of Brushy Fork Creek. They are also found along Brushy Fork Creek from the mouth up to the confluence of Twin Creek. The Harlequin duck has been considered rare in Idaho for over 100 years. In Idaho, approximately 50 pairs breed along a limited number of high quality streams within the Priest River, Kootenai River,

Clark Fork, Lake Pend Oreille, St. Joe River, Clearwater River, and the South Fork Snake River watersheds. Approximately 38 percent of all Harlequin duck observations in Idaho Species Diversity Database (accessed April 2017) have been observed within the forest plan area (Idaho Department of Fish and Game, 2017). Harlequin ducks breed along relatively large, fast-moving, mountain streams with gradients of one to seven percent. Breeding streams are characterized by rocky substrates that support the benthic macro-invertebrates upon which the ducks feed, as well as large numbers of rapids/riffle areas interspersed with eddies. Water quality appears to be very important for successful foraging, with clear, low-acid water being optimal. Relative to other species of ducks, Harlequin ducks occur at low population densities and exhibit high breeding site fidelity, low reproductive rates, and delayed reproduction. All of these traits contribute to making Harlequin duck populations particularly slow to recover from habitat degradation or loss or other factors that may lower duck survival. Harlequin ducks have disappeared from former breeding sites in Idaho and Montana (Wiggins, 2005).

The ORVs for fish are based on habitat quality, natural reproduction, and diversity and abundance. Multiple high elevation streams in the Crooked Fork and Hopeful creeks watersheds are identified as part of the climate shield for cold stream temperatures modeled for bull trout in 2040 (Isaak et al. 2015). Eligible river segments support bull trout spawning and early rearing. They contain designated critical habitat for bull trout and Snake River steelhead trout and are included as a major spawning area for steelhead (NMFS 2107). These streams support spawning and early rearing habitat for native spring Chinook salmon. They support both fluvial and resident westslope cutthroat trout populations, with high densities within the region of comparison. Non-native aquatic species are not known to exist within eligible segments.

The IDEQ 305(b)/303(d) 2014 Integrated Report (IDEQ 2014) presents the current status of water quality for Idaho's waters. Crooked Fork and Brushy Fork creeks have portions that have not been assessed and other sections that are meeting water quality standards and fully supporting beneficial uses. Beneficial uses are cold water aquatic life, secondary contact recreation, and salmonid spawning. Hopeful Creek is meeting water quality standards and fully supporting the following beneficial uses: aesthetic, cold water aquatic life, secondary contact recreation, wildlife habitat, and agricultural/industrial water supply.

2. The current status of land ownership and use in the area

Brushy Fork Creek runs through the checkerboard area where every other section is NFS lands or private ownership. All NFS lands are in forest plan revision proposed MA 3. Within the corridor are ML 3 roads FR 369 and FR 5670, and ML 1 road FR 112. The corridor contains the Brushy Fork Motorized Trail (Trail 34) and the Lewis and Clark non-motorized trail (lower end is in the National Historic Landmark). Route 5670 and 369 are groomed snowmobile and winter sports access routes.

Crooked Creek runs through the checkerboard ownership area; NFS lands are in forest plan revision proposed MA 3. After the confluence with Hopeful Creek it enters Hoodoo Idaho Roadless Area (wild land recreation theme). The checkerboard area is heavily roaded with more than 30 roads. Developments and roads in the corridor include White Sand Campground, Devoto Cedar Grove Picnic Area, U. S. Highway 12, FR 111, and FR 368. Routes 111, 368, and 595 are groomed snowmobile and winter sports access routes.

Hopeful Creek runs through the Hoodoo Idaho Roadless Area (wild land recreation theme).

The corridors on NFS lands suitable for timber production, proposed MA 3, have been managed for timber production under the 1987 Forest Plan. This area has been managed for big game winter range and timber production and timber harvest has occurred along many parts of the corridors.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A wild designation would curtail motorized use in this area.

Some sections of Crooked Fork and Brushy Fork creeks are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions and where timber harvest provides products that contribute to economic stability for local communities. If found suitable, timber harvest may be curtailed on 2,422 acres of the segment classified as recreational that overlaps with proposed MA 3. If timber harvest is curtailed on these lands, forest vegetation restoration would be curtailed on 94 acres within the cold PVT group, 1,060 acres within the cool moist PVT group, 297 acres within the warm dry PVT group, and 954 acres within the warm moist PVT group. Management activities near the creeks would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the segment area would have additional restrictions. The corridors are wider than the riparian management zones.

No changes are anticipated to the land use within the roadless area. The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy in wild land recreation theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

Harlequin ducks breed in habitats that are particularly susceptible to forest management activities, water development projects, and human recreational use (Wiggins, 2005). If these creeks are included in the national system, these streams would maintain the integrity (water quality, quantity, vegetation composition, and structure) and natural flow regimes of montane riparian habitats within the corridors, and protect factors that influence stream occupancy of Harlequin duck reproduction and survival.

For other wildlife, areas along Crooked Fork, Brushy Fork and Hopeful creeks provide both summer and winter habitat for big game, and of particular interest, for elk. Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

A wide variety of wildlife species, both those that are river dependent and those that are not, have habitat within the river corridor and would benefit from protections provided through the Wild and

Scenic River Act. Conservation of these habitats within the corridors would be preserved or enhanced should these creeks be included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

Crooked and Brushy Fork creeks have private land within their corridors. The Crooked Fork Creek corridor is nearly 29 percent private ownership and Brushy Fork Creek corridor is about 49 percent private ownership.

The Forest Service's authority for finding a river eligible or suitable applies only to NFS lands. Only the Forest Service administered portions of the creeks would be managed as eligible or suitable. At this time, the Forest Service is not pursing acquisition of lands or interests in lands on the basis of wild and scenic rivers. However, should Crooked and Brushy Fork creeks be added to the national system by Congress, Congress may or may not authorize and/or direct the Forest Service to pursue acquisition of lands or land interests, potentially affecting up to 2,831 acres of private land within the corridors. As it is not reasonably foreseeable that Congress would direct the agency to acquire lands or land interests, the cost of such action is not being calculated at this time.

No land acquisition or partial land interests would be needed for Hopeful Creek since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Clearwater and Idaho counties. The counties will be contacted.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (August 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

2. ***Desired Condition:*** *In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

5. ***Guideline:*** *To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

Similarly, Clearwater County does not support and additional Designated or suitable Wild and Scenic Rivers within Clearwater County. From the Clearwater County letter to Forest Supervisor Cheryl Probert on March 12, 2018:

We also oppose any rivers being found suitable for Wild and Scenic Designation. Wild and scenic is designed to protect from dam building. We feel that none of our rivers are in jeopardy of development. All our rivers are adequately protected with The Clean Water Act, The Endangered Species Act and NEPA. We also feel that since the Lochsa and Selway rivers are already Wild and Scenic that the remaining rivers do not rise to the level of having Outstandingly Remarkable Values in comparison.

As such, it is not expected that county or local governments would participate in preservation or administration of the creeks.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

Idaho County does not have local zoning or land use controls. Prevention of incompatible development on private land would depend on private property owner voluntary participation, education, and outreach.

Clearwater County has zoning ordinances. It is not apparent that Clearwater County ordinances would prevent incompatible development nor would they necessarily protect ORVs to a degree greater than already protected by Federal and State statute (Clean Water Act, Endangered Species Act, etc.).

9. State or local government ability to manage and protect the ORVs on non-Federal lands

No non-Federal lands would be affected by an agency finding that the creeks are suitable. ORVs were determined based on their presence on NFS lands.

The State's ability to manage and protect water resources and fish and wildlife habitat is demonstrably high.

The State's ability to maintain free flow is not as evident.

The State or county's ability to manage for scenery, geologic, botanic or cultural values is less apparent, especially given the county's opposition to additional wild and scenic rivers.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

Support is especially low for the segments with a large portion of private land.

12. The river's contribution to river system integrity or basin integrity

Crooked Fork Creek was identified as being an important contributor to the river system and to basin integrity. Multiple ORVs have been identified, including a fish ORV corresponding to the potential to support recovery goals of ESA-listed aquatic species. These creeks are some of the larger tributaries in the subbasin or basin. As such, they play an important ecological role in providing clean, free flowing water and habitat for fish and wildlife species. They also are often critically important culturally in the present day, historically, and prehistorically.

All segments on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate Brushy Fork and Hopeful creeks' important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. While dam construction is possible, it is unlikely. No dam sites have been identified on these streams.

Segment Suitability Determination

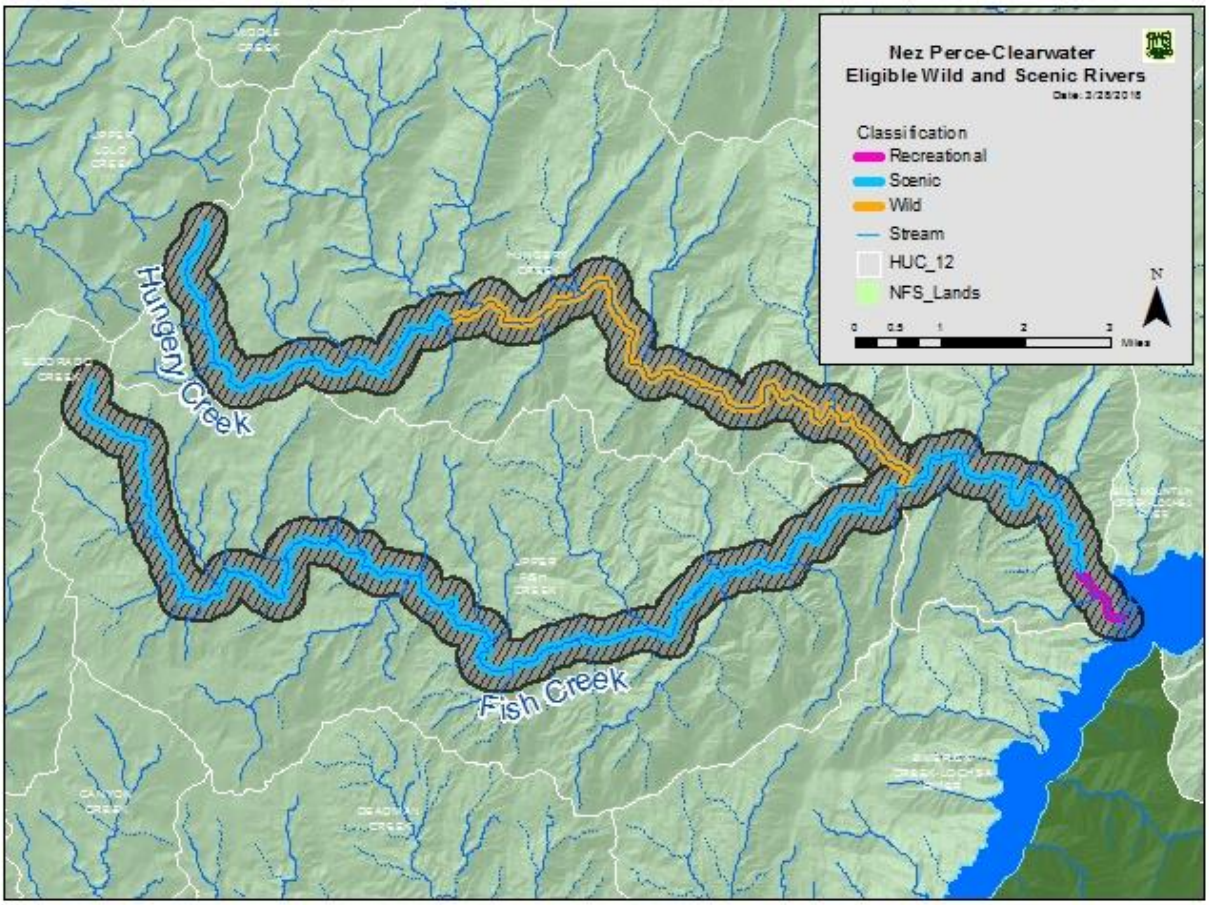
Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Crooked Fork Creek: suitable

				Brushy Fork Creek and Hopeful Creek: not suitable

Fish Creek and Hungery Creek

Segment Description	Fish Creek: confluence with Lochsa River to headwaters Hungery Greek: confluence with Fish Creek to headwaters
Segment Length	34.87 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	11,158.4 acres
Preliminary Classification	Hungery Creek (lower portion from Yew Creek to confluence with Fish Creek): wild Fish Creek (upper portion) and Hungery Creek (upper portion): scenic Fish Creek (lower portion): recreational
Eligibility ORVs	Fish and wildlife (Harlequin duck)

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The ORV for wildlife on Fish Creek are populations of Harlequin ducks. Harlequin ducks occur from the mouth of Fish Creek upstream to the confluence with Hungery Creek. There have not been any observations above this section. The Harlequin duck has been considered rare in Idaho for over 100 years. In Idaho, approximately 50 pairs breed along a limited number of high quality streams within the Priest River, Kootenai River, Clark Fork, Lake Pend Oreille, St. Joe River, Clearwater River, and the South Fork Snake River watersheds. Approximately 38 percent of all Harlequin duck observations in Idaho Species Diversity Database (accessed April 2017) have been observed within the forest plan area (Idaho Department of Fish and Game, 2017). Harlequin ducks breed along relatively large, fast-moving, mountain streams with gradients of one to seven percent. Breeding streams are characterized by rocky substrates that support the benthic macro-invertebrates upon which the ducks feed, as well as large numbers of rapids/riffle areas interspersed with eddies. Water quality appears to be very important for successful foraging, with clear, low-acid water being optimal. Relative to other species of ducks, Harlequin ducks occur at low population densities and exhibit high breeding site fidelity, low

reproductive rates, and delayed reproduction. All of these traits contribute to making Harlequin duck populations particularly slow to recover from habitat degradation or loss or other factors that may lower duck survival. Harlequin ducks have disappeared from former breeding sites in Idaho and Montana (Wiggins, 2005).

The fish ORVs are based on diversity and abundance, natural reproduction, and habitat quality. Fish and Hungery creeks have been included as a minor spawning area for native Snake River steelhead trout (NMFS 2017) and support some of the highest densities of juvenile steelhead trout in the region of comparison. In particular, the eligible segments are known to support significant spawning and early rearing of Clearwater River B-run steelhead trout. Eligible segments are included as designated critical habitat for both Snake River steelhead trout and Columbia River bull trout. Eligible segments in Fish and Hungery creeks exhibit extensive areas of high quality habitat that has been minimally affected by human disturbance. Native westslope cutthroat trout are known to occur at high densities, particularly in higher elevation reaches. Native spring Chinook salmon are known to spawn and rear in eligible segments.

The IDEQ 305(b)/303(d) 2014 Integrated Report (IDEQ 2014) presents the current status of water quality for Idaho's waters. Hungery Creek is meeting water quality standards and fully supporting the following beneficial uses: aesthetic, cold water aquatic life, secondary contact recreation, wildlife habitat, and agricultural/industrial water supply. Fish Creek is listed on the 303(d) list and designated as an impaired (class 5) for water temperature and is not supporting the cold water aquatic life beneficial use. Usually an EPA approved TMDL is needed to address the pollutant of concern, but according to the Lochsa River Subbasin Temperature Total Maximum Daily Loads: Addendum to the Lochsa River Subbasin Assessment document, IDEQ will rely on the Lochsa Wild and Scenic River protections and Forest Service management practices to protect canopy and restore vegetation in areas of past harvest. Fish Creek is fully supporting the primary contact recreation and salmonid spawning beneficial uses.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests. The mouth of Fish Creek is within the designated recreation corridor of the Wild and Scenic Lochsa River. U.S. Highway 12 runs along the Lochsa River in this area.

Fish Creek is within the North Lochsa Slope Idaho Roadless Area (majority of the creek is within the primitive themed area and its headwaters is in a special area of historic and tribal significance theme area), and the northern edge of the one-quarter mile buffer is within the Eldorado Creek Idaho Roadless Area (special area of historic and tribal significance theme). Developments and roads in the corridor include the Fish Creek Trailhead, three motorized trails (Fish Butte Saddle, Fish Butte, and Ant Hill), Lolo Trail (FR 500) and FR 462 (ML 2).

Hungery Creek is within the North Lochsa Slope Idaho Roadless Area (majority is within special area of historic and tribal significance theme area, and the mouth and headwaters are in the primitive themed area). Developments and roads in the corridor include Fish Creek motorized trails, Lolo Trail (FR 500) and FR 485 (ML 2).

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A small portion of Hungery Creek, classified as scenic, runs through forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 36 acres of the segment classified as scenic that overlaps with proposed MA 3. If timber harvest is curtailed on these lands, forest vegetation restoration would be curtailed on 32 acres within the cool moist PVT group and 4 acres within the warm dry PVT Group.

A wild designation would curtail motorized use in this area.

No changes are anticipated to the land use since the area surrounding the creeks has been managed to protect the Idaho Roadless Areas. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If these segments are found suitable, the recreational and scenic designations would cause increased restrictions for timber harvest and would likely foreclose timber harvest as an option for vegetation restoration. This option would likely be foreclosed on 439 acres within the cool moist PVT group, 495 acres within the warm dry PVT group, and 3,371 acres within the warm moist PVT group.

Additional acres within the Hungery Creek corridor would be categorized as wild if found suitable. Forest vegetation restoration activities would be further curtailed within the wild segments due to further limitations on tools available for restoration. This means that forest vegetation restoration would be curtailed on seven acres within the cool moist PVT group, 20 acres within the warm dry PVT group, and 280 acres within the warm moist PVT group.

The Idaho Roadless Area Rule limits road construction or reconstruction and surface occupancy in primitive and special area of historic and tribal significance theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

Harlequin ducks breed in habitats that are particularly susceptible to Forest Service management activities, water development projects, and human recreational use (Wiggins, 2005). If these creeks are included in the national system, these streams would maintain the integrity (water quality, quantity, vegetation composition, and structure) and natural flow regimes of montane riparian habitats within the corridor and would protect factors that influence stream occupancy of Harlequin duck reproduction and survival. From the mouth of Fish Creek to upstream approximately one-half mile is currently protected by the wild and scenic designation of the Lochsa River. The additional areas along the corridor would be protected from water developments and mining activities.

A wide variety of wildlife species, both those that are river dependent and those that are not, have habitat within the river corridor and would benefit from protections provided through the Wild and Scenic River Act. High quality habitat for fisher occurs along the entire length of these creeks.

Conservation of these habitats within the corridors would be preserved or enhanced should these creeks be included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for these creeks would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridors are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (August 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

2. ***Desired Condition:*** *In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the “best of the best” rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual

congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

These creeks was identified as being an important contributor to the river system and to basin integrity. Multiple ORVs have been identified, including a fish ORV corresponding to the creeks' potential to support recovery goals of ESA-listed aquatic species. These creeks are some of the larger tributaries in the subbasin or basin. As such, they play an important ecological role in providing clean, free flowing water and habitat for fish and wildlife species. They also are often critically important culturally in the present day, historically, and prehistorically.

13. The potential for water resources development

Water Resources development is unlikely. These rivers are entirely on federal land and are very remote. While dam construction is possible, it is unlikely.

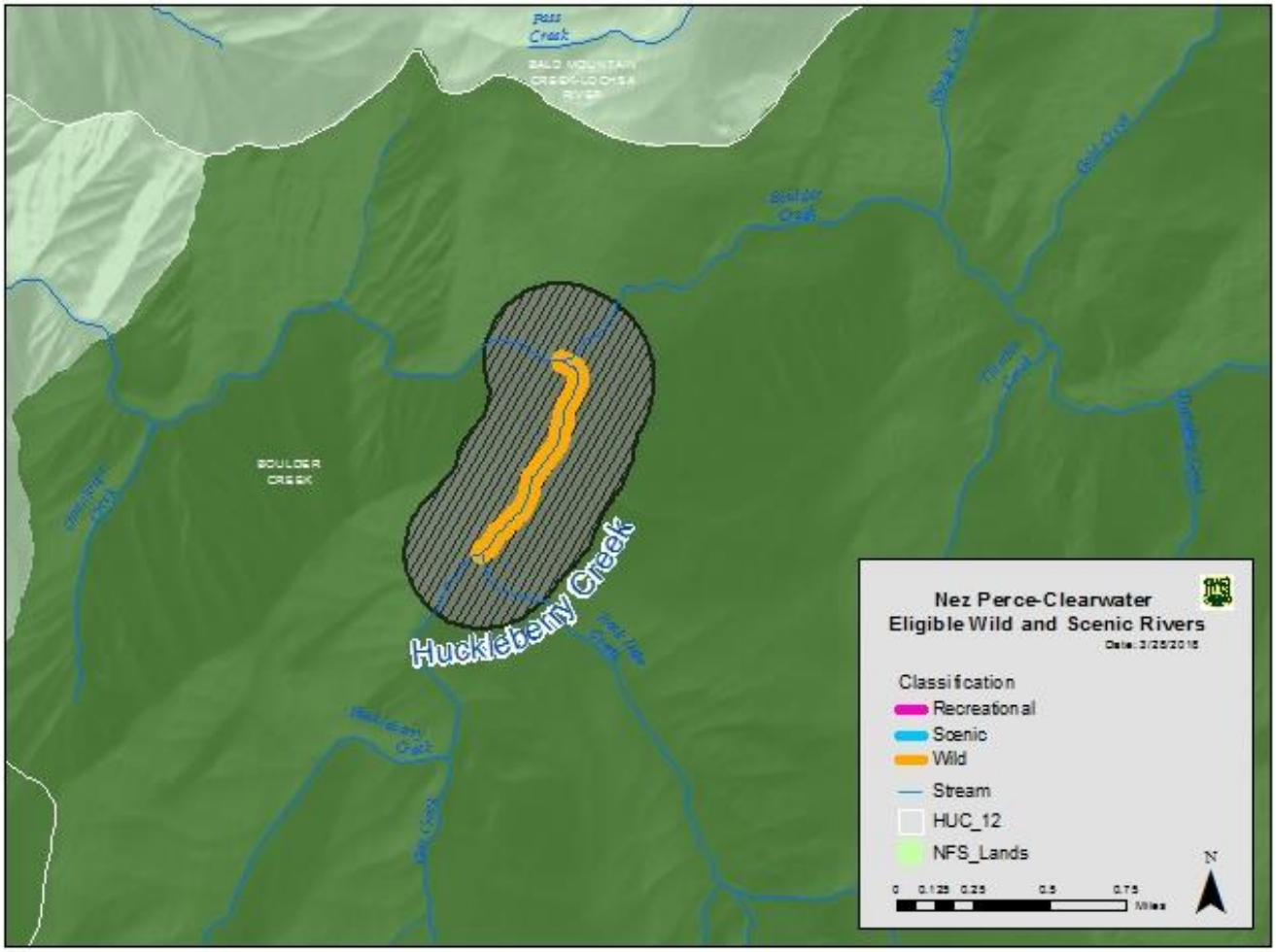
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Suitable	Not suitable	Suitable	Suitable

Huckleberry Creek

Segment Description	Boulder Creek to Rock Lake Creek
Segment Length	0.76 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	243.2 acres
Preliminary Classification	Wild
Eligibility ORVs	Recreation (hot springs)

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The recreational ORV for Huckleberry Creek is the hot springs. Although there are numerous hot springs in the region of comparison, most have various levels of development, especially those on private land, such as Red River Hot Springs and Lolo Hot Springs. Others such as Barth Hot springs have mortared rocks or other man-made structures. Others are very remote, very small or do not provide a soaking opportunity. Undeveloped hot springs do not have permanent man-made structures although they may have loose rock or stacked logs. The two that stand out as unique or exemplary are Jerry Johnson Hot Springs in Warm Springs Creek and Stanley Hot springs in Huckleberry Creek. Stanley Hot Springs is accessible by non-motorized, non-mechanized trail, generally by foot or horse, by following Trail 211 from Wilderness Gateway Recreation Site up Boulder Creek approximately five miles from the trailhead and crossing Boulder Creek.

The IDEQ 305(b)/303(d) 2014 Integrated Report (IDEQ 2014) presents the current status of water quality for Idaho's waters. Huckleberry Creek is meeting water quality standards and fully supporting the cold water aquatic life beneficial use.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests. The Huckleberry Creek segment is within the Selway-Bitterroot Wilderness Area. The surrounding area is used for hiking and horseback riding.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

No changes are anticipated to the land use within the wilderness area. The area is already withdrawn from mineral entry due to wilderness area designation. The likelihood for geothermal development or other water development is minimal since Huckleberry Creek is several miles within the wilderness area with no private land for miles in any direction. Water developments in wilderness areas must be authorized by the President.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County. Idaho County commissioners do not support the designation of additional wild and scenic rivers within the county (Idaho County Natural Resource Plan 2016).

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This corridor does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop

the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments

and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

No outside groups support designation of Huckleberry Creek.

12. The river's contribution to river system integrity or basin integrity

The recreation ORV for Huckleberry Creek is based entirely on the unique hot springs near the mouth of the creek. There are no hot springs along Boulder Creek or other area streams, so it does not contribute to river system or basin integrity.

All segments on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creek's important contributions to the system.

13. The potential for water resources development

Although hot springs attract interest for geothermal development, the location of this hot springs deep in the wilderness area makes development highly unlikely. User built temporary dams occur when people want to control the water for soaking.

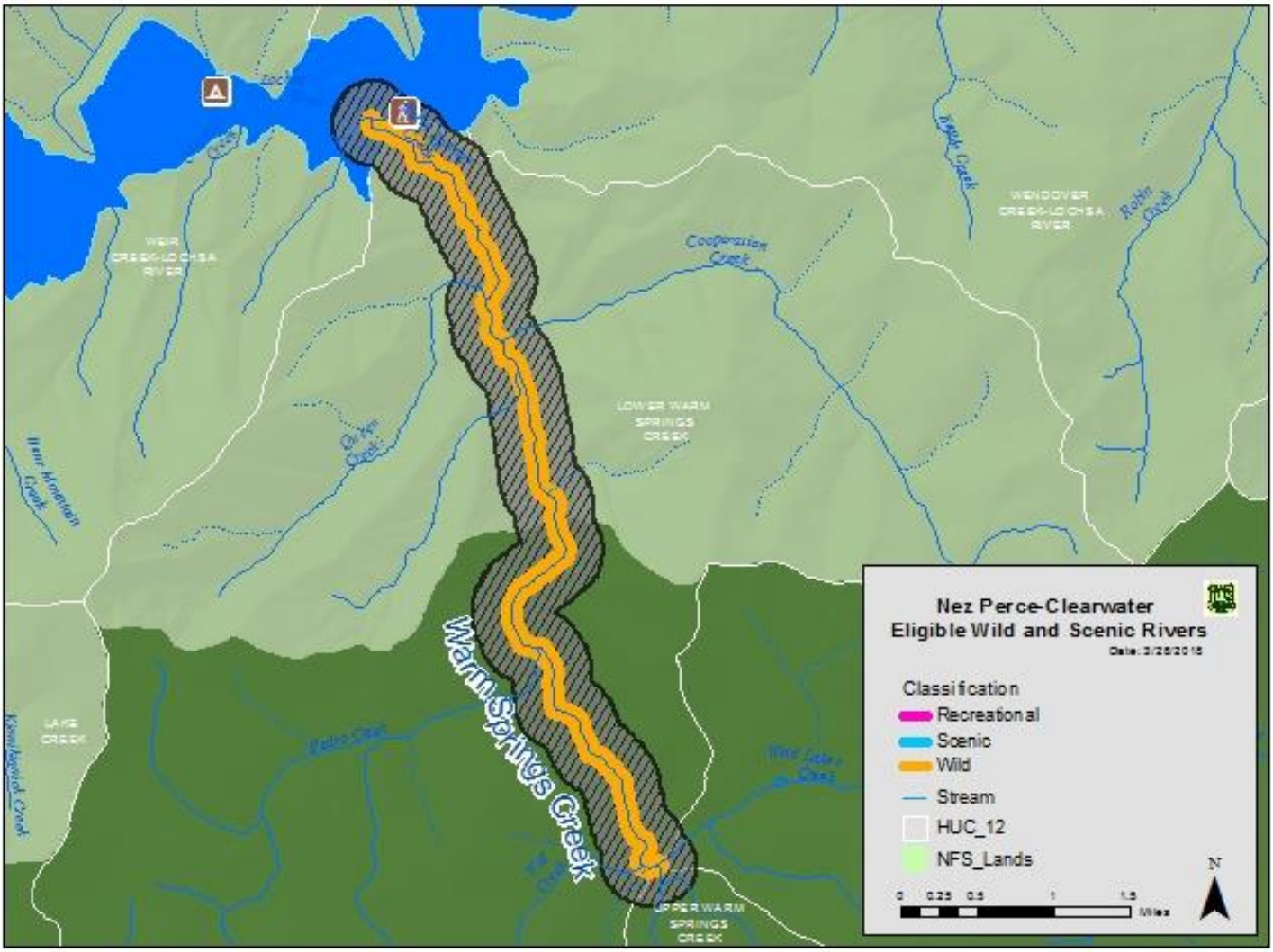
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Warm Springs Creek

Segment Description	Confluence with Lochsa River to confluence with Wind Lakes Creek
Segment Length	6.42 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	2,054.4 acres
Preliminary Classification	Wild
Eligibility ORVs	Recreation (hot springs), scenic, and geology

Segment Map


Nez Perce-Clearwater
Eligible Wild and Scenic Rivers
Classification
Recreational
Scenic
Wild
Stream
HUC_12
NFS_Lands
N
Miles
Warm Springs Creek
Cooperation Creek
Robin Creek
WEIR CREEK-LOCHSA RIVER
WENDOVER CREEK-LOCHSA RIVER
LOWER WARM SPRINGS CREEK
UPPER WARM SPRINGS CREEK
LAKE CREEK

Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The recreational ORV for Warm Springs Creek is Jerry Johnson Hot Springs which are known throughout and beyond the region of comparison. Hot springs books and Web sites recommend these springs, and they are visited throughout the year. The hot springs are extensive along Warm Springs Creek and they are easily accessible via a trail open to non-motorized use and a hike of less than a mile to the first springs. Although there are numerous hot springs in the region of comparison, some are developed, such as Red River Hot Springs and Lolo Hot Springs. Some, such as Barth Hot Springs, have mortared rocks or other man-made structures. Others are very remote, very small or do not provide a soaking opportunity. Undeveloped hot springs do not have permanent man-made structures although they may have loose rock or stacked logs. The two that stand out as unique or exemplary are Jerry Johnson Hot Springs in Warm Springs Creek and Stanley Hot Springs in Huckleberry Creek.

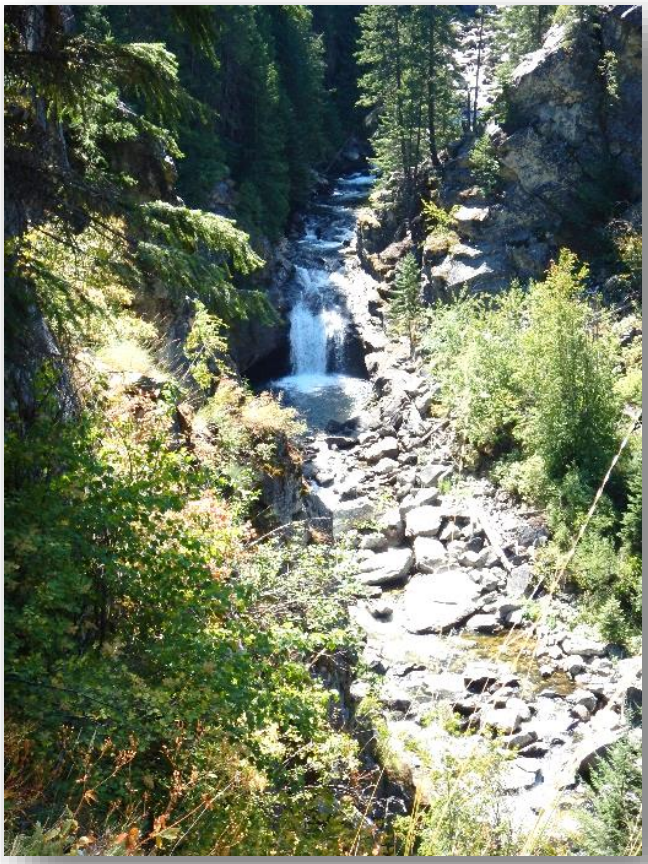


Photo 1- Jerry Johnson Falls

The scenic ORV for Warm Springs Creek is a spectacular waterfall drop (60 feet) of the entire stream into a “punchbowl” formation, one that is noted in the Waterfall Lovers Guide, Pacific Northwest. Elk Creek Falls is the other notable “punchbowl” type waterfall on the national forest.

The geology ORV is the series of hot springs in Warm Springs Creek (known as Jerry Johnson Hot Springs) and is one of the best examples of hot springs found in the region of comparison.

Photo 2 Jerry Johnson Hot springs

The IDEQ 305(b)/303(d) 2014 Integrated Report (IDEQ 2014) presents the current status of water quality for Idaho's waters. Warm Springs Creek is meeting water quality standards and fully supporting the following beneficial uses: cold water aquatic life, secondary contact recreation, and salmonid spawning.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

Warm Springs Creek enters the Selway-Bitterroot Wilderness Area after crossing the Lochsa Face Idaho Roadless Area (passing through both a Forest Plan special area and a backcountry/restoration theme area). Developments across the Lochsa River include U.S. Highway 12 and the Warm Springs Trailhead. A bridge allows access to non-motorized trails within the Warm Springs Creek corridor and beyond.

There are no roads, motorized trails, mining claims, mapped rock sources, or allotments in this area.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

The Warm Springs Creek segment is within the Selway-Bitterroot Wilderness Area and the Lochsa Face Idaho Roadless Area (special area Lochsa Wild and Scenic River corridor and backcountry/restoration theme areas).

Jerry Johnson waterfall is within the wilderness area boundary and the hot springs are within the roadless area. From the mouth of Warm Springs Creek to upstream approximately one-quarter mile is within the Lochsa River Wild and Scenic River Corridor. No changes are anticipated to land use within the wilderness area. Wilderness area designation withdraws the area from mineral entry, and water developments in wilderness areas must be authorized by the President.

A stock bridge across the Lochsa River provides access via Trail 49 to the hot springs and continues on to a view of the waterfall. This trail is open to non-motorized travel with a parallel stock trail that routes around the hot springs and rejoins the main trail above the hot springs. The area surrounding the hot springs is currently closed to camping, with use allowed from 6:00 a.m. to 8:00 p.m.

No changes are anticipated to the land use and trail maintenance to the waterfall view. The remainder of the area is managed under the backcountry/restoration theme of the Idaho Roadless Rule. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If this segment is found suitable, the wild designation would foreclose timber harvest as an option for vegetation restoration. This option would be foreclosed on 121 acres within the warm dry PVT group and 563 acres within the warm moist PVT group.

There is currently no road access to Warm Springs Creek. Although road construction is possible under very limited circumstances, it is highly unlikely since it would require constructing an extensive bridge to span the Lochsa River. Land use is unlikely to change whether or not Warm Springs Creek is found suitable.

If Warm Springs is designated wild, its corridor would be withdrawn from mineral entry. Under the current management, mineral activities pursuant to the General Mining Law of 1872 are allowed under the Idaho Roadless Rule.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

The Idaho County Board of Commissioners does not support the designation of any wild and scenic rivers (Idaho County Natural Resource Plan 2016).

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Recommending suitability would be inconsistent with Idaho Country Natural Resource Plan.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval

of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

The Jerry Johnson Hot springs are very special to the Nez Perce Tribe, unique to the Forest and in need of specific protection." The Nez Perce Tribe technical team worked with the forest plan revision team to develop language for a recreation desired future condition to ensure a high level of integrity for the hot springs' characteristics, functions, and uses. Nez Perce Tribe staff "believe that the hot springs will have sufficient management protections for the hot springs and their associated watersheds."

12. The river's contribution to river system integrity or basin integrity

All segments on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creek's important contributions to the system.

13. The potential for water resources development

There is one potential dam site on Warm Springs Creek (Heitz et al. 1980) but the site is within the Selway-Bitterroot Wilderness Area. Although the Wilderness Act does not protect rivers from dams or diversions, water development in the wilderness area must be authorized by the President. The potential for water resource development is very low due to the distance to private land and lack of road access (CBC draft Wild and scenic Rivers Recommendation 2018).

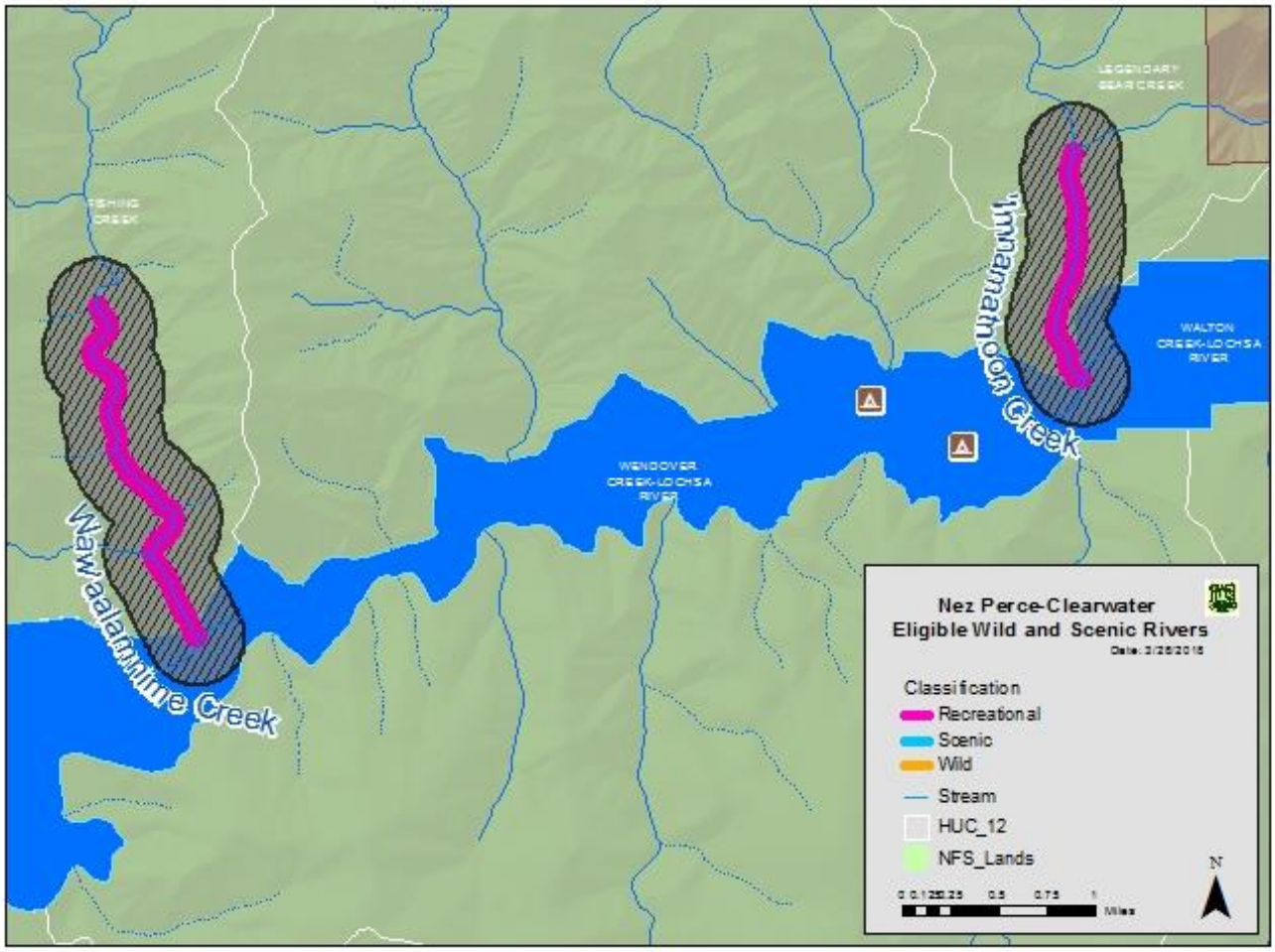
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

‘Imnamatnoon Creek and Waw’aalamnime Creek

Segment Description	‘Imnamatnoon Creek: confluence with Lochsa River to West Fork ‘Imnamatnoon Creek Waw’ aalamnime Creek: confluence with Lochsa River to 1.26 miles upstream of mouth
Segment Length	3.32 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	1,062.4 acres
Preliminary Classification	Recreational
Eligibility ORVs	Wildlife (Harlequin duck), fish

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The ORV for Waw' aalamine Creek and 'Imnamatnoon Creek are populations of the Harlequin duck. Harlequin ducks occur from the mouth of 'Imnamatnoon creek upstream to the confluence of the east fork and west fork of this creek. Populations of Harlequin ducks occur on Waw'aalamine Creek from the mouth to approximately two miles upstream. There have not been any observations upstream from these sections.

The Harlequin duck has been considered rare in Idaho for over 100 years. In Idaho, approximately 50 pairs breed statewide along a limited number of high quality streams within the Priest River, Kootenai River, Clark Fork, Lake Pend Oreille, St. Joe River, Clearwater River, and the South Fork Snake River watersheds. Approximately 38 percent of all Harlequin duck observations in Idaho Species Diversity

Database (accessed April 2017) have been observed within the forest plan area (Idaho Department of Fish and Game, 2017). Harlequin ducks breed along relatively large, fast-moving, mountain streams with gradients of one to seven percent. Breeding streams are characterized by rocky substrates that support the benthic macro-invertebrates upon which the ducks feed, as well as large numbers of rapids/riffle areas interspersed with eddies. Water quality appears to be very important for successful foraging, with clear, low-acid water being optimal. Relative to other species of ducks, Harlequin ducks occur at low population densities and exhibit high breeding site fidelity, low reproductive rates, and delayed reproduction. All of these traits contribute to making Harlequin duck populations particularly slow to recover from habitat degradation or loss, or other factors that may lower duck survival. Harlequin ducks have disappeared from former breeding sites in Idaho and Montana (Wiggins, 2005).

The fisheries ORVs for Waw'aa'limnine Creek are based on diversity and abundance and natural reproduction. The eligible segments support spawning and early rearing habitat for native steelhead trout, bull trout, spring Chinook salmon, and westslope cutthroat trout. The eligible segments are included as designated critical habitat for Snake River steelhead and Columbia River bull trout. A bull trout local population has been identified in the watershed (USFWS 2015), and Forest Service data (redd surveys) indicate eligible segments are used extensively for spawning. Waw'aa'limnine Creek is identified as a minor spawning area for steelhead trout (NMFS 2017). There are no known non-native aquatic species present in the watershed.

A fish ORV has not been identified in Imnatmat'noon Creek.

The IDEQ 305(b)/303(d) 2014 Integrated Report (IDEQ 2014) presents the current status of water quality for Idaho's waters. Imnamatnoon Creek and Waw'aalamnime Creek are meeting water quality standards and fully supporting the following beneficial uses: cold water aquatic life, secondary contact recreation, and salmonid spawning.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

Waw' aalamnime Creek runs through forest plan revision proposed MA 3. FR 108 (ML 3) runs along the creek and roads in the corridor include U. S. Highway 12, FR 566 (ML 3), FR 1680 (ML 2), and FR 5613.

'Imnamatnoon Creek runs through forest plan revision proposed MA 3. FR 568 (ML 3) runs along the creek and roads in the corridor include U. S. Highway 12, FR 563 (ML 1), and ML 1 roads FR 5621 (A, B, and E). There are a more than a dozen mining claims upstream of the 'Imnamatnoon Creek segment on 'Imnamatnoon Creek and West Fork 'Imnamatnoon Creek.

The segments on NFS lands suitable for timber production, proposed MA 3, have been managed for timber production under the 1987 Forest Plan and timber harvest has occurred along both segments.

There are no motorized trails, mining claims, mapped rock sources, or allotments along these segments.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A wild designation would curtail motorized use in this area.

Some of the segments of the creeks are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 698 acres of the segment classified as recreational that overlaps with proposed MA 3. If timber harvest is curtailed on these lands, forest vegetation restoration would be curtailed on 144 acres within the warm dry PVT group and 554 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Harlequin ducks breed in habitats that are particularly susceptible to Forest Service management activities, water development projects, and human recreational use (Wiggins, 2005). If these creeks are included in the national system, they would maintain the integrity (water quality, quantity, vegetation composition, and structure) and natural flow regimes of montane riparian habitats within the corridor, and protect factors that influence stream occupancy of Harlequin duck reproduction and survival. The mouths of both of these creeks fall within already designated areas of the Lochsa Wild and Scenic River.

For wildlife of economic and social importance, areas along ‘Wawaalamnime Creek provide both high quality summer and winter habitat for big game, and of particular interest, for elk. ‘Imnamatnoon Creek possesses potential for a highly nutritious vegetation response for big game if it is to be treated. Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

A wide variety of wildlife species, both those that are river dependent and those that are not, have habitat within the river corridor and would benefit from protections provided through the Wild and Scenic River Act. For example, high quality habitat for fisher occurs along both of these creeks. Conservation of these habitats within the corridors would improve for fisher should these rivers be included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridors are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (August 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

2. ***Desired Condition:*** *In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

5. ***Guideline:*** *To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This corridor does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual

congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate these creeks' important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. These creeks are entirely on Federal land and are very remote. While dam construction is possible, it is unlikely.

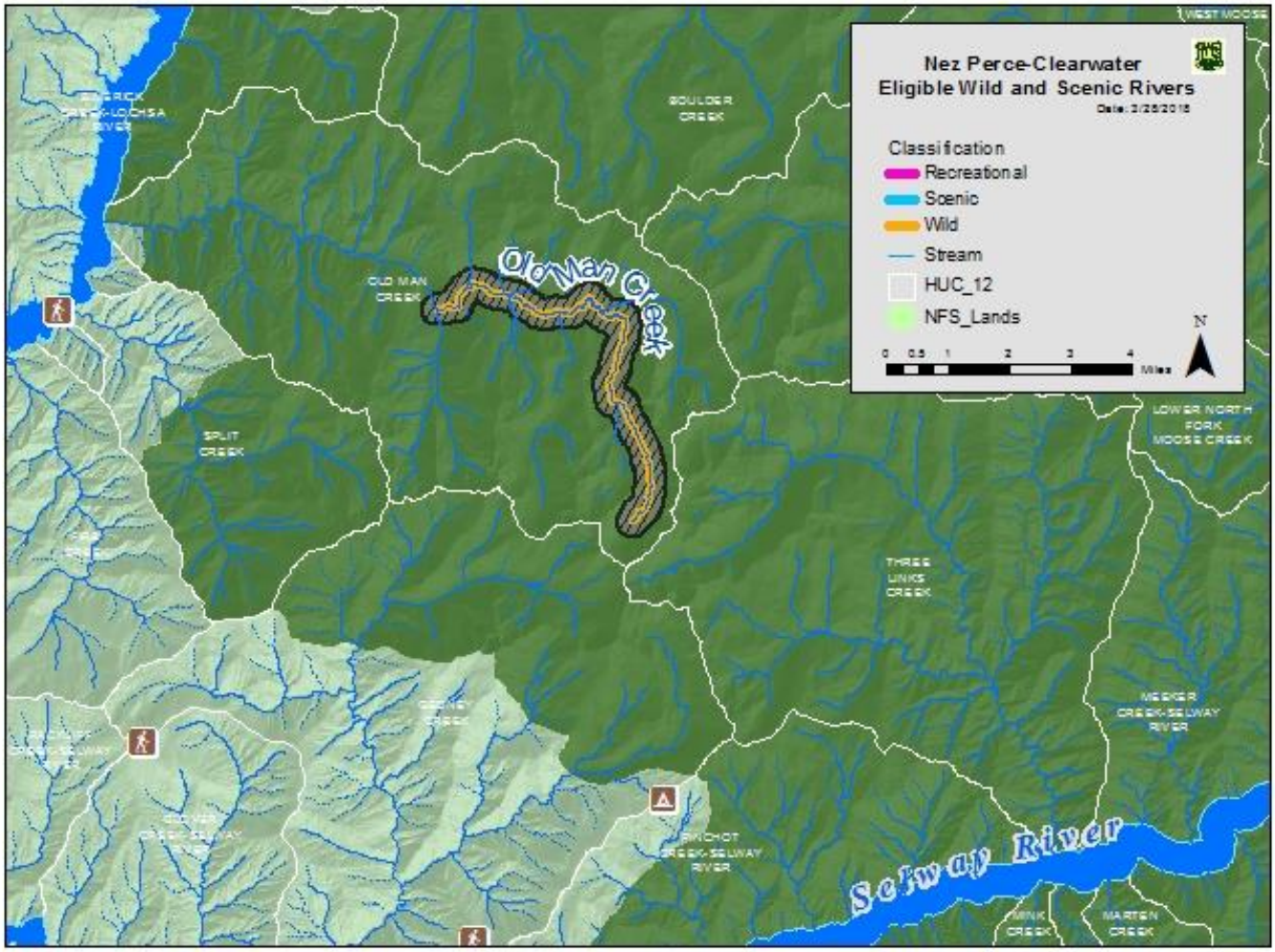
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Old Man Creek

Segment Description	Confluence with Chimney Creek to headwaters
Segment Length	8.35 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	2,672 acres
Preliminary Classification	Wild
Eligibility ORVs	Scenic

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

Old Man Creek begins on the north side of Fenn Mountain, part of the Selway Crags area, one of the few places in the Selway-Bitterroot Wilderness Area with truly dramatic scenery. The stream begins with Old Man Lake, a large (46 acre) distinctive narrow lake, one-half mile long. There are a variety of cliffs, rocks, and brush (which provides seasonal color). Downstream of the lake, the creek winds through large meadows and a forested area to Chimney Creek where the scenic ORV ends. Below this point, the stream drops continuously through a steep narrow canyon to the Lochsa River. This segment does not include distinctive scenic features, such as cliffs, lakes, or waterfalls and does not have the visual variety of the upper segment. The headwaters are within the proposed Fenn Mountain RNA for the unique vegetation.

The IDEQ 305(b)/303(d) 2014 Integrated Report (IDEQ 2014) presents the current status of water quality for Idaho's waters. Old Man Creek has not been assessed or there is insufficient data to determine if water quality standards are being met or if beneficial uses are supported.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests. This segment is within the Selway-Bitterroot Wilderness Area.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

No changes are anticipated to land use within the wilderness area. Wilderness area designation withdraws the area from mineral entry and dams in wilderness areas must be authorized by the President.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support additional wild and scenic river designations (Idaho County Natural Resource Plan 2017).

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is

potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

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The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

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Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could

be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

Scenic is the only ORV for Old Man Creek. It is not a major contributor to river system or basin integrity for its scenic value. The scenic ORV is found in the headwaters portions of the stream only and not in the six-mile canyon that connects it to the Lochsa Wild and Scenic River.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on Federal land and is very remote. While dam construction is possible, it is unlikely.

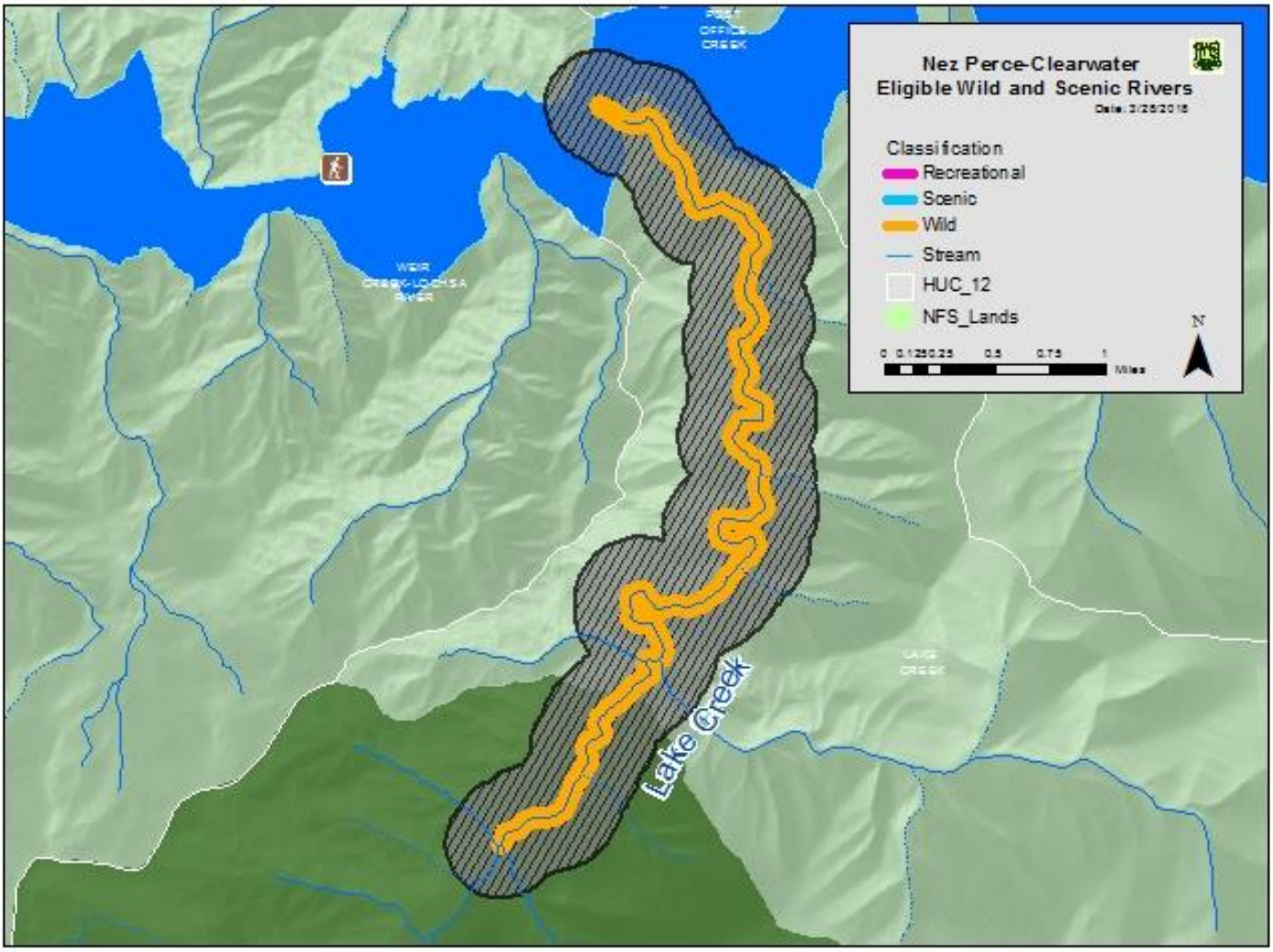
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Lake Creek (Lochsa Subbasin)

Segment Description	Fish Lake Creek to Lochsa River
Segment Length	5.60 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	1670 acres
Preliminary Classification	Wild
Eligibility ORVs	Fish

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The fish ORV is based on diversity and abundance, habitat quality, and natural reproduction. The eligible segment is included as a major spawning area for Snake River steelhead trout (NMFS 2017) and is designated critical habitat for both steelhead and Columbia River bull trout. A bull trout local population has been identified in Lake Creek (USFWS 2015). Fish Lake contains an adfluvial population of bull trout, which is one of only two within the region of comparison. Spawning and early rearing occurs both up and downstream of the lake. The lake also supports a native and self-sustaining population of westslope

cutthroat trout. Lake Creek supports spawning and early rearing of spring Chinook salmon in its mid to lower reaches. Non-native species are not known to be present in the Lake Creek watershed.

2. The current status of land ownership and use in the area

Lake Creek is on lands administered by the US Forest Service (Nez Perce-Clearwater National Forests). Lake creek begins at the confluence of Sponge, Helix and Greystone Creek in the Selway-Bitterroot Wilderness. It leaves wilderness and continues through the Lochsa Face Idaho Roadless Area (Backcountry Restoration Theme). Although timber harvest, road building and discretionary minerals activity is not precluded in the Backcountry restoration theme, due to limited access this area has had very little active management in the past.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

A wild designation would curtail motorized use in this area.

The Idaho Roadless Area Rule limits road construction or reconstruction within backcountry restoration theme areas; however, for backcountry restoration areas, surface occupancy is allowed unless prohibited by the forest plan. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

Timber harvest is not currently a major activity within the eligible corridor. However, in the backcountry/restoration theme of the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If this segment is found suitable, the wild designation would foreclose timber harvest as an option for vegetation restoration. This option would be foreclosed on 182 acres within the warm dry PVT group and 571 acres within the warm moist PVT group.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (August 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

*1. **Desired Condition:** The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

*2. **Desired Condition:** In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

As such, it is not expected that county or local governments would participate in preservation or administration of the creek.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County and Clearwater County natural resource plans.

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the “best of the best” rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they

also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creek's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on Federal land and is very remote. While dam construction is possible, it is unlikely.

Segment Suitability Determination

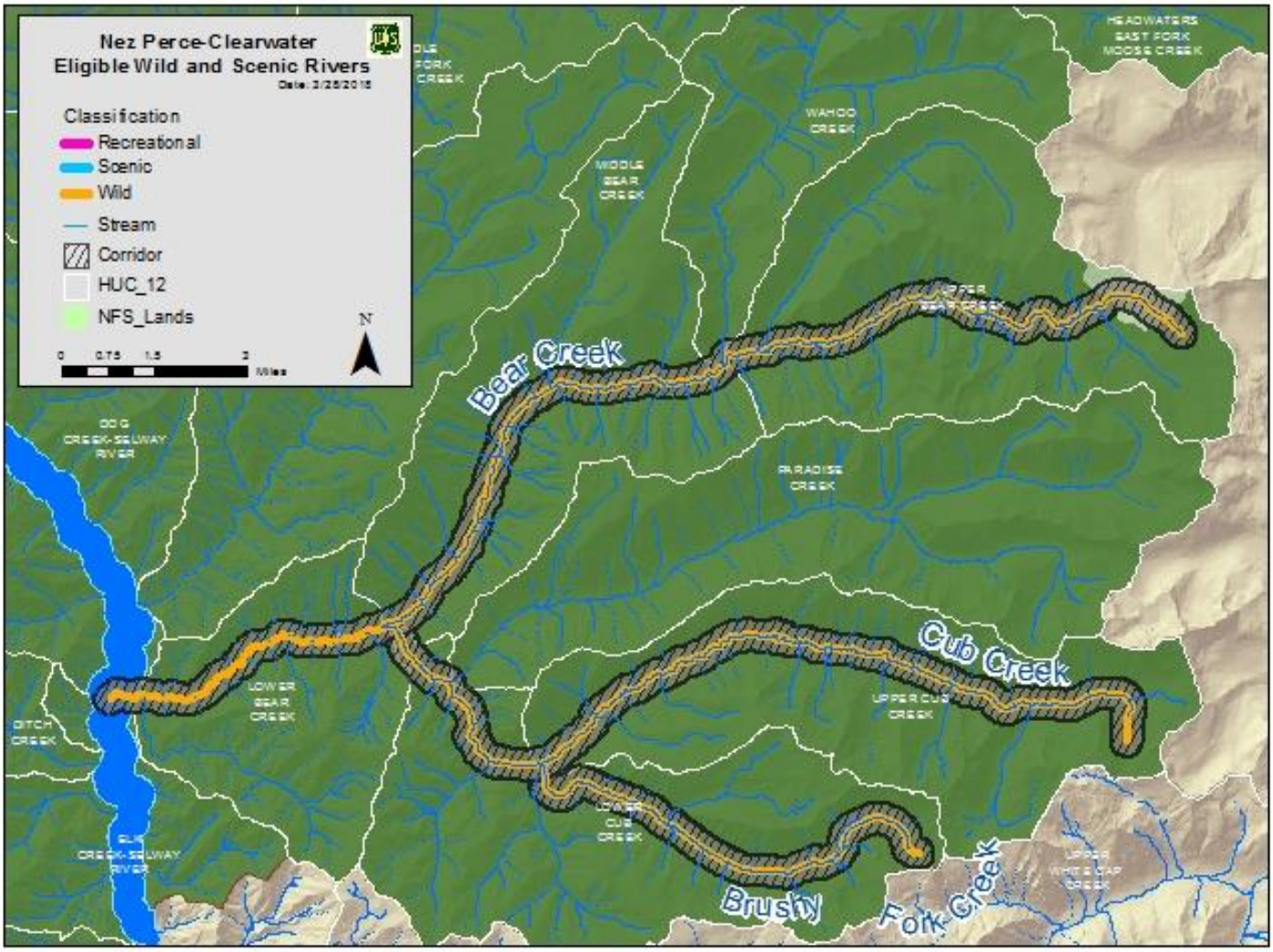
Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Not suitable	Not suitable	Not suitable	Not suitable

Selway River Basin

Bear Creek, Cub Creek, and Brushy Fork Creek

Segment Description	Bear Creek: confluence with Selway River to headwaters Cub Creek: confluence with Bear Creek to headwaters Brushy Fork Creek: confluence with Cub Creek to headwaters
Segment Length	47.43 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	15,177.6 acres
Preliminary Classification	Wild
Eligibility ORVs	Bear Creek: scenic, cultural, fish, and wildlife Cub Creek and Brushy Fork Creek: scenic

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

High visual variety contributes to the scenic ORV for segments of Bear Creek along with the headwaters of Cub and Brushy Fork creeks. The headwaters portions of Bear, Cub, and Brushy Fork creeks along the Bitterroot Divide exhibit high scenic quality with distinctive craggy peaks and high cirque lakes in addition to a variety of rock, water, and vegetation.

Since the national forest includes 1.2 million acres of some of the most spectacular wilderness areas in the country, it is not surprising that many of the segments with high scenic quality occur in a wilderness area. The Hiking the Selway Bitterroot Guide notes that only a few places, including the Selway Crags and the Bitterroot Divide, feature truly dramatic scenery (Steinberg, 2012). The designated Wild and Scenic Selway River flows through the heart of the Selway-Bitterroot Wilderness Area and many of its

tributaries have high scenic quality, particularly those with high cirque lakes and craggy peaks in their headwaters.

The fish ORV for Bear Creek is based on diversity and abundance, habitat quality, natural reproduction, and cultural/historical significance. Bear Creek supports spawning and early rearing by native spring Chinook salmon in high numbers and contains large areas of excellent habitat. The "Salmon Hole" is a natural channel feature just downstream of the exemplary spawning habitat for salmon and provides a large, deep space for adult salmon to rest and hold safely during low summer flows prior to spawning in August. This resource has significant cultural and historic significance to native people. Bear Creek also supports spawning and rearing for native steelhead trout and is designated critical habitat for Snake River steelhead and Columbia River bull trout. It is a major spawning area for steelhead (NMFS 2017), and a local bull trout population has been identified (USFWS 2015). The eligible segment also support a large population of fluvial westslope cutthroat trout. Stream habitat is unaffected by human disturbances. A series of natural disturbances (wildfires) starting in the mid-1980s and continuing to the present have affected the eligible segment, resulting in accumulations of large wood and formation of debris jams, which have created highly complex habitat preferred by resident, fluvial, and anadromous salmonids. Small landslides have resulted in delivery of spawning gravels, as well as large wood, to the channel. Non-native aquatic species are not known to exist within the eligible creek segment.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Bear Creek, Cub Creek, and Brushy Fork Creek are meeting water quality standards and fully support the following beneficial uses: aesthetic, cold water aquatic life, secondary contact recreation, wildlife habitat, and agricultural/industrial water supply.

Nez Perce tribal staff identified the Bear Creek segment as having cultural and historic importance to the Nez Perce Tribe.

The cultural ORV for Bear Creek is that it is one of three places Nimi'ipuu oral history indicates the Nez Perce Tribe originated from in addition to the archaeological significance of the drainage.

The ORV for wildlife on Bear Creek are populations of Harlequin ducks. These ducks are renowned for their beauty, being one of the most attractive sea ducks. Harlequin ducks occur from the mouth of Bear Creek upstream to the confluence of Bear Creek and Cub Creek. The Harlequin duck has been considered rare in Idaho for over 100 years. In Idaho, approximately 50 pairs breed along a limited number of high quality streams within the Priest River, Kootenai River, Clark Fork, Lake Pend Oreille, St. Joe River, Clearwater River, and the South Fork Snake River watersheds. Approximately 38 percent of all Harlequin duck observations in Idaho Species Diversity Database (accessed April 2017) have been observed within the forest plan area (Idaho Department of Fish and Game, 2017). Harlequin ducks breed along relatively large, fast-moving, mountain streams with gradients of one to seven percent. Breeding streams are characterized by rocky substrates that support the benthic macro-invertebrates upon which the ducks feed, as well as large numbers of rapids/riffle areas interspersed with eddies. Water quality appears to be very important for successful foraging, with clear, low-acid water being optimal. Relative to other species of ducks, Harlequin ducks occur at low population densities and exhibit high breeding site fidelity, low reproductive rates, and delayed reproduction. All of these traits contribute to making harlequin duck populations particularly slow to recover from habitat degradation

or loss or other factors that may lower duck survival. Harlequin ducks have disappeared from former breeding sites in Idaho and Montana (Wiggins, 2005).

2. The current status of land ownership and use in the area

All of the lands in the proposed corridors are managed by the Nez Perce-Clearwater National Forests.

Bear Creek enters the Selway-Bitterroot Wilderness Area after its headwaters leave the Selway Bitterroot Idaho Roadless Area (primitive theme area). The only motorized access is to the headwaters through the Bitterroot National Forest; Bear Lake Motorized Trail (T 613) is within the corridor for about three-quarters of a mile near Bear Creek Pass.

Cub Creek and Brushy Fork Creek corridors are entirely within the Selway-Bitterroot Wilderness Area.

There are no roads, motorized trails (other than T 613), mining claims, mapped rock sources, or allotments in this area.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

The segments are within the Selway-Bitterroot Wilderness Area and the Selway Bitterroot Idaho Roadless Area (primitive theme area). No changes are anticipated to land use in the Idaho Roadless Area. However, in the primitive theme of the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If the Bear Creek segment within the Idaho Roadless Area is found suitable, the wild designation would foreclose timber harvest as an option for vegetation restoration. This option would be foreclosed on 153 acres within the cold PVT group and 103 acres within the cool moist PVT group.

The Idaho Roadless Area Rule limits road construction or reconstruction and surface occupancy in primitive theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

No changes are anticipated to land use within the wilderness area. Wilderness area designation withdraws the area from mineral entry, and water developments in wilderness areas must be authorized by the President.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridors are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

The Idaho County commissioners oppose the designation of additional Wild and Scenic Rivers in Idaho County (Idaho County Natural Resource Plan 2016).

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands so this is not applicable.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

Bear Creek is a major tributary to the Selway River, a designated wild and scenic river with both recreational and wild classifications on different segments. Bear Creek and its tributaries contribute to river system integrity.

These creeks were identified as important contributors to the river system and to basin integrity. Multiple ORVs have been identified, including a fish ORV corresponding to the creeks' potential to support recovery goals of ESA listed aquatic species. These creeks are some of the larger tributaries in the Selway Basin. As such, they play an important ecological role in providing clean, free flowing water and habitat for fish and wildlife species. They also are often critically important culturally in the present day, historically, and prehistorically.

13. The potential for water resources development

Except for a portion of the headwaters of Bear Creek, the remainder of the streams are in designated wilderness areas. No potential dam sites have been identified according to Heitz et al. (1980). There is no nearby private land that would request a diversion on NFS lands.

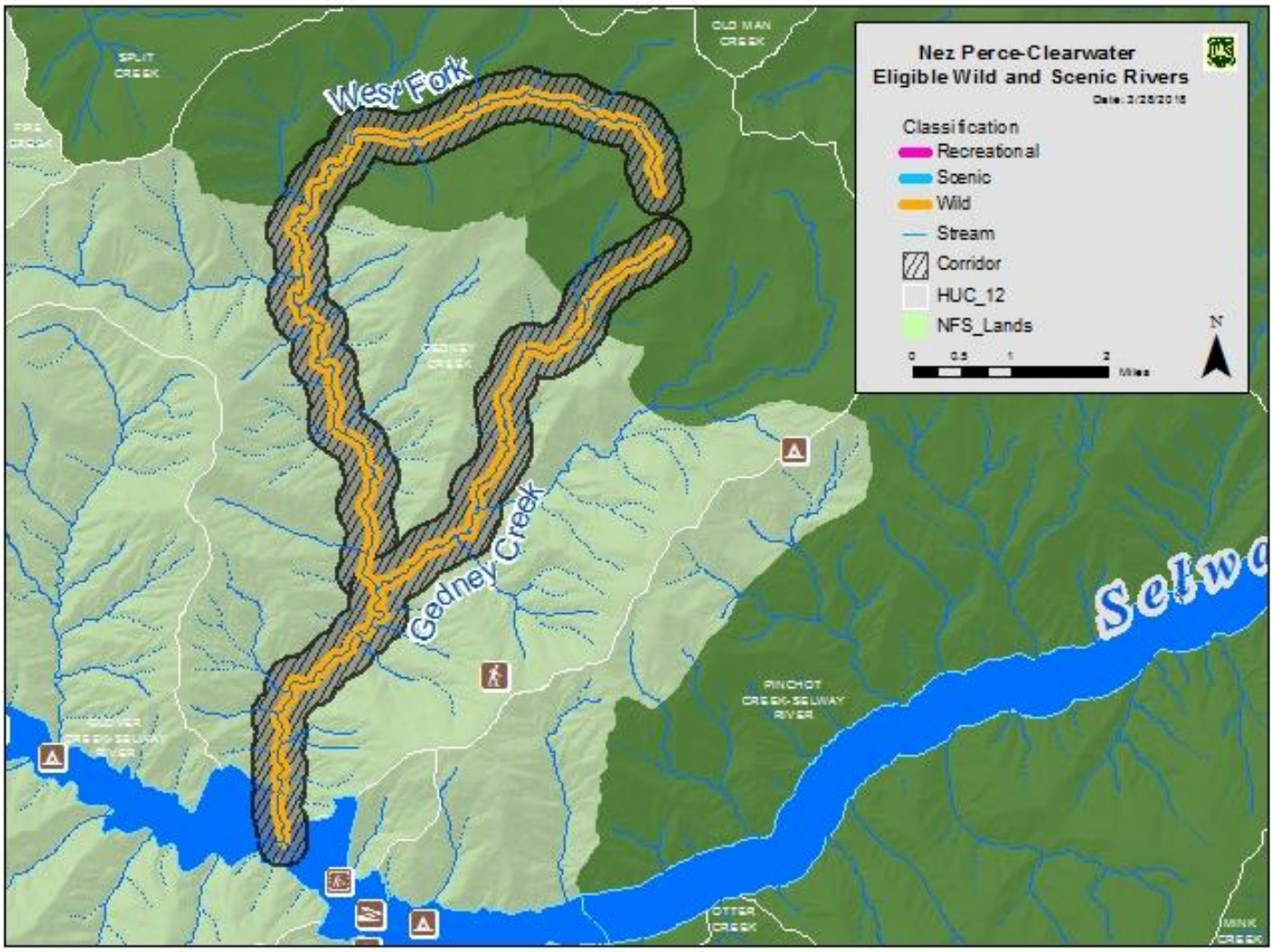
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Not suitable	Not suitable	Not suitable	Suitable

Gedney Creek and West Fork Gedney Creek

Segment Description	Gedney Creek: confluence with Selway River to headwaters West Fork Gedney Creek: confluence with Gedney Creek to headwaters
Segment Length	19.21 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	6,147.2 acres
Preliminary Classification	Wild
Eligibility ORVs	Gedney Creek: fish Gedney Creek and West Fork Gedney Creek: scenic

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The initial determination was that West Fork Gedney Creek had a scenic ORV. The Nationwide River inventory noted that West Fork Gedney Creek is also part of spectacular visual quality with outstanding vegetation and lakes.

The fish ORV for Gedney Creek includes diversity and abundance, habitat quality, and natural reproduction. Gedney Creek supports high densities of native steelhead trout and provides some of the most important spawning and rearing habitat available below Selway Falls. Steelhead trout in the Selway River and tributaries are B-run and make a significant contribution to the steelhead population within the region of comparison. Eligible segments in Gedney Creek are included as designated critical habitat for Snake River steelhead and Columbia River bull trout. They have been identified as a minor

spawning area for steelhead (National Marine Fisheries Service, 2017), and a potential local population of bull trout has been identified (US Fish and Wildlife Service, 2015). Eligible segments provide important spawning and rearing areas for westslope cutthroat trout. The habitat is very high quality and has been minimally affected by human disturbance. There are no known non-native species in eligible segments, although non-native brook trout are present upstream.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) (Idaho County, 2016) presents the current status of water quality for Idaho's waters. Gedney Creek has portions that have not been assessed and other sections that are meeting water quality standards and fully supporting beneficial uses. Beneficial uses are cold water aquatic life, secondary contact recreation, and salmonid spawning. West Fork Gedney Creek has not been assessed or there is insufficient data to determine if water quality standards are being met or if beneficial uses are supported.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

The segments enter the Rackliff-Gedney Idaho Roadless Area (backcountry/restoration theme) after their headwaters leave the Selway-Bitterroot Wilderness Area.

The Gedney Trailhead is at the mouth of Gedney Creek. Motorized Trail (T 708) is within the corridor for both creeks. Gedney Creek also has FR 223 at its mouth and Fog Mountain Road (FR 319 (ML 2)) within its corridor.

There are no other roads, motorized trails, mining claims, mapped rock sources, or allotments in this area.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A wild designation would curtail motorized use in this area.

The segments are within the Selway-Bitterroot Wilderness Area and the Selway Bitterroot Idaho Roadless Area (backcountry/restoration theme). No changes are anticipated to land use within the wilderness area and roadless area. However, in the backcountry/restoration theme of the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If this segment is found suitable, the wild designation would foreclose timber harvest as an option for vegetation restoration. This option would be foreclosed on 195 acres within the cool moist PVT group, 731 acres within the warm dry PVT group, and 1,458 acres within the warm moist PVT group.

The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for backcountry/restoration areas, surface occupancy is allowed unless prohibited by the forest plan. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

Wilderness designation withdraws the area from mineral entry, and water developments in wilderness areas must be authorized by the President.

For other wildlife, areas along Gedney Creek and West Fork Gedney Creek provide crucial winter habitat for big game, and of particular interest, for elk. Some areas along these streams also provide summer habitat. This area has high potential to produce high quality forage for big game when treated. Opportunities to enhance habitat for big game must follow provisions in the Idaho Roadless Rule. Any measures required to protect ORVs may affect the ability to restore or enhance wildlife habitats.

A wide variety of wildlife species, both those that are river dependent and those that are not, have habitat within the river corridor and would benefit from protections provided through the Wild and Scenic River Act. The headwaters of these creeks contain lynx habitat, and the lower portion of Gedney Creek contains high quality habitat for fisher. These habitats within the corridor would be preserved or enhanced should these rivers be included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridors are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

The Idaho County commissioners do not support the addition of any wild and scenic rivers to the national system as described in the 2016 Natural Resources Plan (Idaho County, 2016).

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the “best of the best” rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate these creeks' important contributions to the system.

13. The potential for water resources development

The possibility of water development seems unlikely. No potential dam sites have been identified in Gedney or West Fork Gedney creeks. There is no nearby private land that would request diverting water from the stream. Dams may be authorized in wilderness areas only if approved by the President.

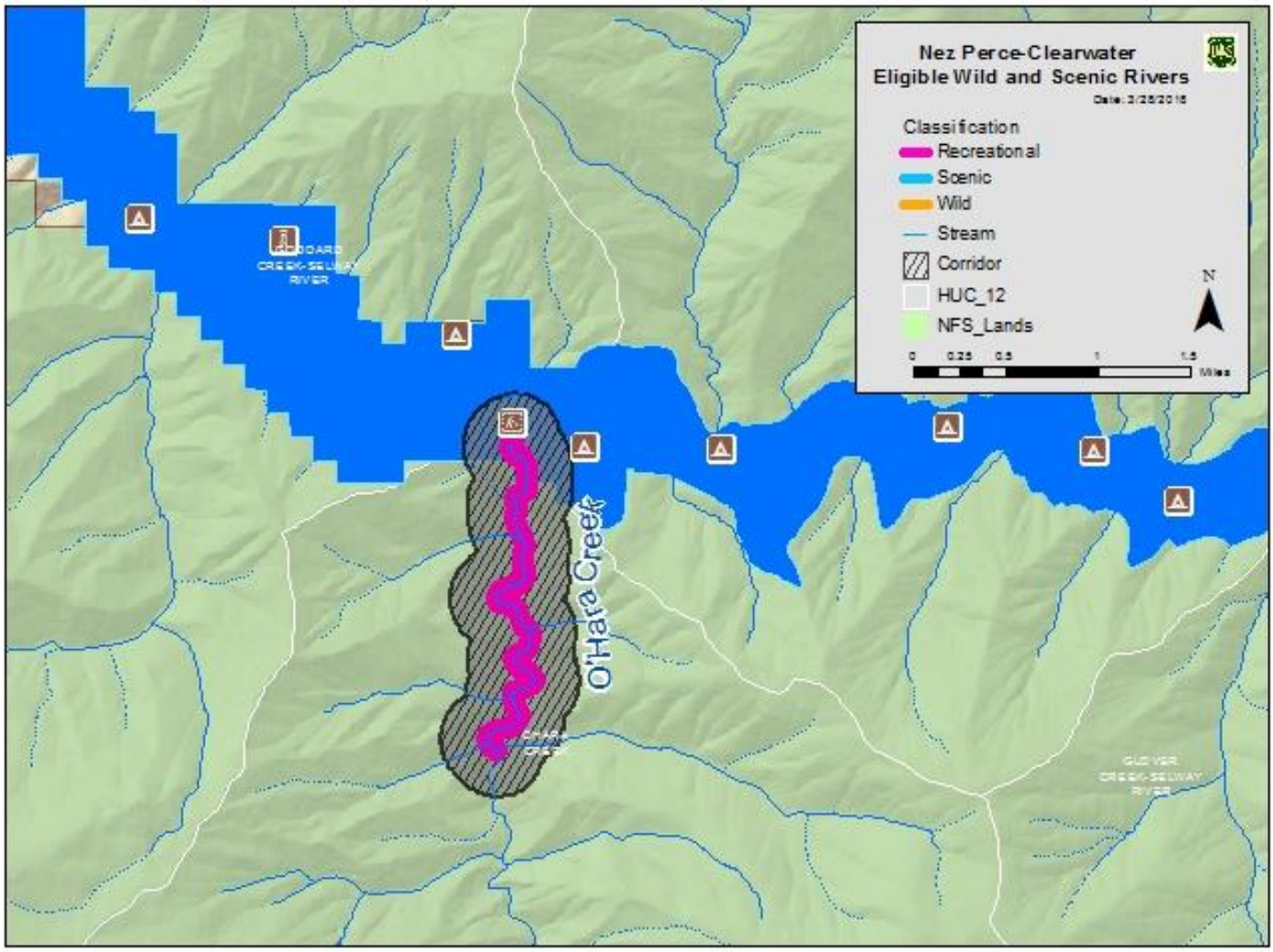
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Not suitable	Not suitable	Not suitable	Not suitable

O'Hara Creek

Segment Description	O'Hara Creek: confluence with Selway River to confluence with Stillman Creek
Segment Length	2.32 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	742.4 acres
Preliminary Classification	Recreational
Eligibility ORVs	Wildlife (Selway forestsnail and Harlequin duck)

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

O'Hara Creek contains populations of the Selway forestsnail, which is an ORV for this river (Idaho Department of Fish and Game, 2017). The Selway forestsnail is an Idaho endemic with a global range that is only known to occur in isolated colonies at lower elevations along the lower Lochsa River, the Selway River, the South Fork of the Clearwater River, and the lower Salmon River (Idaho Department of Fish and Game, 2017). The most recent records have all been along the Lochsa and Selway Rivers (Idaho Department of Fish and Game, 2017). This species is found in intact mixed coniferous forest, usually in low elevation, well-shaded, moist areas along medium to large streams. Sites usually have a diverse understory and a substantial duff layer. It is known only from about a dozen sites across its entire range, including near O'Hara Creek.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. O'Hara Creek is meeting water quality standards and fully supporting the following beneficial uses: cold water aquatic life, secondary contact recreation, and salmonid spawning.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests. The mouth is within the designated recreation corridor of the Wild and Scenic Lochsa River. U.S. Highway 12 runs along the Lochsa River in this area.

O'Hara Creek corridor includes forest plan revision proposed MA 3 on the west side and the O'Hara-Falls Creek Idaho Roadless Area (passing through both a special area of historic and tribal significance and a backcountry/restoration theme area) on the east side. Developments and roads in the corridor include O'Hara Campground, O'Hara Quarry, self-guided tour (first mile of creek), Stillman Ridge Motorized Trail (T 225), ML 3 road 651, and ML 1 roads 9701 and 9701F. The self-guided tour highlights restoration projects that started in the late 1980s to repair damage done by logging and road building.

The corridor on NFS lands suitable for timber production in proposed MA 3 have been managed for timber production under the 1987 Forest Plan, and timber harvest has occurred along this segment.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

Some sections of O'Hara Creek are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 220 acres of the segment classified as recreational that overlaps with proposed MA 3. If timber harvest is curtailed on these lands, forest vegetation restoration would be curtailed on 10 acres within the warm dry PVT group and 210 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

No changes are anticipated to land use within the roadless areas. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If these segments are found suitable, the scenic designation would cause increased restrictions for timber harvest and would likely foreclose timber harvest as an option for vegetation restoration. This option would likely be foreclosed on 16 acres within the warm dry PVT group and 174 acres within the warm moist PVT group.

The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for backcountry/restoration areas, surface occupancy is allowed unless prohibited by the forest plan. The Idaho Roadless Rule limits road construction or reconstruction and

surface occupancy in special areas of historic and tribal significance theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872. The backcountry/restoration theme of the Idaho Roadless Rule allows vegetation management and restoration activities.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

*2. **Desired Condition:** In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is

potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could

be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creek's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on Federal land and is very remote. While dam construction is possible, it is unlikely.

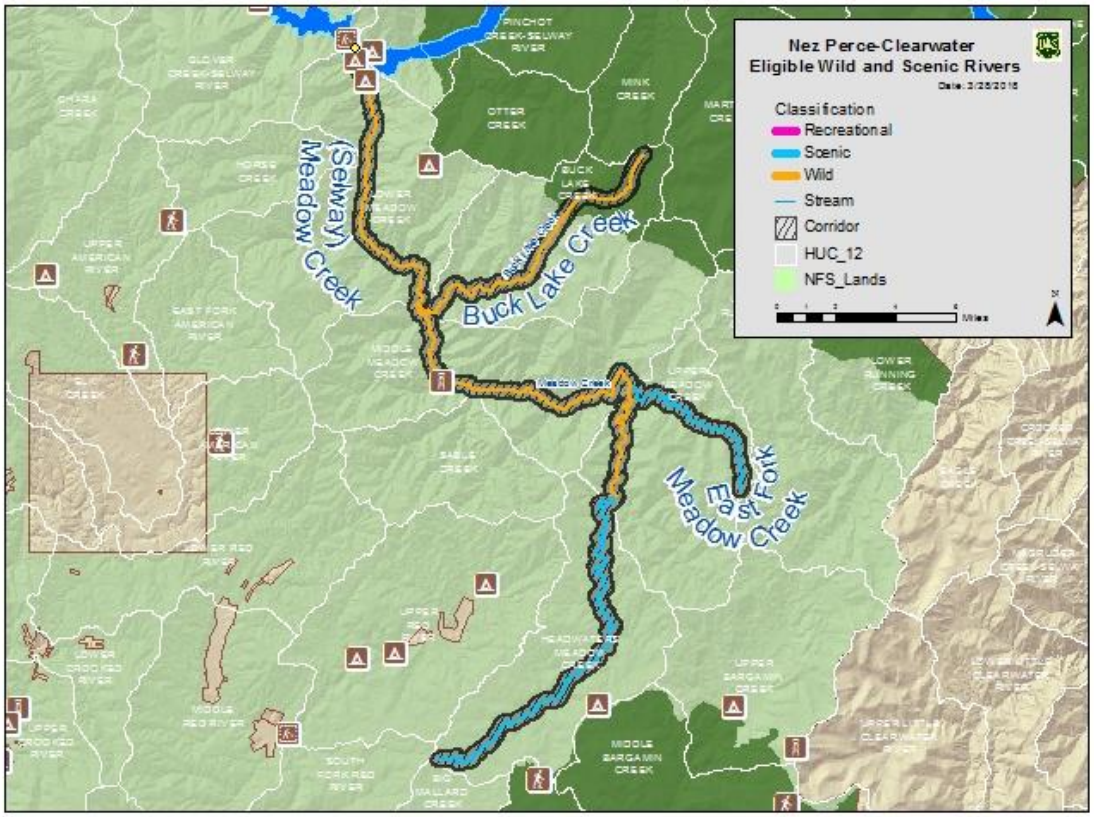
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Meadow Creek, East Fork Meadow Creek, and Buck Lake Creek

Segment Description	Meadow Creek: confluence with Selway River to headwaters East Fork Meadow Creek: confluence with Meadow Creek to headwaters Buck Lake Creek: confluence with Meadow Creek to headwaters
Segment Length	63.35 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	20,272 acres
Preliminary Classification	Meadow Creek (Middle Portion) And Buck Lake Creek: wild Meadow Creek (Upper Portion) And East Fork Meadow Creek: scenic Meadow Creek (Lower Portion): recreational
Eligibility ORVs	Meadow Creek: recreational, cultural, Nez Perce Tribe cultural, fish, and wildlife East Fork Meadow Creek and Buck Lake Creek: fish

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The recreational ORV for the segment of Meadow Creek (a tributary to the Selway River) is the National Recreation Trail that is focused on the interaction with the river. The Meadow Creek National Recreation Trail is a popular trail that provides an extensive opportunity to interact with the creek from the mouth upstream to Butte Creek (near the old Meadow Creek Ranger Station).

The fish ORV for Meadow Creek includes diversity and abundance, habitat quality, natural reproduction, and cultural/historical. Eligible segments within Meadow Creek have been identified as a major spawning area for Snake River steelhead trout (National Marine Fisheries Service, 2017), and a local bull trout population has been identified (US Fish and Wildlife Service, 2015). Eligible segments within Meadow Creek, East Fork Meadow Creek, and Buck Lake Creek are included as designated critical habitat for steelhead and Columbia River bull trout. Meadow Creek also supports substantial spawning and early rearing for native spring Chinook salmon. Buck Lake Creek supports very high densities of juvenile steelhead trout, when compared to other streams in the region of comparison. Steelhead trout in Meadow Creek are wild B-run fish that are critical to the overall population within the region of comparison, as there is no record that hatchery supplementation has ever occurred. It is thus likely the

population has high genetic integrity. East Fork Meadow Creek supports very high densities of westslope cutthroat trout and juvenile bull trout when compared to other streams in the region of comparison. The higher elevation eligible segments in Meadow Creek support a unique assemblage of native salmonids, including interior redband trout, westslope cutthroat trout, and a resident bull trout population. Genetic analysis that has been conducted on westslope cutthroat trout in upper Meadow Creek indicates extremely high genetic diversity when compared to other populations within the region of comparison and across the range of the species. The westslope cutthroat trout population in higher elevation reaches exhibits high genetic integrity with no evidence of introgression. Habitat in the eligible segments has been affected minimally by human disturbance. The watershed and its fishery resources are of high cultural importance to the Nez Perce Tribe. There are no known populations of non-native species in eligible segments in Meadow Creek, East Fork Meadow Creek, or Buck Lake Creek.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Meadow Creek has portions that have not been assessed and other sections that are meeting water quality standards and fully supporting beneficial uses. Beneficial uses are cold water aquatic life, secondary contact recreation, and salmonid spawning. East Fork Meadow Creek has portions that have not been assessed and other sections that are meeting water quality standards and fully supporting beneficial uses. Beneficial uses are aesthetic, cold water aquatic life, secondary contact recreation, wildlife habitat, and agricultural/industrial water supply. Buck Lake Creek is meeting water quality standards and fully supporting the following beneficial uses: aesthetic, wildlife habitat, and agricultural/industrial water supply.

Nez Perce tribal staff identified the Meadow Creek segment as having cultural and historic importance to the Nez Perce Tribe.

The cultural ORV for Meadow Creek is that the stream has an assemblage of archaeological sites situated along the entirety of the drainage. This level of prehistoric usage for a 5th order stream is an outstanding example of prehistoric land use not found elsewhere.

The lower portions of Meadow Creek from the mouth upstream to approximately the confluence with Squirrel Creek contains populations of the Selway forestsnail, which is an ORV for this river (Idaho Department of Fish and Game, 2017). The Selway forestsnail is an Idaho endemic with a global range that is only known to occur in isolated colonies at lower elevations along the lower Lochsa River, the Selway River, the South Fork Clearwater River, and the lower Salmon River and their tributaries (Idaho Department of Fish and Game, 2017). The most recent records have all been along the Lochsa and Selway Rivers (Idaho Department of Fish and Game, 2017). This species is found in intact mixed coniferous forest, usually in low elevation, well-shaded, moist areas along medium to large streams. Sites usually have a diverse understory and a substantial duff layer. It is known only from about a dozen sites across its entire range, including Meadow Creek.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

Meadow Creek headwaters are within the forest plan revision proposed MA 3, and then it enters the West Meadow Creek Idaho Roadless Area (passing through both a special area of historic and tribal

significance and a backcountry/restoration theme area). The east side of the corridor also includes a part of the East Meadow Creek Idaho Roadless Area (a primitive themed area). Developments in the corridor include Selway Falls Campground (7 sites) and Slims Camp Campground (2 sites), Meadow Creek National Recreation Trail (open the first three miles to motorized vehicles), Meadow Creek Rental Cabin, and the Meadow Creek Workstation. A number of motorized trails are within the corridor, including Green Mountain (T 541), Butte Creek (T 809), Meadow Creek (T 726), Sable Hill (T 611), and West Fork Sable Creek (T 672). The corridor also includes ML 3 roads FR 290F, FR 443D, and FR468 and ML 2 roads FR 290 and FR 443. The upper portion of Meadow Creek has also been managed for timber production, and timber harvest has occurred along the upper portion of Meadow Creek under the 1987 Forest Plan.

Buck Lake Creek headwaters are within the Selway-Bitterroot Wilderness Area then it enters the East Meadow Creek Idaho Roadless Area (a primitive themed area). There are no roads, motorized trails, mining claims, mapped rock sources, or allotments in this area.

East Fork Meadow Creek is entirely within the East Meadow Creek Idaho Roadless Area (a primitive themed area). The corridor includes ML 2 roads FR 285 and FR 357.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A wild designation would curtail motorized use in this area.

No changes are anticipated to the land use for much of the area, since the majority of the area surrounding the creeks has been managed to protect the Idaho Roadless Area. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If these segments are found suitable, the scenic and recreational designations would cause increased restrictions for timber harvest and would likely foreclose timber harvest as an option for vegetation restoration. This option would likely be foreclosed on 1,154 acres within the cold PVT group, 1,524 acres within the cool moist PVT group, 991 acres within the warm dry PVT group, and 657 acres within the warm moist PVT group.

Within Idaho Roadless Areas that allow timber harvest, some segments would be designated wild if found suitable. Timber harvest is not used extensively in this area. However, if these segments are found suitable, timber harvest would be foreclosed as an option for forest vegetation restoration on 152 acres within the cool moist PVT group, 3,632 acres within the warm dry PVT group, and 2,861 acres within the warm moist PVT group.

The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for backcountry/restoration areas, surface occupancy is allowed unless prohibited by the forest plan. The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy in primitive and special area of historic and tribal significance theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

However, some sections of Meadow Creek are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 511 acres of the segments classified as recreational or scenic that overlap with proposed MA 3. If timber harvest is curtailed on these lands, forest vegetation restoration would be curtailed on 481 acres within the cold PVT group, two acres within the warm dry PVT group, and 28 acres within the warm moist PVT group.

No changes are anticipated to land use within the wilderness area. Wilderness area designation withdraws the area from mineral entry, and water developments in wilderness areas must be authorized by the President.

A wide variety of wildlife species, both those that are river dependent and those that are not, have habitat within the river corridor and would benefit from protections provided through the Wild and Scenic River Act. For example, high quality habitat for lynx occurs along these creeks near their headwaters, and high quality fisher habitat occurs along these creeks at lower elevations. Conservation of these habitats within the corridor would be improved for these species should these creeks be included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridors are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Clearwater County, 2018):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

2. ***Desired Condition:*** *In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

5. ***Guideline:*** *To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridors or visible from the corridors.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

The Idaho County commissioners oppose the designation of additional wild and scenic rivers in Idaho County (Idaho County, 2016).

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

Meadow Creek is a very important tributary to the Selway River, a designated wild and scenic river that flows through two wilderness areas, the Frank Church River of No Return Wilderness Area at its headwaters and the Selway-Bitterroot Wilderness Area.

13. The potential for water resources development

No potential dam sites have been identified in Meadow Creek (Heitz & C.C. Warnick, 1980). The remote location of Meadow Creek and its distance from private land make future requests for water diversion unlikely.

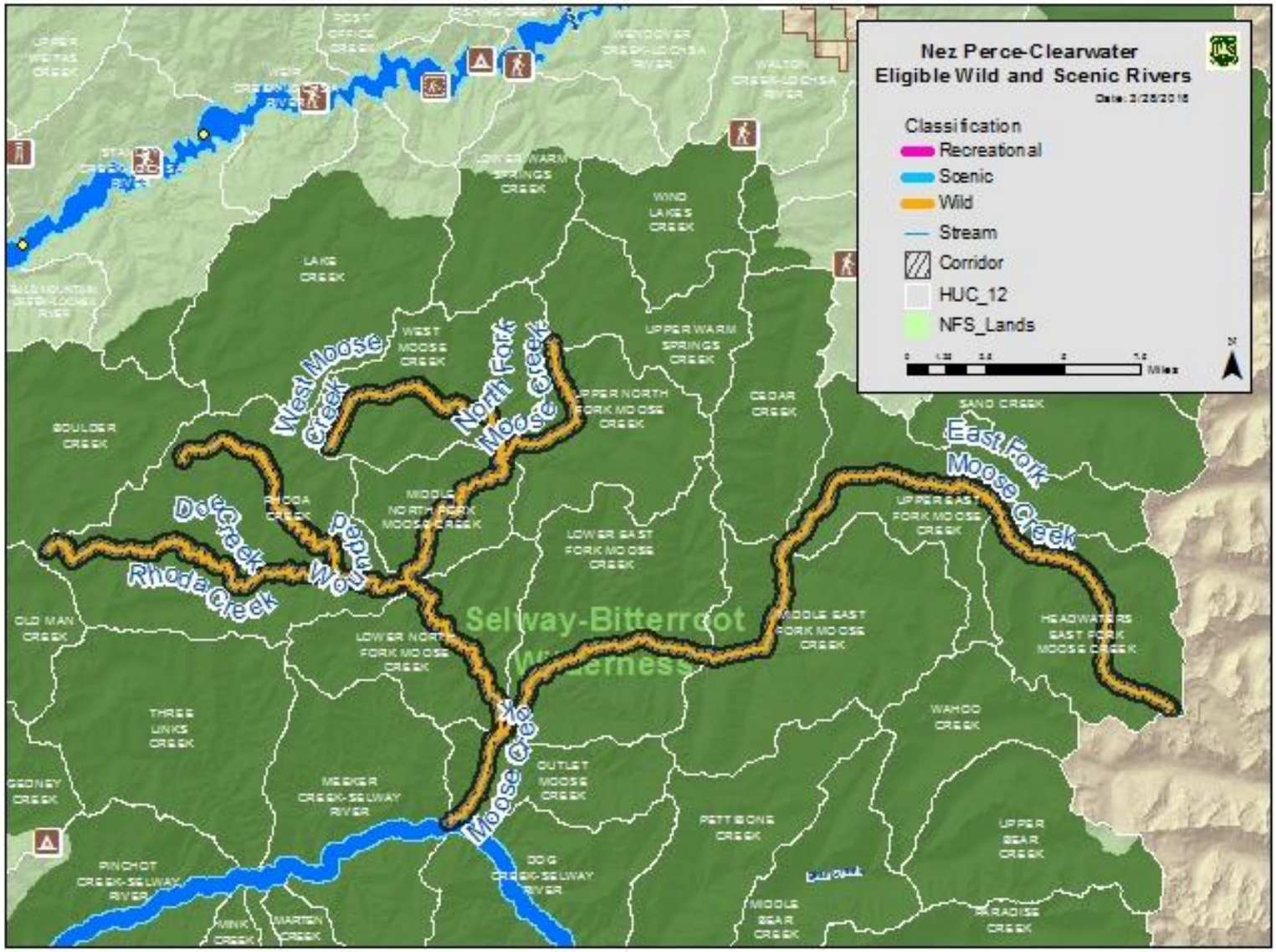
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Meadow Creek: eligible West Fork Meadow Creek and Buck Lake Creek: not eligible	Meadow Creek: suitable East Fork Meadow Creek and Buck Lake Creek: not suitable	Not suitable	Not suitable	Not suitable

Moose Creek, North Fork Moose Creek, West Moose Creek, East Fork Moose Creek, Rhoda Creek, and Wounded Doe Creek

Segment Description	Moose Creek: confluence with Selway River to East Fork Moose Creek North Fork Moose Creek: confluence with Moose Creek to headwaters West Moose Creek: confluence with North Fork Moose Creek to headwaters East Fork Moose Creek: confluence with Moose Creek to headwaters Rhoda Creek: Confluence with North Fork Moose Creek to headwaters Wounded Doe Creek: Confluence with Rhoda Creek to headwaters
Segment Length	93.8 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	30,016 acres
Preliminary Classification	Wild
Eligibility ORVs	Moose Creek, North Fork Moose Creek, and East Fork Moose Creek: scenic, cultural, and fish Rhoda Creek and West Moose Creek: scenic and fish Wounded Doe Creek: fish

Segment Map


Nez Perce-Clearwater
Eligible Wild and Scenic Rivers
Classification
Recreational
Scenic
Wild
Stream
Corridor
HUC_12
NFS_Lands
Miles
West Moose Creek
North Fork Moose Creek
East Fork Moose Creek
Moose Creek
Doe Creek
Rhoda Creek
Wolf Creek
Selway-Bitterroot Wilderness
LAKE CREEK
WEST MOOSE CREEK
UPPER WARM SPRINGS CREEK
WIND LAKES CREEK
UPPER NORTH FORK MOOSE CREEK
CEDAR CREEK
SAND CREEK
BOULDER CREEK
MIDDLE NORTH FORK MOOSE CREEK
LOWER EAST FORK MOOSE CREEK
UPPER EAST FORK MOOSE CREEK
MIDDLE EAST FORK MOOSE CREEK
HEADWATERS EAST FORK MOOSE CREEK
OLD MAN CREEK
LOWER NORTH FORK MOOSE CREEK
THREE LINKS CREEK
WAHOO CREEK
GEONEY CREEK
MEEKER CREEK-SELWAY RIVER
OUTLET MOOSE CREEK
PETTIBONE CREEK
UPPER BEAR CREEK
PINCHOT CREEK-SELWAY RIVER
DOG CREEK-SELWAY RIVER
MIDDLE BEAR CREEK
PARADISE CREEK
WINK CREEK
MARTEN CREEK

Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

High visual variety contributes to the scenic ORV for the segments of Moose Creek, North Fork Moose Creek, East Fork Moose, and Rhoda Creek. Rhoda Creek has stunning lakes and cliffs in its headwaters in the Selway Crags. The Moose Creek tributaries also have high visual variety of rocks, fast and slow moving water, and a variety of vegetation in their headwaters. Since the national forest includes 1.2 million acres of some of the most spectacular wilderness areas in the country, it is not surprising that many of the rivers with high scenic quality are found in a wilderness area. The Hiking the Selway Bitterroot Guide notes that only a few places, including the Selway Crags and the Bitterroot Divide, feature truly dramatic scenery (Steinberg, 2012). The designated Selway Wild and Scenic River flows through the heart of the Selway-Bitterroot Wilderness Area, and many of its tributaries have high scenic quality, particularly those with high cirque lakes and craggy peaks in their headwaters. West Moose Creek was originally found not eligible for a scenic ORV but was added based on public comment that West Moose Creek had similar scenery to the upper North Fork Moose Creek.

The fish ORV includes diversity and abundance, habitat quality, and natural reproduction. Rhoda Creek below its confluence with Wounded Doe Creek, and Wounded Doe Creek itself, support very high densities of fluvial bull trout. Wounded Doe Creek supports the highest known numbers of spawning fluvial bull trout in the Selway Basin and is among the highest in the region of comparison. Wounded Doe Creek also supports very high numbers of genetically unique westslope cutthroat trout with high genetic integrity. Rhoda and Wounded Doe creeks are designated critical habitat for bull trout, and a local population has been identified (US Fish and Wildlife Service, 2015). Eligible segments in Rhoda and Wounded Doe creeks are designated critical habitat for Snake River steelhead trout, and both are included as a major spawning area (National Marine Fisheries Service, 2017). Native spring Chinook salmon spawn and rear in the lower reaches of Rhoda Creek. Stream habitat is unaffected by human disturbances. Non-native aquatic species are not known to exist within eligible fish ORV segments in Wounded Doe and Rhoda creeks, although brook trout are present in Rhoda Creek upstream of the fish ORV segment.

West Fork Moose Creek is upstream from the range of anadromous fish and supports a large westslope cutthroat trout population with high genetic integrity. Stream habitat remains unaffected by human disturbance, and given its extreme remoteness and lack of trails, habitat is among the most pristine in the region of comparison. Multiple eligible segments within this watershed are included in the 2040 climate shield for westslope cutthroat trout and bull trout (Isaak, Young, Nagel, & Horan, 2015). A local bull trout population has been identified in the Upper North Fork Moose Creek HUC12 (US Fish and Wildlife Service, 2015), of which the eligible segments in West Fork Moose Creek are a part. They are also included as designated critical habitat for Columbia River bull trout. Non-native aquatic species are not known to occur in eligible segments.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Moose Creek, North Fork Moose Creek, West Moose Creek, East Fork Moose Creek, Rhoda Creek, and Wounded Doe Creek are meeting

water quality standards and fully supporting the following beneficial uses: aesthetic, cold water aquatic life, secondary contact recreation, wildlife habitat, and agricultural/industrial water supply.

The cultural ORV for Moose Creek is Forest Service administrative history. The Moose Creek Ranger Station is nationally known as a working historic ranger station deep within the Selway-Bitterroot Wilderness Area. East and North Fork Moose Creeks also have early Forest Service history associated with the Three Forks Ranger Station and the embodiment of early outdoor recreation at the Moose Creek Ranches locale.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

Moose Creek and all of its tributaries in this segment are within the Selway-Bitterroot Wilderness Area. There are no roads, motorized trails, mining claims, mapped rock sources, or allotments in this area. The Moose Creek Airstrip is within the Moose Creek corridor.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

The segments are within the Selway-Bitterroot Wilderness Area. No changes are anticipated to the land use within the wilderness area. Wilderness area designation withdraws the area from mineral entry, and water developments in wilderness areas must be authorized by the President.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridors are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

*1. **Desired Condition:** The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

*2. **Desired Condition:** In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridors or visible from the corridors.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

These corridors do not include any non-Federal lands so this is not applicable.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery

plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

The Idaho County Commissioners oppose designation of additional Wild and Scenic Rivers in Idaho County (Idaho County, 2016).

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

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The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two

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protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

Moose Creek is one of the largest tributaries to the Selway River, a designated wild and scenic river. Moose Creek and its tributaries, East Fork Moose Creek and North Fork Moose Creek, as well as North Fork Moose Creek's tributaries West Moose Creek, Rhoda Creek, and Wounded Doe Creek are very important fish habitat as part of the larger system of the Selway River. These streams contribute to river system integrity by providing important fish diversity and abundance, habitat quality, and natural reproduction primarily in a wilderness setting.

13. The potential for water resources development

Potential dam locations were identified on East Fork Moose Creek and West Fork Moose Creek. A dam used to generate power was at the former Moose Creek Ranches property at the forks of Moose Creek and the remains are visible. A smaller dam was in a tributary to Moose Creek at the former Seminole or Freeman Ranch. Both properties were transferred to the Forest Service.

There is no longer private land along Moose Creek, so it is unlikely that any water diversion would be requested. The Forest Service has water rights for its uses at the Moose Creek Ranger Station.

Segment Suitability Determination

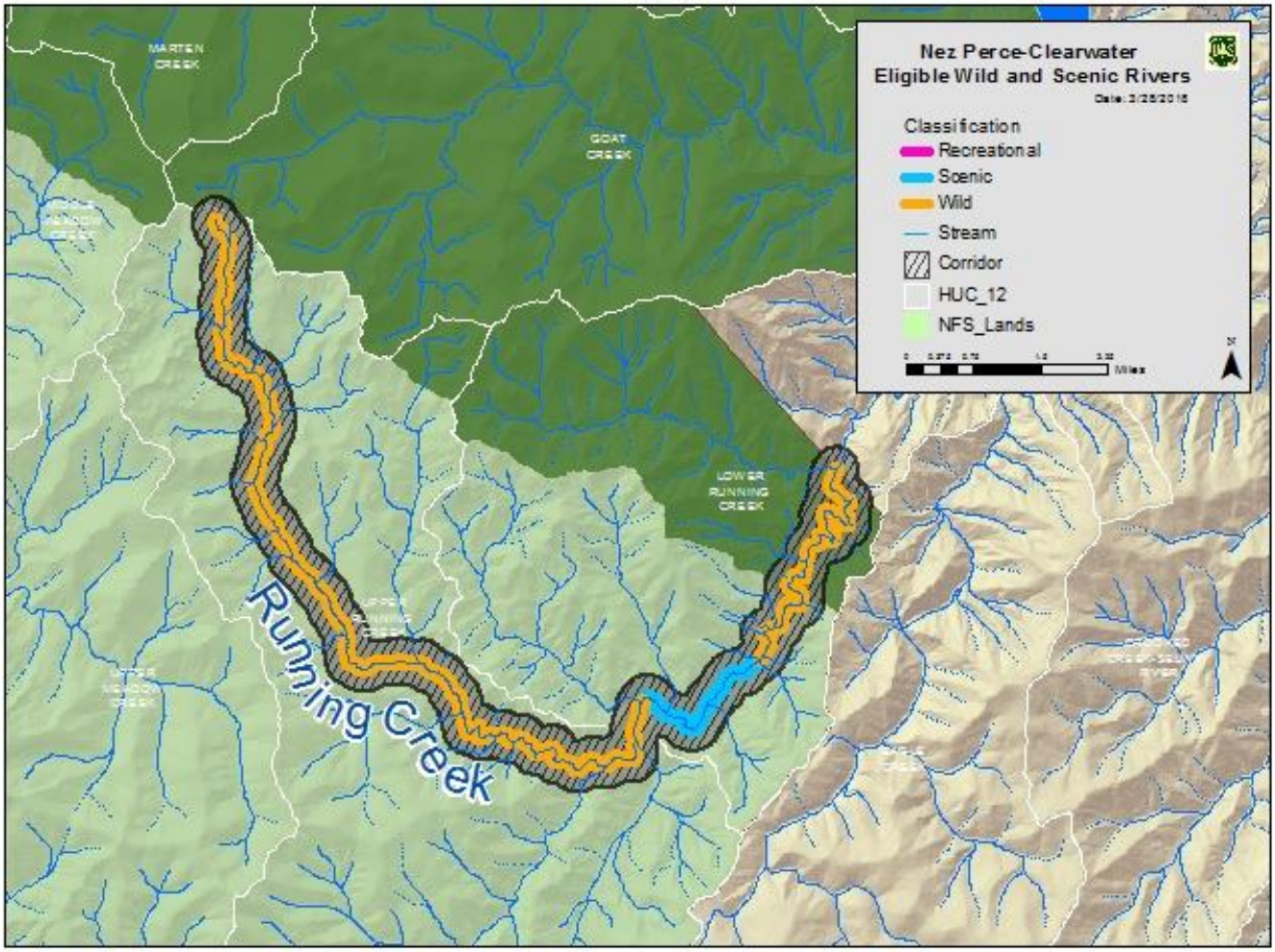
Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible[1]	Not suitable	Not suitable	Not suitable	Suitable

[1] Moose Creek, E. Fork Moose Creek, North Fork Moose Creek, West Moose Creek and Rhoda Creek are eligible under the 1987 Forest Plan. Wounded Doe Creek is not eligible under the 1987 Forest Plan.

Running Creek

Segment Description	Headwaters to national forest boundary
Segment Length	16.85 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	5,392 acres
Preliminary Classification	Upper and lower portions: wild Middle segment: scenic
Eligibility ORVs	Nez Perce Tribe cultural

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

Nez Perce tribal staff identified this segment as having cultural and historic importance to the Nez Perce Tribe.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Running Creek is meeting water quality standards and fully supporting the following beneficial uses: aesthetic, cold water aquatic life, salmonid spawning, secondary contact recreation, wildlife habitat, and agricultural/industrial water supply.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests. Running Creek's headwaters are within the East Meadow Creek Idaho Roadless Area (mostly within the primitive theme area then passing through the special area of historic and tribal significance before reentering the primitive theme area). It then flows into the Selway-Bitterroot Wilderness Area and into the Bitterroot National Forest. The East Meadow Creek Idaho Roadless Area (special area of historic and tribal significance theme area) is also the Warm Springs Creek RNA.

Running Creek Road, FR 357, is the only road within the corridor and it allows for seasonal ML 2 access to the creek east of the RNA.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational at FR 357, changes to existing motorized use would not be anticipated. The area has been managed to protect the primitive theme of an Idaho Roadless Area. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If this segment is found suitable, the scenic designation would cause increased restrictions for timber harvest and would likely foreclose timber harvest as an option for vegetation restoration. This option would likely be foreclosed on 253 acres within the warm dry PVT group and 89 acres within the warm moist PVT group.

Also within Idaho Roadless Areas that allow timber harvest, one segment would be designated wild if found suitable. Timber harvest is not used extensively in this area. However, if this segment is found suitable, timber harvest would be foreclosed as an option for forest vegetation restoration on 374 acres within the cold PVT group, 756 acres within the cool moist PVT group, 1,180 acres within the warm dry PVT group, and 89 acres within the warm moist PVT group.

A wild designation would curtail motorized use in this area.

No changes are anticipated to the land use within roadless areas. The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy in primitive and special area of historic and tribal significance theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

No changes are anticipated to the land use within the wilderness area. Wilderness area designation withdraws the area from mineral entry and water developments in wilderness areas must be authorized by the President.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests and Bitterroot National Forest) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state.

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8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This corridor does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

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In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

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Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

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Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

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Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly

remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

This creek was identified as being an important contributor to the river system and to basin integrity. Multiple ORVs have been identified corresponding to the creek's potential to support recovery goals of ESA-listed aquatic species. This creek is one of the larger tributaries in the subbasin or basin. As such, it plays an important ecological role in providing clean, free flowing water and habitat for fish and wildlife species. It also is often critically important culturally in the present day, historically, and prehistorically.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on Federal land and is very remote. While dam construction is possible, it is unlikely.

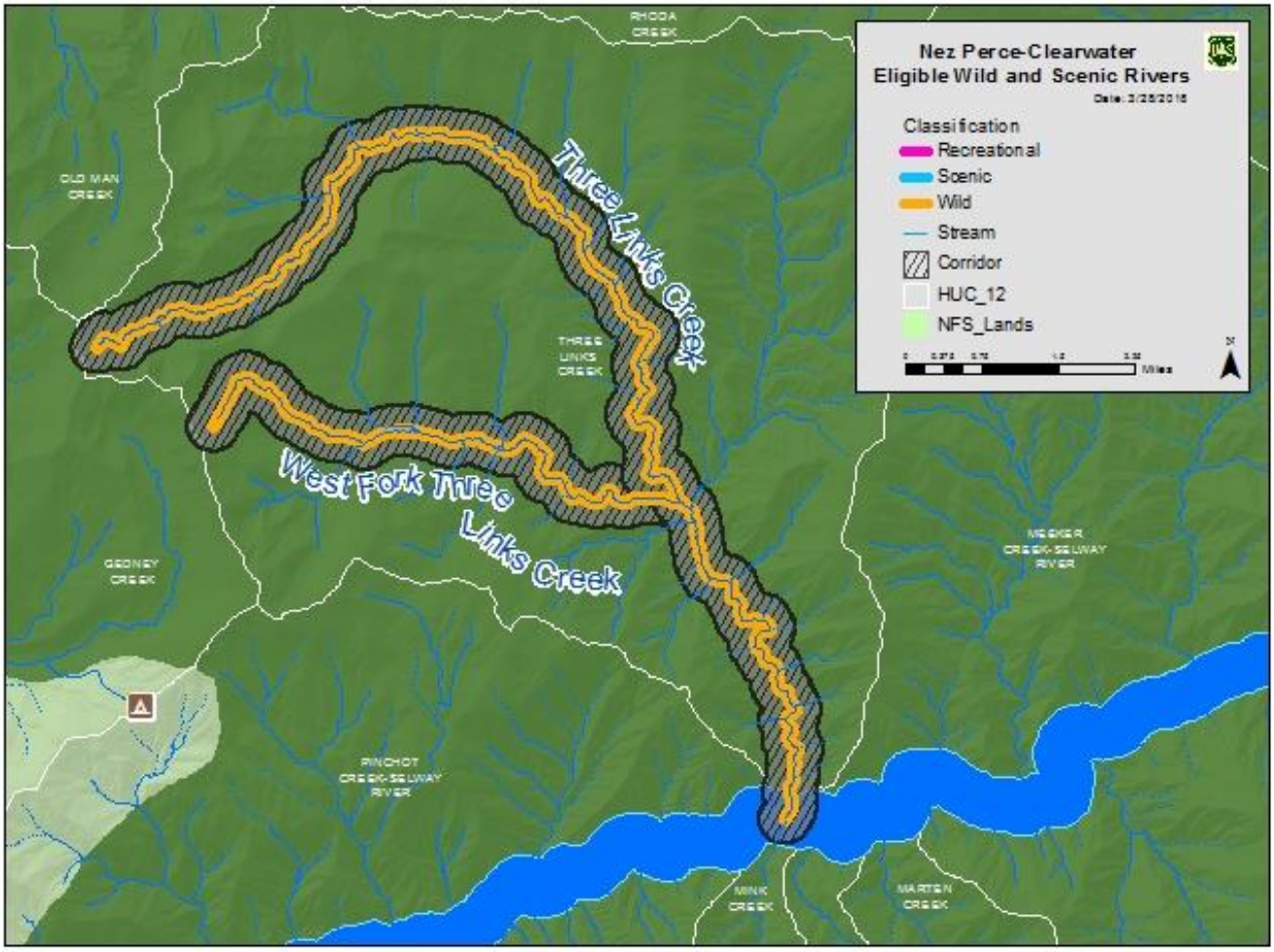
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Not suitable	Not suitable	Not suitable	Suitable

Three Links Creek and West Fork Three Links Creek

Segment Description	Three Links Creek: confluence with Selway River to headwaters West Fork Three Links Creek: confluence with Three Links Creek to headwaters
Segment Length	20.67 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	6,614.4 acres
Preliminary Classification	Wild
Eligibility ORVs	Scenic

Segment Map

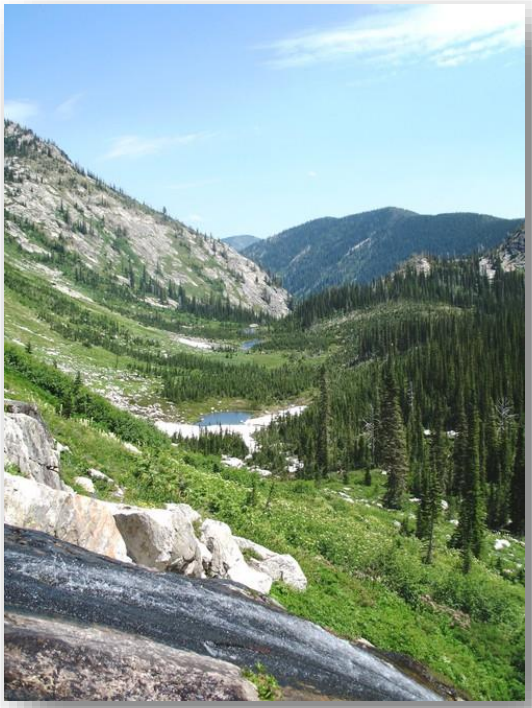


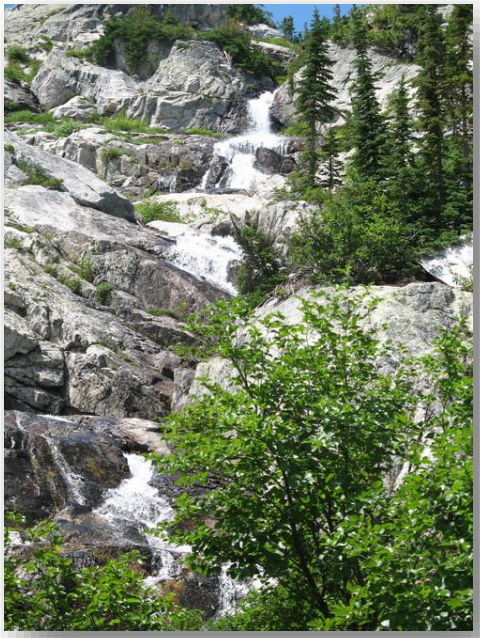
Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

Three Links Creek includes both specific features, such as waterfalls and lakes, in addition to a unique combination of fast and slow moving water, rocks, cliffs, and vegetation. The high visual variety contributes to the scenic ORV for the segments of Three Links Creek and West Fork Three Links Creek. Three Links Creek also has a 400-foot waterfall comprised of a series of drops and slides falls. Since the national forest includes 1.2 million acres of some of the most spectacular wilderness areas in the country, it is not surprising that many of the rivers with high scenic quality occur in a wilderness area. The Hiking the Selway Bitterroot Guide notes that only a few places, including the Selway Crags and the Bitterroot Divide, feature truly dramatic scenery (Steinberg, 2012). The designated Selway Wild and Scenic River flows through the heart of the Selway-Bitterroot Wilderness Area, and many of its

tributaries have high scenic quality, particularly those with high cirque lakes and craggy peaks in their headwaters.





The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Three Links Creek and West Fork Three Links Creek are meeting water quality standards and fully supporting the following beneficial uses: aesthetic, cold water aquatic life, secondary contact recreation, wildlife habitat, and agricultural/industrial water supply.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

These creeks are within the Selway-Bitterroot Wilderness Area.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

No changes are anticipated to the land use within the wilderness area. Wilderness area designation has withdrawn the area from mineral entry, and water developments in wilderness areas must be authorized by the President.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridors are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional Designated or Suitable Wild and Scenic Rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

2. ***Desired Condition:*** *In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This corridor does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

The Idaho County commissioners oppose the designation of additional wild and scenic rivers in Idaho County (Clearwater County, 2018).

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

Three Links Creek and West Fork Three Links Creek have a scenic ORV related primarily to waterfalls and lakes in the headwaters. Since the scenery is site-specific, it does not contribute to river system integrity. The surrounding landscape in the basin is protected as part of the wilderness area.

13. The potential for water resources development

No potential dam sites have been identified in either creek. Due to the remoteness of the area and the distance to private land, it is unlikely these creeks would be diverted.

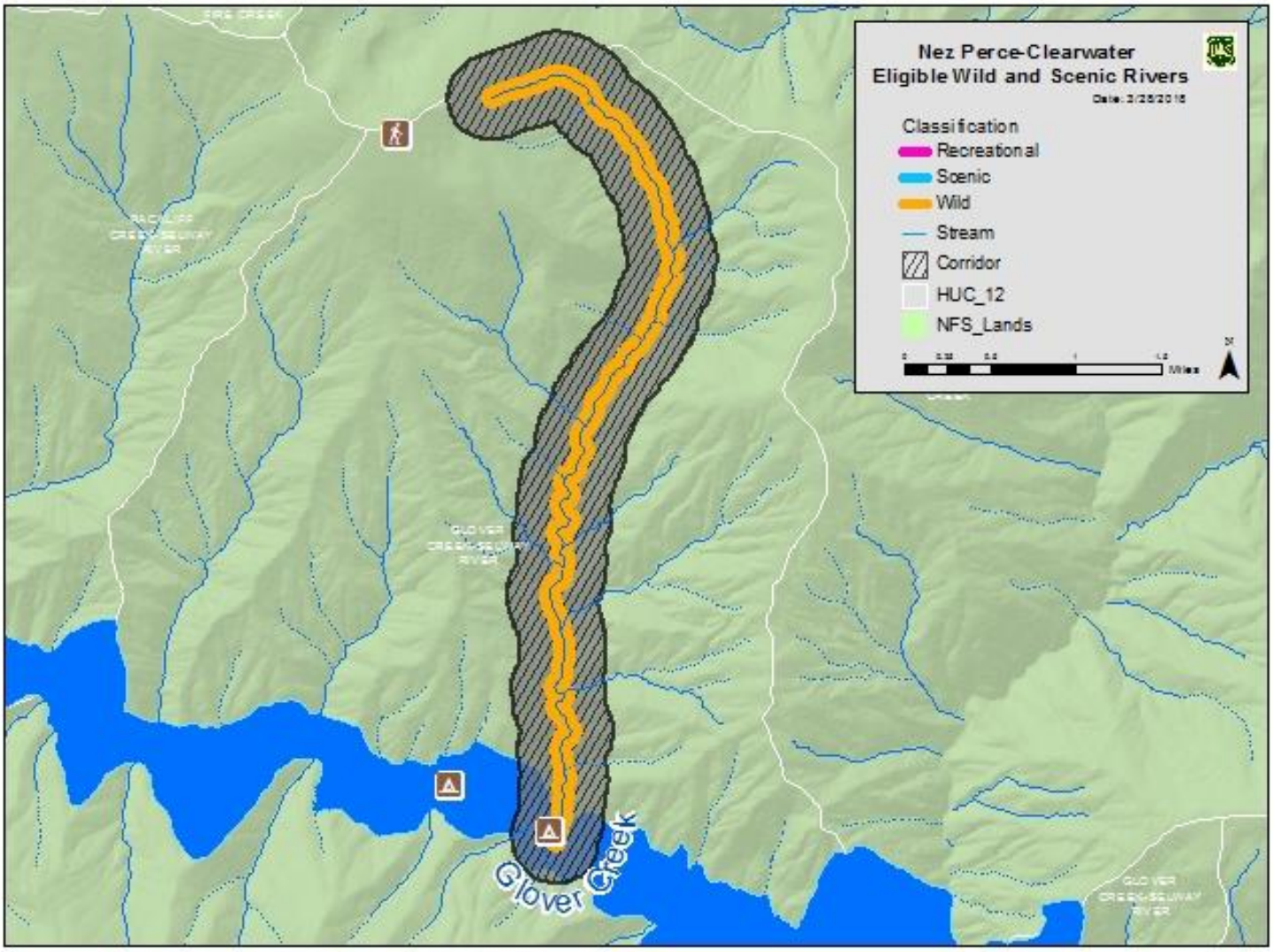
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Not suitable	Not suitable	Not suitable	Not suitable

Glover Creek

Segment Description	Headwaters to Selway River confluence
Segment Length	5.80 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	1,898 Acres
Preliminary Classification	Wild
Eligibility ORVs	Wildlife (CDA salamander)

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The Coeur D'Alene salamander is a regional endemic, limited to a global distribution of northern Idaho, extreme northwestern Montana, and minimally distributed in far southeastern British Columbia. The North Fork Clearwater River and St. Joe River drainages in Idaho and the lower Clark Fork and Kootenai Rivers in Montana comprise the core of the distribution (Wilson & Simmons, 1987), (Genter, Wilson, &

Simmons), (Groves, 1988), (NatureServe, 2017)). The Selway River represents the southern extent of species range. Coeur d'Alene salamanders have been found in springs or seeps, waterfall spray zones, and edges of streams. It is distributed irregularly across its range in association with sharply fractured rock formations. Genetic evidence suggests there is little to no genetic exchange between populations (Howard, Seeb, & Wallace, 1993). Populations of the Couer D'alene salamanders in the North Fork Clearwater, Lochsa and Selway Rivers contain distinct haplotypes (genetically distinct) for the species (Carstens, Sullivan, & Degenhardt, 2004) . Glover creek is one of the locations of the Selway haplotype (or genotype).

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Glover Creek is meeting water quality standards and fully supporting the following beneficial uses: cold water aquatic life, secondary contact recreation, and salmonid spawning.

2. The current status of land ownership and use in the area

Glover Creek is within the Radcliff-Gedney Idaho Roadless Area and fully on US Forest Service administered lands (Nez Perce-Clearwater National Forests). The roadless rule theme of the IRA is backcountry restoration.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated. The area has been managed consistent with the backcountry restoration theme of the Idaho Roadless Area.

A wild designation would curtail motorized use in this area.

The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for backcountry/restoration areas, surface occupancy is allowed unless prohibited by the forest plan. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

Within Idaho Roadless Areas that allow timber harvest, one segment would be designated wild if found suitable. Timber harvest is not used extensively in this area. However, if this segment is found suitable, timber harvest would be foreclosed as an option for forest vegetation restoration on 131 acres within the cold PVT group, 151 acres within the cool moist PVT group, 259 acres within the warm dry PVT group, and 750 acres within the warm moist PVT group.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state.

Idaho County does not support any additional Designated or Suitable Wild and Scenic Rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

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The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

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[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the

Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly

remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creek's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on Federal land and is very remote. While dam construction is possible, it is unlikely.

Segment Suitability Determination

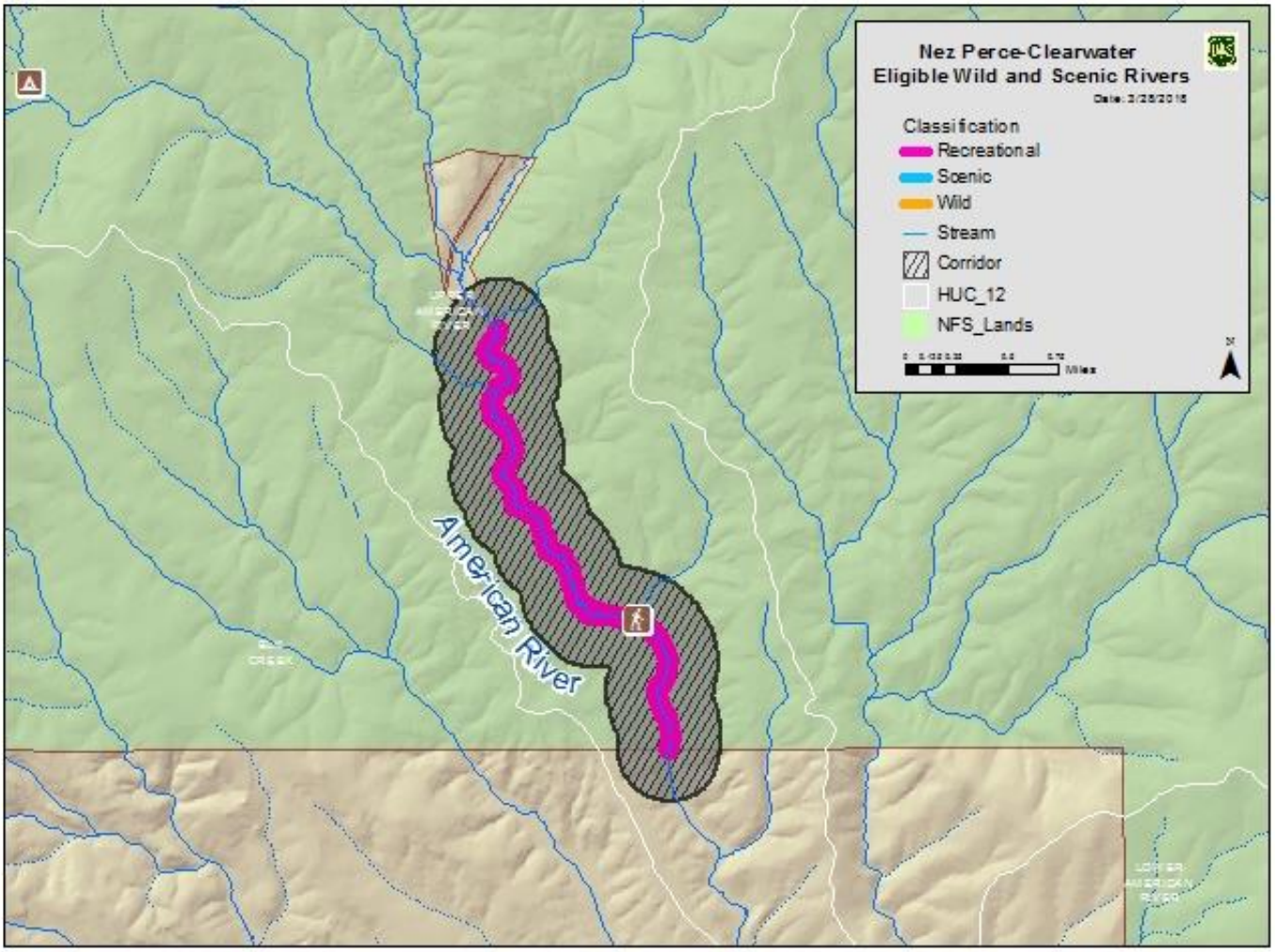
Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

South Fork Clearwater River Basin

American River

Segment Description	Upstream of the national forest boundary to private land boundary in Section 21, T.30N., R.8E
Segment Length	2.97 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	950.4 acres
Preliminary Classification	Recreational
Eligibility ORVs	Wildlife (western pearlshell mussel)

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The wildlife ORV is based on the known presence of western pearlshell mussels, an indigenous river dependent wildlife species. A large population has been identified throughout the eligible reaches, with multiple age classes, and abundance is among the highest among known within the region of comparison. Western pearlshell mussel is a species of conservation concern as of 2014, and the Nez Perce-Clearwater National Forest is a stronghold for this species. Historically, the western pearlshell was widespread across western North America, including most of Idaho. Once the most common mussel in the Pacific Northwest, it is now increasingly rare. Although the species continues to persist in most

forested streams across the state, it has been lost from large stretches of the Snake, Big Wood, Big Lost, Little Lost, Malad, Raft, Payette, Portneuf, Boise, Clearwater, and Bruneau rivers. The population in the American River is particularly impressive with its high densities of mussels.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. American River is listed as impaired (class 4A) for water temperature, physical substrate habitat alterations, and sedimentation/siltation and is not supporting cold water aquatic life and salmonid spawning beneficial uses. It is fully supporting primary contact recreation. It is included in the EPA approved South Fork Clearwater River TMDL Plan. A TMDL implementation plan is a water quality improvement strategy that includes the development of the TMDL allocated to a stream.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests; however, the areas above the proposed segment are in private ownership and below it is BLM administered land.

The American River corridor is within forest plan revision proposed MA 3. Developments and roads in the corridor include Flint Creek Trailhead, FR 443 (ML 3), FR 2541, and a four ML 1 roads. Three Forest Service rock pit sites are within the corridor: American River, Flint Creek, and Rumpus Creek.

The corridor on NFS lands suitable for timber production, proposed MA 3, has been managed for timber production under the 1987 Forest Plan and timber harvest has occurred along the segment.

About one mile of the segment is in the American River grazing allotment.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

The proposed segment is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 641 acres of the segment classified as recreational that overlaps with proposed MA 3. If timber harvest is curtailed on these lands, forest vegetation restoration would be curtailed on 54 acres within the cool moist PVT group, 182 acres within the warm dry PVT Group, and 404 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Areas along the river provide winter habitat for big game, and of particular interest, for elk. Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

A variety of wildlife species, both those that are river dependent and those that are not, that have habitat within the river corridor would benefit from protections provided through the Wild and Scenic River Act. Of particular note is the presence of high quality habitat for the fisher, which is distributed along this river. The watershed contains large amounts of fisher habitat outside of the river corridor, and only the habitat within this river corridor would be protected if this river is included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

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*2. **Desired Condition:** In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

There are private lands upstream of the segment. If changes in water quality and sedimentation occur from land use on private land above and below the proposed section, habitat could be affected.

Idaho County does not have local zoning or land use controls. Prevention of incompatible development on private land would depend on private property owner voluntary participation, education, and outreach.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

State Protected River System: As outlined in the 2012 Idaho State Water Plan, the IWRB is authorized to protect highly valued waterways as "State Protected Rivers" with the goal of maintaining free-flowing waterways and conserving unique river features where it is in the public interest to protect recreational, scenic, and natural values. "State Protected Rivers" are designated natural or recreational.

American River was identified in the Comprehensive State Water Plan for the South Fork Clearwater River Basin (Idaho Water Resources Board, 2005). It is designated a recreational river and may include some man-made development in the waterway or riparian area. The outstanding values recognized are recreational use, fish species of concern, salmonid spawning, and streamside montane meadows. The following activities are prohibited: alterations of the stream channel, except as allowed with specific provisions; construction of hydropower projects; construction of water diversion works; construction or expansion of dams or impoundments; dredge or placer mining; and mineral or sand and gravel extraction within the stream channel. The following activities are allowed if they do not impede fish passage, spawning, rearing and boat passage: 1) alterations of the stream channel for construction and maintenance of roads, bridges, and trails; public recreation facilities; fish and wildlife enhancement structures; and channel reconstruction projects approved by the IWRB; and 2) construction of water diversion works for domestic, municipal, and agricultural uses. All activities must comply with all state

stream channel alterations rules and standards. All works must be constructed or maintained to minimize erosion and sedimentation.

All landowners, – private, State, and Federal, are encouraged to manage their lands consistent with the IWRB's protection designations. The IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursue Federal protection of waters within Idaho.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop

the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments

and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this river's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. While dam construction is possible, it is unlikely.

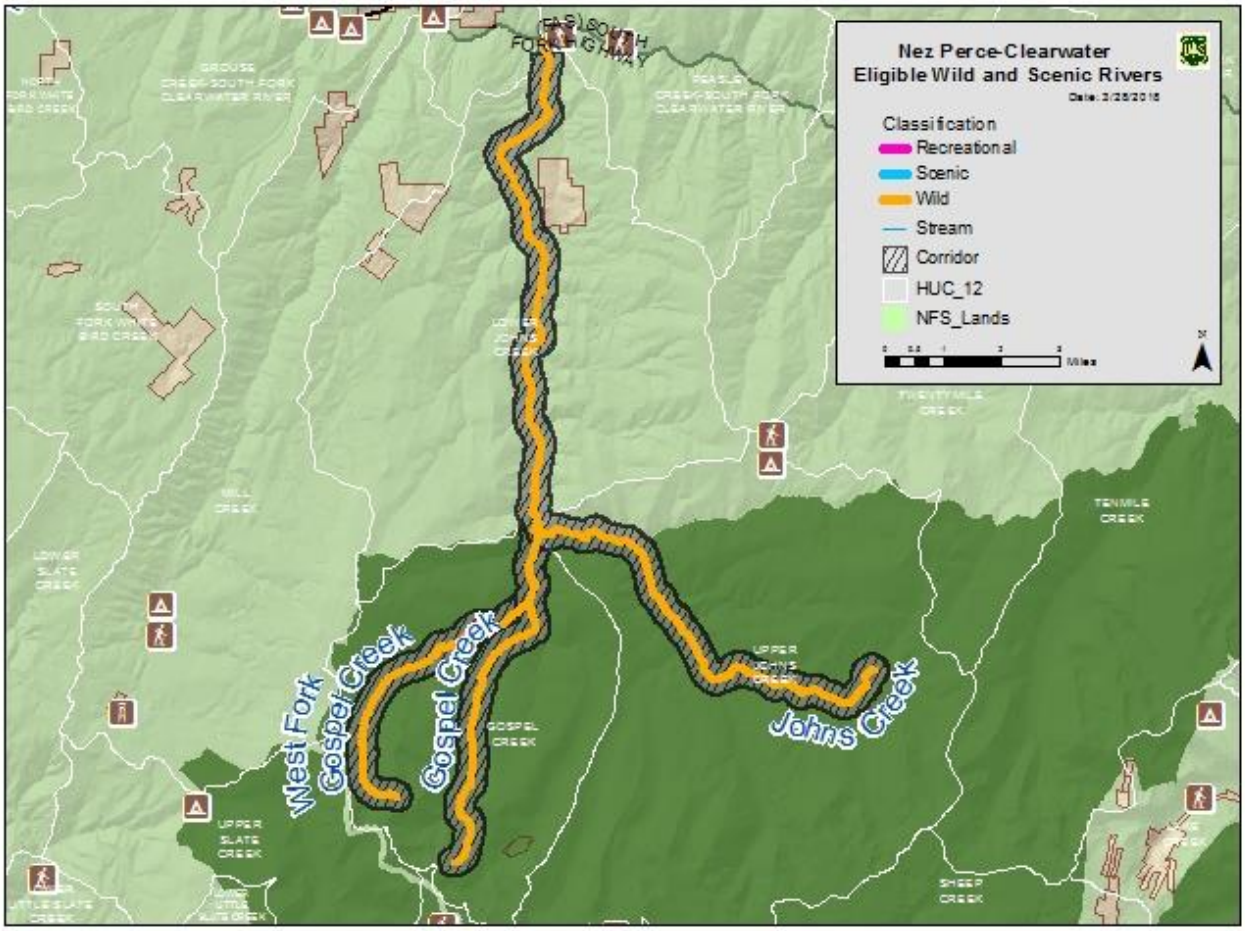
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Johns Creek, Gospel Creek, and West Fork Gospel Creek

Segment Description	Johns Creek: confluence with South Fork Clearwater River to Boundary Creek Gospel Creek: confluence with Johns Creek to headwaters West Fork Gospel Creek: confluence with Gospel Creek to headwaters
Segment Length	29.83 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	9,545.6 acres
Preliminary Classification	Wild
Eligibility ORVs	Johns Creek: scenic and fish Gospel Creek and West Fork Gospel Creek: scenic

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The fish ORV for Johns Creek includes diversity and abundance, habitat quality, and natural reproduction. Johns Creek supports significant spawning and early rearing of wild B-run steelhead trout within the lower South Fork Clearwater subbasin and the region of comparison. Eligible segments are included as designated critical habitat for Snake River steelhead and Columbia River bull trout. Segments are included as a minor spawning area for steelhead (National Marine Fisheries Service, 2017), and a local population of bull trout has been identified (US Fish and Wildlife Service, 2015). Headwater tributaries in the higher elevation portions of Johns Creek are included in the modeled 2040 climate shield for bull and westslope cutthroat trout (Isaak, Young, Nagel, & Horan, 2015) with moderate probability. Habitat in eligible segments supports spawning and early rearing for spring Chinook salmon. Fluvial and resident populations of westslope cutthroat trout are present in eligible segments. There are no known non-native aquatic species present in Johns Creek.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Johns Creek and Gospel Creek (above confluence WF Gospel) are listed as impaired (class 4A) for water temperature and are not supporting cold water aquatic life and salmonid spawning beneficial uses. They are fully supporting secondary contact recreation. The creeks are included in the EPA approved South Fork Clearwater River TMDL Plan. A TMDL implementation plan is a water quality improvement strategy that includes the development of the TMDL allocated to a stream. Gospel Creek (below the confluence with West Fork Gospel Creek) and West Fork Gospel Creek are meeting water quality standards and are fully supporting the following beneficial uses: aesthetic, cold water aquatic life, salmonid spawning, secondary contact recreation, wildlife habitat, and agricultural/industrial water supply.

The scenic ORV for Johns Creek is a deeply incised, rugged canyon that provides distant views. The headwaters of Gospel Creek and West Fork Gospel Creek (tributaries to Johns Creek) have high cirque lakes and dramatic cliffs within the Gospel Hump Wilderness Area.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

The headwaters of the Johns Creek segment is within the Gospel-Hump Wilderness Area. The east side of Johns Creek from the mouth to Gospel Creek is in forest plan revision proposed MA 2. The west side of Johns Creek is in proposed MA 3, which would be suitable for timber production. The only developments are non-motorized trails and State Highway 14 at the mouth of Johns Creek.

West Fork Gospel Creek and Gospel Creek are within the Gospel-Hump Wilderness Area. Only non-motorized trails are in this area.

Johns Creek is within a portion of the Sourdough Geographic Area. The Johns Creek Watershed portion of the geographic area is proposed to be within MA 2 and designated as non-motorized. Additionally, timber harvest would not be done for purposes of timber production.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

A portion of Johns Creek is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest would be foreclosed on 981 acres of the segment classified as wild that overlaps with proposed MA 3. If timber harvest is foreclosed on these lands, forest vegetation restoration would be curtailed 799 acres within the warm dry PVT group and 182 acres within the warm moist PVT group. Management activities near the creeks would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

No changes are anticipated to land use within the Gospel-Hump Geographic Area.

No changes are anticipated to land use within the wilderness area. Wilderness area designation withdraws the area from mineral entry, and water developments in wilderness areas must be authorized by the President.

Areas along these rivers provide important winter and summer habitat for big game, and of particular interest, for elk. Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

A variety of wildlife species, both those that are river dependent and those that are not, have habitat within the river corridor and would benefit from protections provided through the Wild and Scenic River Act. Of particular note is the presence of high quality habitat for the fisher, which is distributed along Johns Creek. The watershed contains only limited amounts of fisher habitat outside of the creek corridor, but only the habitat within this corridor would be protected if this creek is included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridors are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

The Idaho County commissioners do not support the designation of additional wild and scenic rivers in Idaho County (Idaho County, 2016).

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This corridor does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

State Protected River System: As outlined in the 2012 Idaho State Water Plan, the IWRB is authorized to protect highly valued waterways as "State Protected Rivers" with the goal of maintaining free-flowing waterways and conserving unique features where it is in the public interest to protect recreational, scenic, and natural values. "State Protected Rivers" are designated natural or recreational.

Gospel Creek, West Fork Gospel Creek, and Johns Creek were identified in the Comprehensive State Water Plan for the South Fork Clearwater River Basin (Idaho Water Resources Board, 2005). They are designated as natural rivers and are free of substantial impoundments, dams, or other structures, and the riparian area is largely undeveloped. The outstanding values recognized for Gospel Creek and West Fork Gospel Creek are recreational use and fish species of concern. The outstanding values recognized for Johns Creek are recreational use, fish species of concern, and salmonid spawning. The following activities are prohibited: alterations of the stream channel; construction of hydropower projects; construction of water diversion works; construction or expansion of dams or impoundments; dredge or placer mining; and mineral or sand and gravel extraction within the stream channel.

All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB's protection designations. The IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursue Federal protection for waters within Idaho.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

Additionally, local motorized recreation user groups and Idaho County would like to see a motorized trail cross John's Creek in the future. A finding of suitability or designation with a wild classification would prohibit such action from occurring.

12. The river's contribution to river system integrity or basin integrity

Johns Creek supports significant spawning and early rearing of wild B run steelhead trout within the lower South Fork Clearwater subbasin and the region of comparison. Eligible segments are included as designated critical habitat for Snake River steelhead and Columbia River bull trout. Segments are included as a minor spawning area for steelhead (NMFS 2017), and a local population of bull trout has been identified (USFWS 2015). Headwater tributaries in the higher elevation portions of Johns Creek are include in the modeled 2040 climate shield for bull and westslope cutthroat trout (Isaak et al. 2015), with moderate probability. Habitat in eligible segments supports spawning and early rearing for spring Chinook salmon. Fluvial and resident populations of westslope cutthroat trout are present in eligible segments. There are no known non-native aquatic species present in Johns Creek.

These streams were identified as being important contributors to the river system and to the basin integrity. Multiple ORVs have been identified, including a fish ORV corresponding to the streams' potential to support recovery goals of ESA-listed aquatic species. These streams are some of the larger tributaries in the subbasin or basin. As such, they play an important ecological role in providing clean, free flowing water and habitat for fish and wildlife species. They also are often critically important culturally in the present day, historically, and prehistorically.

13. The potential for water resources development

Water resources development is unlikely. These creeks are entirely on Federal land and are very remote. While dam construction is possible, it is unlikely.

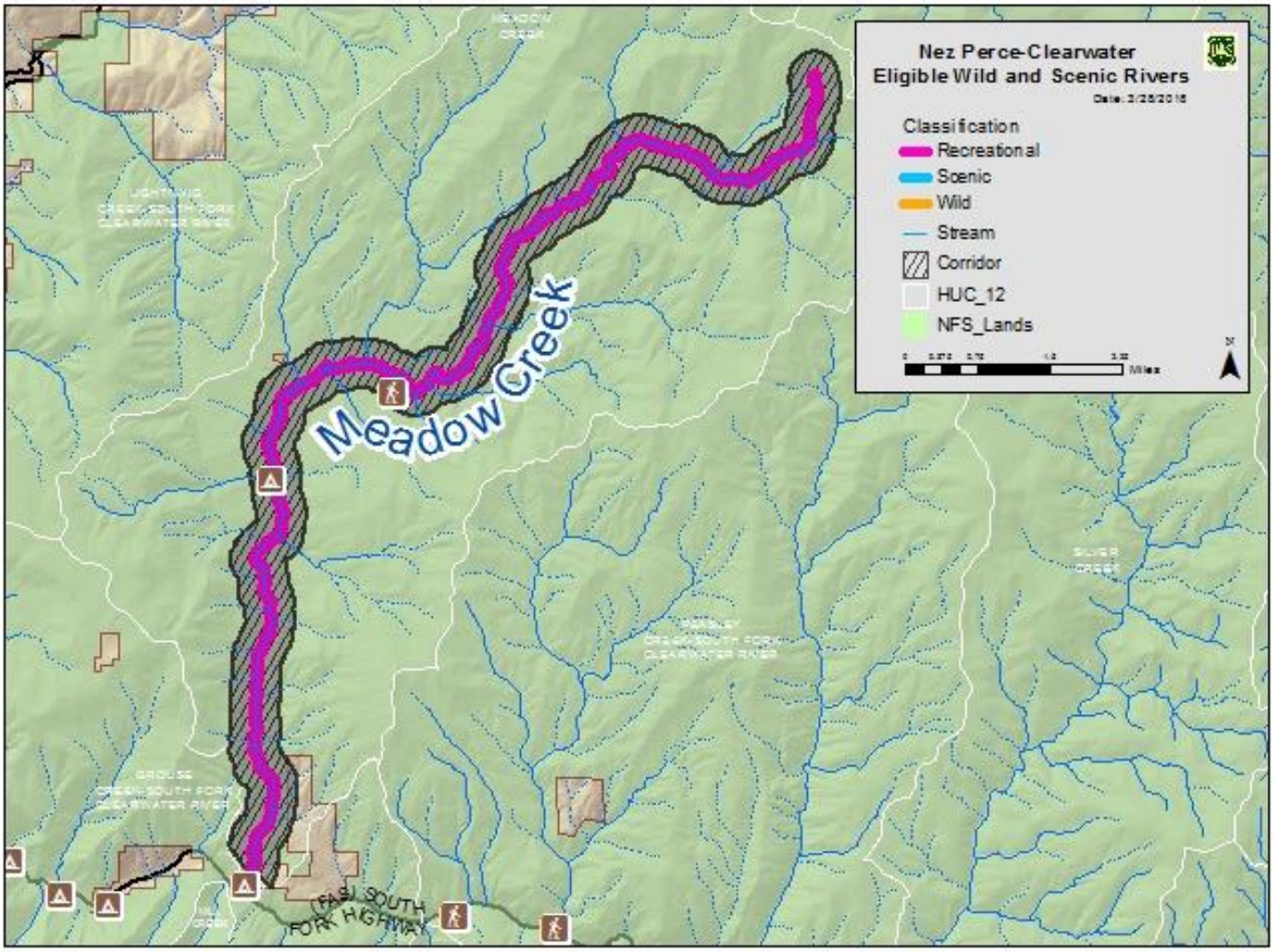
Segment Suitability Determination

Segment	Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Johns Creek	Eligible	Suitable	Not suitable	Not suitable	Suitable
Gospel Creek	Not eligible	Not suitable	Not suitable	Not suitable	Not suitable
West Fork Gospel Creek	Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Meadow Creek (South Fork Clearwater River)

Segment Description	Meadow Creek: confluence with South Fork Clearwater River to headwaters
Segment Length	14.67 miles (including about 0.17 miles on private land)
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	4,694.4 acres (including about 75 acres in private ownership)
Preliminary Classification	Recreational
Eligibility ORVs	Nez Perce Tribe cultural and fish

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

Nez Perce tribal staff identified this segment as having cultural and historic importance to the Nez Perce Tribe.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Meadow Creek is listed as impaired (class 4A) for water temperature, physical substrate habitat alterations, and sedimentation/siltation and is not supporting cold water aquatic life and salmonid spawning beneficial

uses. It is fully supporting secondary contact recreation. It is included in the EPA approved South Fork Clearwater River TMDL Plan. A TMDL implementation plan is a water quality improvement strategy that includes the development of the TMDL allocated to a stream.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests. The segment is within forest plan revision proposed MA 3, suitable timber base.

Developments within the corridor include the Meadow Creek Campground (three sites) and the Swan Creek Trailhead. Also ML 3 roads FR 244, FR 484, FR 648, FR 1852, FR 1851, and FR 1105 and ML 2 roads FR 451 and FR 1857 are within the corridor. Motorized trails, including Swan Creek Trail and Yew Ridge, are also within the corridor. These trails allow for ATV and motorcycle use.

There are a number of Forest Service rock pit sites in the corridor, including Rock Creek, Storm Creek I, Meadow Creek, Meadow Rock, Storm Creek, and Orchard Creek.

Meadow Creek is within the Earthquake and Meadow-Lighting grazing allotments.

The corridors on NFS lands suitable for timber production, proposed MA 3, have been managed for timber production under the 1987 Forest Plan and timber harvest has occurred along the segments.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A wild designation would curtail motorized use in this area.

A portion of the segments are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 3,003 acres if the segment is designated recreational. If timber harvest is curtailed on these lands, restoration of forested vegetation would be curtailed on 757 acres within the warm dry PVT group and 2,246 acres within the warm moist PVT group.

Management activities near the creek would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Areas along the creek provide both summer and winter habitat for big game, and of particular interest, for elk. Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

The corridor provides habitat for mountain quail, Lewis's woodpecker, and the white-headed woodpecker. Habitats for some of these species was maintained by frequent fires. Because of fire suppression, these habitats may require active management to restore or maintain them. Methods

available to restore or maintain these habitats may be restricted (mechanical vegetation manipulation, versus prescribed fire, etc.) depending on measures required to protect these ORVs.

A wide variety of wildlife species, both those that are river dependent and those that are not, that have habitat within the corridor would benefit from protections provided through the Wild and Scenic River Act. For example, high quality habitat for fishers occurs along the upper reaches of the creek. Conservation of these habitats within the corridor would be improved should the creek be included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

The Forest Service's authority for finding a creek eligible or suitable only applies to NFS lands. Only the Forest Service administered portions of the creek would be managed as eligible or suitable. At this time, the Forest Service is not pursing acquisition of lands or interests in lands on the basis of wild and scenic rivers. However, should Meadow Creek be added to the national system by Congress, Congress may or may not authorize and/or direct the Forest Service to pursue acquisition of lands or land interests, potentially affecting up to 75 acres of private land within the corridor. As it is not reasonably foreseeable that Congress would direct the agency to acquire lands or land interests, the cost of such action is not being calculated at this time.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

*1. **Desired Condition:** The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

*2. **Desired Condition:** In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

As such, it is not expected that county or local governments would participate in preservation or administration of the creek.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

Idaho County does not have local zoning or land use controls. Prevention of incompatible development on private land would depend on private property owner voluntary participation, education, and outreach.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

No non-Federal lands would be affected by an agency finding that the river is suitable. ORVs were determined based on their presence on Forest Service administered lands.

The State's ability to manage and protect water resources and fish and wildlife habitat is demonstrably high.

The State's ability to maintain free flow is not as evident.

The State's or county's ability to manage for scenery, geologic, botanic, or cultural values is less apparent, especially given the county's opposition to additional wild and scenic rivers.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation of a creek segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

State Protected River System: As outlined in the 2012 Idaho State Water Plan, the IWRB is authorized to protect highly valued waterways as “State Protected Rivers” with the goal of maintaining free-flowing waterways and conserving unique river features where it is in the public interest to protect recreational, scenic, and natural values. “State Protected Rivers” are designated natural or recreational.

Meadow Creek was identified in the Comprehensive State Water Plan for the South Fork Clearwater River Basin (Idaho Water Resources Board, 2005). It is designated a recreational river and may include some man-made development in the waterway or riparian area. The outstanding values recognized are recreational use, fish species of concern, salmonid spawning, and streamside montane meadows. The following activities are prohibited: alterations of the stream channel, except as allowed with specific provisions; construction of hydropower projects; construction of water diversion works; construction or expansion of dams or impoundments; dredge or placer mining; and mineral or sand and gravel extraction within the stream channel. The following activities are allowed if they do not impede fish passage, spawning, rearing and boat passage: 1) alterations of the stream channel for construction and maintenance of roads, bridges, and trails; public recreation facilities; fish and wildlife enhancement structures; and channel reconstruction projects approved by the IWRB and 2) construction of water diversion works for domestic, municipal, and agricultural uses. All activities must comply with all state stream channel alterations rules and standards. All works must be constructed or maintained to minimize erosion and sedimentation.

All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB’s protection designations. The IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursue Federal protection of waters within Idaho.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the “best of the best” rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to

efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creek's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely.

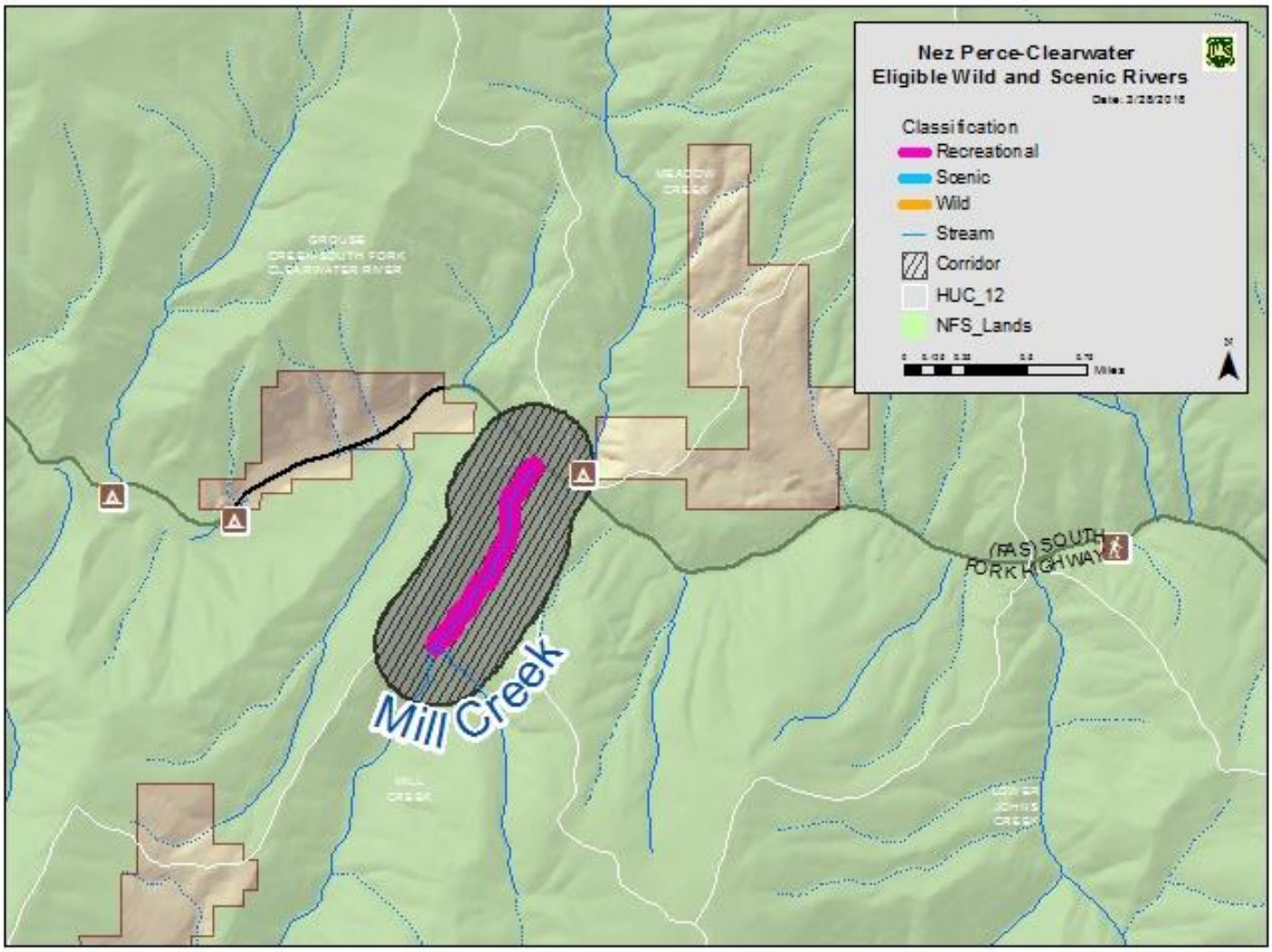
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Mill Creek

Segment Description	Confluence with South Fork Clearwater River to Big Canyon Creek
Segment Length	0.87 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	278.4 acres
Preliminary Classification	Recreational
Eligibility ORVs	Wildlife (Selway forestsnail)

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The presence of the Selway forestsnail is a wildlife ORV for Mill Creek. This Idaho endemic snail occurs in Idaho County in isolated colonies along the lower Lochsa River, the Selway River, the South Fork Clearwater River, the lower Salmon River, and their tributaries. The global extent of the species' known range occurs largely within the region of comparison with only limited observations just outside of this area. This species is found in intact mixed coniferous forest, usually in low elevation, well-shaded, moist areas along medium to large streams. Sites usually have a diverse understory and a substantial duff layer (Idaho Department of Fish and Game, 2017). Only the section of this river from its mouth

(confluence with the South Fork Clearwater River) upstream to the confluence with Canyon Creek is identified as having an ORV for the Selway forestsnail.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Mill Creek is listed as impaired (class 4A) for water temperature and is not supporting cold water aquatic life and salmonid spawning beneficial uses. It is included in the EPA approved South Fork Clearwater River TMDL Plan. A TMDL implementation plan is a water quality improvement strategy that includes the development of the TMDL allocated to a stream.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

The Mill Creek corridor is within forest plan revision proposed MA 3. Roads in the corridor include FR 309 (ML 3), FR 279N (ML 1) and FR 309O (ML 1).

The corridor is on NFS lands suitable for timber production, proposed MA 3, has been managed for elk habitat under the 1987 Forest Plan and timber harvest has been allowed and has occurred along the segment.

The segment is in the Hungry Ridge Allotment.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A portion of the corridor is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 190 acres based on a recreational classification for the river segment. If timber harvest is curtailed on these lands, restoration of forested vegetation would be curtailed on 174 acres within the warm dry PVT group and 16 acres within the warm moist PVT group. Management activities near the creek would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Areas along Mill Creek provide both summer and winter habitat for big game, and of particular interest, for elk. Changes in vegetation succession have been cited as a factor contributing to declining elk populations (Idaho Department of Fish and Game, 2014). Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

The river corridor provides habitat for mountain quail, flammulated owl, woodpecker and white-headed woodpecker. Habitats for some of these species was maintained by frequent fires. Because of fire suppression, these habitats may require active management to restore or maintain them. Methods

available to restore or maintain these habitats may be restricted (mechanical vegetation manipulation versus prescribed fire, etc.) depending on measures required to protect these ORVs.

A wide variety of wildlife species, both those that are river dependent and those that are not, have habitat within the river corridor and would benefit from protections provided through the Wild and Scenic River Act.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional Designated or Suitable Wild and Scenic Rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

*1. **Desired Condition:** The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

*2. **Desired Condition:** In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This corridor does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

State Protected River System: As outlined in the 2012 Idaho State Water Plan, the IWRB is authorized to protect highly valued waterways as "State Protected Rivers" with the goal of maintaining free-flowing waterways and conserving unique features where it is in the public interest to protect recreational, scenic, and natural values. "State Protected Rivers" are designated natural or recreational.

Mill Creek was identified in the Comprehensive State Water Plan for the South Fork Clearwater River Basin (Idaho Water Resources Board, 2005). It is designated a recreational river and may include some manmade development in the waterway or riparian area. The outstanding values recognized are recreational use, fish species of concern, salmonid spawning, and streamside montane meadows. The following activities are prohibited: alterations of the stream channel, except as allowed with specific provisions; construction of hydropower projects; construction of water diversion works; construction or expansion of dams or impoundments; dredge or placer mining; and mineral or sand and gravel extraction within the stream channel. The following activities are allowed if they do not impede fish passage, spawning, and rearing and boat passage: 1) alterations of the stream channel for construction and maintenance of roads, bridges, and trails; public recreation facilities; fish and wildlife enhancement structures; and channel reconstruction projects approved by the IWRB and 2) construction of water diversion works for domestic, municipal, and agricultural uses. All activities must comply with all state

stream channel alterations rules and standards. All works must be constructed or maintained to minimize erosion and sedimentation.

All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB's protection designations. The IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursue Federal protection of waters within Idaho.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creek's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on Federal land and is very remote. While dam construction is possible, it is unlikely.

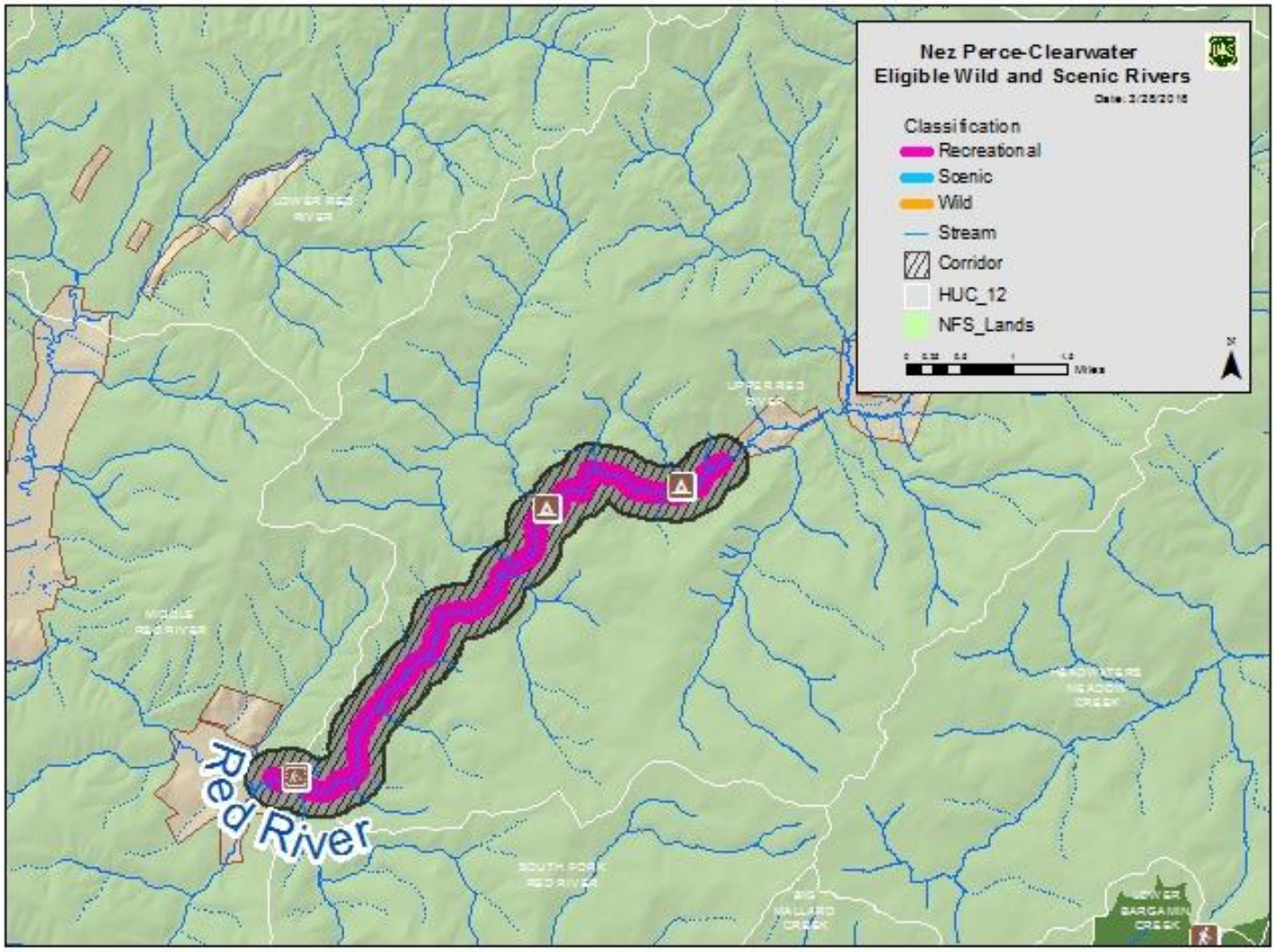
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Red River

Segment Description	National forest boundary in Section 1, T.28N., R.8E., 08 to Shissler Creek
Segment Length	6.56 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	2134 acres
Preliminary Classification	Recreational
Eligibility ORVs	Recreation, fish, and wildlife

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

There's a recreational ORV for the Red River for the subcategory of fish and wildlife watching because it is the most reliable place to watch salmon spawning within the region of comparison. Watching salmon spawn is a unique experience and a valuable interpretive opportunity in a short segment of stream less than one-half mile long.

The fish ORV for Red River includes diversity and abundance, natural reproduction, and cultural and historical importance. Red River supports substantial natural spawning and early rearing of native spring Chinook salmon that is among the highest in the region of comparison. It also supports spawning and

early rearing of native B-run steelhead trout and is designated critical habitat for Snake River steelhead and Columbia River bull trout. It is a major spawning area for steelhead (NMFS 2017), and a bull trout local population has been identified (US Fish and Wildlife Service, 2015). Fluvial and resident populations of westslope cutthroat trout are present. Western pearlshell mussels are present, and Pacific lamprey juveniles have been identified in the lower reaches of Red River.

In addition, Nez Perce tribal staff identified the Red River segment as having a fish ORV of cultural and historic importance to the Nez Perce Tribe.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Red River is listed as impaired (class 4A) for water temperature, physical substrate habitat alterations, and sedimentation/siltation and is not supporting cold water aquatic life and salmonid spawning beneficial uses. It is included in the EPA approved South Fork Clearwater River TMDL Plan. A TMDL implementation plan is a water quality improvement strategy that includes the development of the TMDL allocated to a stream.

Another ORV for the Red River is populations of Harlequin ducks. Harlequin ducks are known along the area of Red River from the confluence with Little Moose Creek downstream to the confluence with Loon Creek. This river met criteria for inclusion as having a wildlife ORV because it had two observations of Harlequin ducks.

The Harlequin duck has been considered rare in Idaho for over 100 years. In Idaho, approximately 50 pairs breed along a limited number of high quality streams within the Priest River, Kootenai River, Clark Fork, Lake Pend Oreille, St. Joe River, Clearwater River, and the South Fork Snake River watersheds. Approximately 38 percent of all Harlequin duck observations in Idaho are within the Nez Perce-Clearwater National Forests. Prominent among the rivers in the region of comparison for populations of Harlequin ducks is the Lochsa River, including the upper section not currently designated wild and scenic, and the lower four miles of Colt Killed Creek. Harlequin ducks breed along relatively large, fast-moving, mountain streams with gradients of one to seven percent. Breeding streams are characterized by rocky substrates that support the benthic macro-invertebrates upon which the ducks feed, as well as large numbers of rapids/riffle areas interspersed with eddies. Water quality appears to be very important for successful foraging, with clear, low-acid water being optimal. Relative to other species of ducks, Harlequin ducks occur at low population densities and exhibit high breeding site fidelity, low reproductive rates, and delayed reproduction. All of these traits contribute to making Harlequin duck populations particularly slow to recover from habitat degradation or loss, or other factors that may lower duck survival. Harlequin ducks have disappeared from former breeding sites in Idaho and Montana (Wiggins, 2005)). Of all the rivers and creeks evaluated for eligibility within the plan area, only seven had populations of Harlequin ducks, including Red River.

2. The current status of land ownership and use in the area

There is mixed ownership with NFS lands and private lands. However, only lands administered by the Forest Service are found to be suitable.

Red River is within forest plan revision proposed MA 3. Developments in the corridor include Red River Administrative Site (with RV dump station), Ditch Creek Campground (four sites), Red River Campground (40 sites), and the Chinook Viewing Interpretive site. Over two dozen Forest Service, county, and private

roads are within the corridor including Dixie Road (FR 222), Mother Lode Road (FR 1818), Red River Road (FR 234) and FR 468. The segment on NFS lands suitable for timber production, proposed MA 3, has been managed for timber production and other objectives under the 1987 Forest Plan, and timber harvest has occurred along the segment.

The most western half-mile has the West Meadow Creek Idaho Roadless Area (backcounty/restoration theme area) on the north side of the river.

The Forest Service mapped rock sources in the corridor include Read River Quarry, Red River II, and Shissler Creek. There are no allotments in this area.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

The segment is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 1,409 acres of the segment due to the recreational classification. If timber harvest is curtailed on these lands, restoration of forested vegetation would be curtailed on 47 acres within the cool moist PVT group, 1,259 acres within the warm dry PVT group, and 102 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the segment area would have additional restrictions. The corridor is wider than the riparian management zone.

No changes are anticipated to land use within the roadless area. The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for this area, surface occupancy is allowed unless prohibited by the forest plan. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

Areas along Red River provide crucial winter habitat for big game, and of particular interest, for elk. Changes in vegetation succession have been cited as a factor contributing to declining elk populations (Idaho Department of Fish and Game, 2014). Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

A wide variety of wildlife species, both those that are river dependent and those that are not, have habitat within the corridor and would benefit from protections provided through the Wild and Scenic River Act. For example, high quality habitat for fishers occurs along most of this river. Conservation of habitat within the corridor would be improved for should this river be included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

The Forest Service's authority for finding a river eligible or suitable only applies to NFS lands. Only the Forest Service administered portions of the river would be managed as eligible or suitable. At this time, the Forest Service is not pursing acquisition of lands or interests in lands on the basis of wild and scenic rivers. However, should Red River be added to the national system by Congress, Congress may or may not authorize and/or direct the Forest Service to pursue acquisition of lands or land interests, potentially affecting up to 63 acres of private land within the corridor. As it is not reasonably foreseeable that Congress would direct the agency to acquire lands or land interests, the cost of such action is not being calculated at this time.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

The Idaho County Commissioners do not support the designation of additional Wild and Scenic Rivers (Idaho County, 2016).

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

Idaho County does not have local zoning or land use controls. Prevention of incompatible development on private land would depend on private property owner voluntary participation, education and outreach.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

No non-Federal lands would be affected by an agency finding that the river is suitable. ORVs were determined based on their presence on Forest Service administered lands.

The State's ability to manage and protect water resources and, fish and wildlife habitat is demonstrably high.

The State's ability to maintain free flow is not as evident.

The State's or county's ability to manage for scenery, geologic, botanic, or cultural values is less apparent, especially given the county's opposition to additional wild and scenic rivers.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

State Protected River System: As outlined in the 2012 Idaho State Water Plan, the IWRB is authorized to protect highly valued waterways as "State Protected Rivers" with the goal of maintaining free-flowing waterways and conserving unique river features where it is in the public interest to protect recreational, scenic, and natural values. "State Protected Rivers" are designated natural or recreational.

Red River was identified in the Comprehensive State Water Plan for the South Fork Clearwater River Basin (Idaho Water Resources Board, 2005). It is designated a recreational river and may include some man-made development in the waterway or riparian area. The outstanding values recognized are recreational use, fish species of concern, salmonid spawning, and streamside montane meadows. The following activities are prohibited: alterations of the stream channel, except as allowed with specific provisions; construction of hydropower projects; construction of water diversion works; construction or expansion of dams or impoundments; dredge or placer mining; and mineral or sand and gravel extraction within the stream channel. The following activities are allowed if they do not impede fish passage, spawning, rearing and boat passage: 1) alterations of the stream channel for construction and maintenance of roads, bridges, and trails; public recreation facilities; fish and wildlife enhancement structures; and channel reconstruction projects approved by the IWRB and 2) construction of water diversion works for domestic, municipal, and agricultural uses. All activities must comply with all state stream channel alterations rules and standards. All works must be constructed or maintained to minimize erosion and sedimentation.

All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB's protection designations. The IWRB also encourages Federal resource management agencies to

work within the comprehensive state water planning process rather than pursue Federal protection of waters within Idaho.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this river's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. While dam construction is possible, it is unlikely.

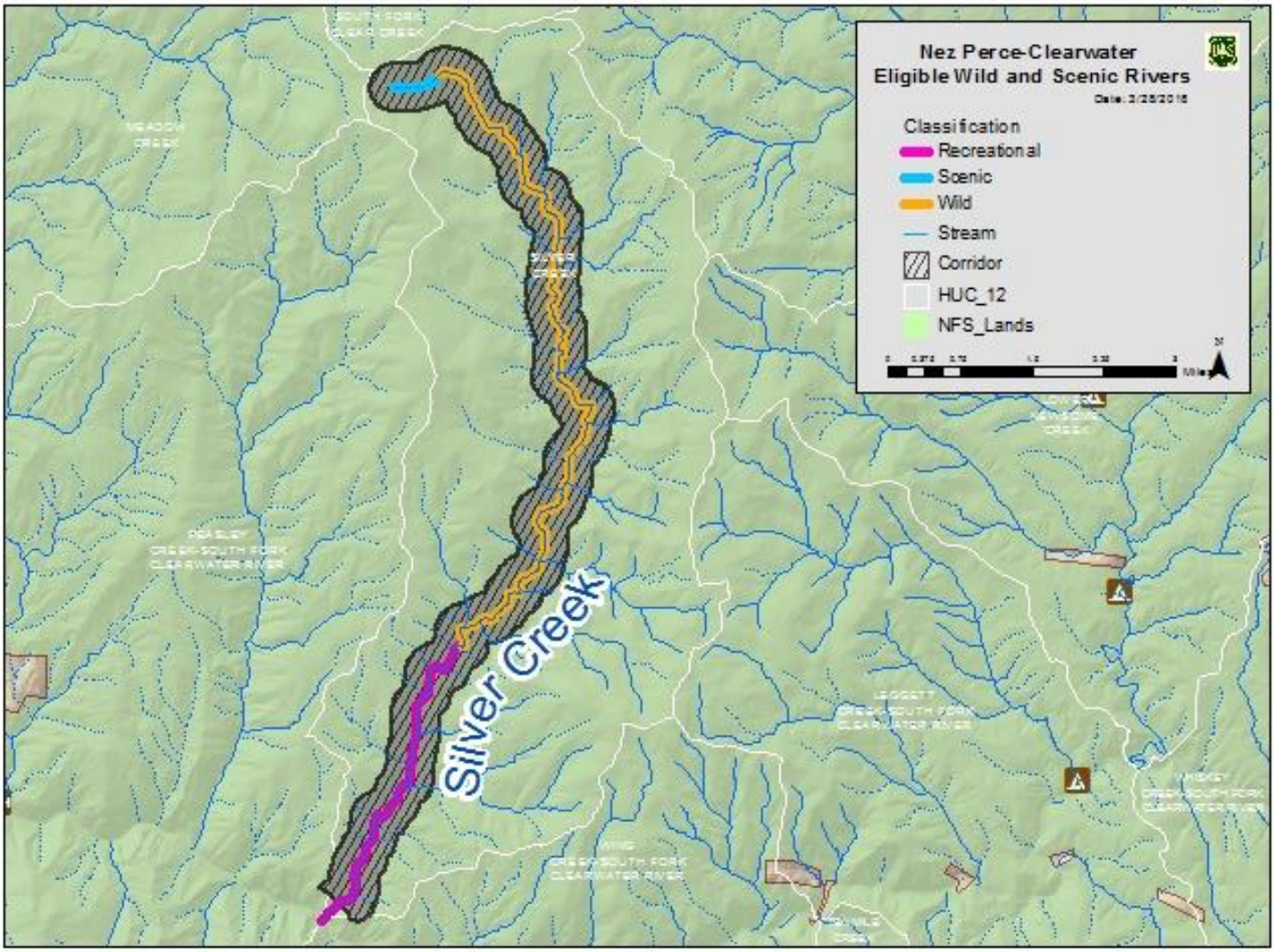
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Silver Creek

Segment Description	Silver Creek: confluence with South Fork Clearwater River to headwaters
Segment Length	12.24 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	Silver Creek: 3,916.8 acres
Preliminary Classification	Middle portion: wild Upper portion: scenic Lower portion: recreational
Eligibility ORVs	Nez Perce Tribe cultural

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

Nez Perce tribal staff identified this segment as having cultural and historic importance to the Nez Perce Tribe.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Silver Creek is listed as impaired (class 4A) for water temperature, physical substrate habitat alterations, and sedimentation/siltation and is not supporting cold water aquatic life and salmonid spawning beneficial uses. It is fully supporting secondary contact recreation. It is included in the EPA approved South Fork Clearwater River TMDL Plan. A TMDL implementation plan is a water quality improvement strategy that includes the development of the TMDL allocated to a stream.

2. The current status of land ownership and use in the area

Silver Creek is within forest plan revision proposed MA 3, suitable timber base, and Silver Creek-Pilot Knob Idaho Roadless Area (special area of historic and tribal significance theme). Pilot Knob is a proposed geographic area in the forest plan revision that would restrict motorized access to the area.

The Elk City Wagon Road (FR 284) and the Silver Ridge Motorized Trail (T 424) are in the headwaters area of Silver Creek for about a half mile. In MA 3, a number of ML 1 roads also provide administrative access to the area, including FR 648, FR 1866, FR 1867, and FR 9421.

Silver Creek is within the Corral Hill and Meadow-Lighting allotments.

The segments on NFS lands suitable for timber production, proposed MA 3, have been managed for timber production under the 1987 Forest Plan and timber harvest has occurred along the segments.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A wild designation would curtail motorized use in this area.

Some sections of Silver Creek are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 749 acres of the segments classified as recreational or scenic that overlap with proposed MA 3. If timber harvest is curtailed on these lands, forest vegetation restoration would be curtailed on three acres within the cool moist PVT group, 244 acres within the warm dry PVT group, and 502 acres within the warm moist PVT group.

A portion of Silver Creek within proposed MA 3 would be classified wild if found suitable. If found suitable, timber harvest would be foreclosed as an option for forest vegetation restoration on 11 acres within the warm dry PVT group and 28 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Part of the Silver Creek segment is within the Silver Creek-Pilot Knob Idaho Roadless Area (special area of historic and tribal significance theme). No changes are anticipated to land use in the roadless area. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If these segments are found suitable, the scenic and recreational designations would cause increased restrictions for timber harvest and would likely foreclose timber harvest as an option for vegetation restoration. This option would likely be foreclosed on eight acres within the cool moist PVT group, 47 acres within the warm dry PVT group, and 105 acres within the warm moist PVT group.

Within Idaho Roadless Areas that allow timber harvest, some segments would be designated wild if found suitable. Timber harvest is not used extensively in this area. However, if these segments are found

suitable, timber harvest would be foreclosed as an option for forest vegetation restoration on 14 acres within the cool moist PVT group, 298 acres within the warm dry PVT group, and 1,305 acres within the warm moist PVT group.

The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy in this theme. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

Areas along these rivers provide both summer and winter habitat for big game, and of particular interest, for elk. Changes in vegetation succession have been cited as a factor contributing to declining elk populations (Idaho Department of Fish and Game, 2014). This area also has high potential to produce high quality forage for big game when treated. Opportunities to enhance foraging habitat for elk may be affected along these rivers if they are included in the national system. Specifically, restrictions on timber harvest would require all habitat management to be performed by prescribed fire, which constrains implementation opportunities to limited burn windows and adds complexity because of the required containment measures. Other measures designed to protect a variety of ORVs may inhibit, or in some cases entirely prohibit management of big game habitat along the river corridor.

The corridors provide habitat for mountain quail, Lewis's woodpecker and white-headed woodpecker. Habitats for some of these species were maintained by frequent fires. Because of fire suppression, these habitats may require active management to restore or maintain into the future. Methods available to restore or maintain these habitats may be restricted (mechanical vegetation manipulation, versus prescribed fire, etc.) depending on measures required to protect ORVs.

A wide variety of wildlife species, both those that are river dependent and a those that are not, that have habitat within the corridor, would benefit from protections provided through the Wild and Scenic Rivers Act. For example, high quality habitat for fishers occurs along the upper reaches of these rivers. Conservation of these habitats within the corridor would be improved for these species should these rivers be included in the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

For Silver Creek, no land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state.

Idaho County does not support any additional Designated or Suitable Wild and Scenic Rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

*1. **Desired Condition:** The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

*2. **Desired Condition:** In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

For Silver Creek, this is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

The Silver Creek segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

State Protected River System: As outlined in the 2012 Idaho State Water Plan, the IWRB is authorized to protect highly valued waterways as "State Protected Rivers" with the goal of maintaining free-flowing waterways and conserving unique features where it is in the public interest to protect recreational, scenic, and natural values. "State Protected Rivers" are designated natural or recreational.

Silver Creek was identified in the Comprehensive State Water Plan for the South Fork Clearwater River Basin (Idaho Water Resources Board, 2005). It is designated recreational and may include some man-made development in the waterway or riparian area. The outstanding values recognized are recreational use and fish species of concern. The following activities are prohibited: alterations of the stream channel, except as allowed with specific provisions; construction of hydropower projects; construction of water diversion works; construction or expansion of dams or impoundments; dredge or placer mining; and mineral or sand and gravel extraction within the stream channel. The following activities are allowed if they do not impede fish passage, spawning, rearing and boat passage: 1) alterations of the stream channel for construction and maintenance of roads, bridges, and trails; public recreation facilities; fish and wildlife enhancement structures; and channel reconstruction projects approved by the IWRB and 2) construction of water diversion works for domestic, municipal, and agricultural uses. All activities must comply with all state stream channel alterations rules and standards. All works must be constructed or maintained to minimize erosion and sedimentation.

All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB's protection designations. The IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursue Federal protection of waters within Idaho.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual

congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

This creek was identified as being an important contributor to the river system and to basin integrity. Silver Creek is one of the larger tributaries in the subbasin or basin. As such, it plays an important ecological role in providing clean, free flowing water and habitat for fish and wildlife species. They also are often critically important culturally in the present day, historically, and prehistorically.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on Federal land and is very remote. While dam construction is possible, it is unlikely.

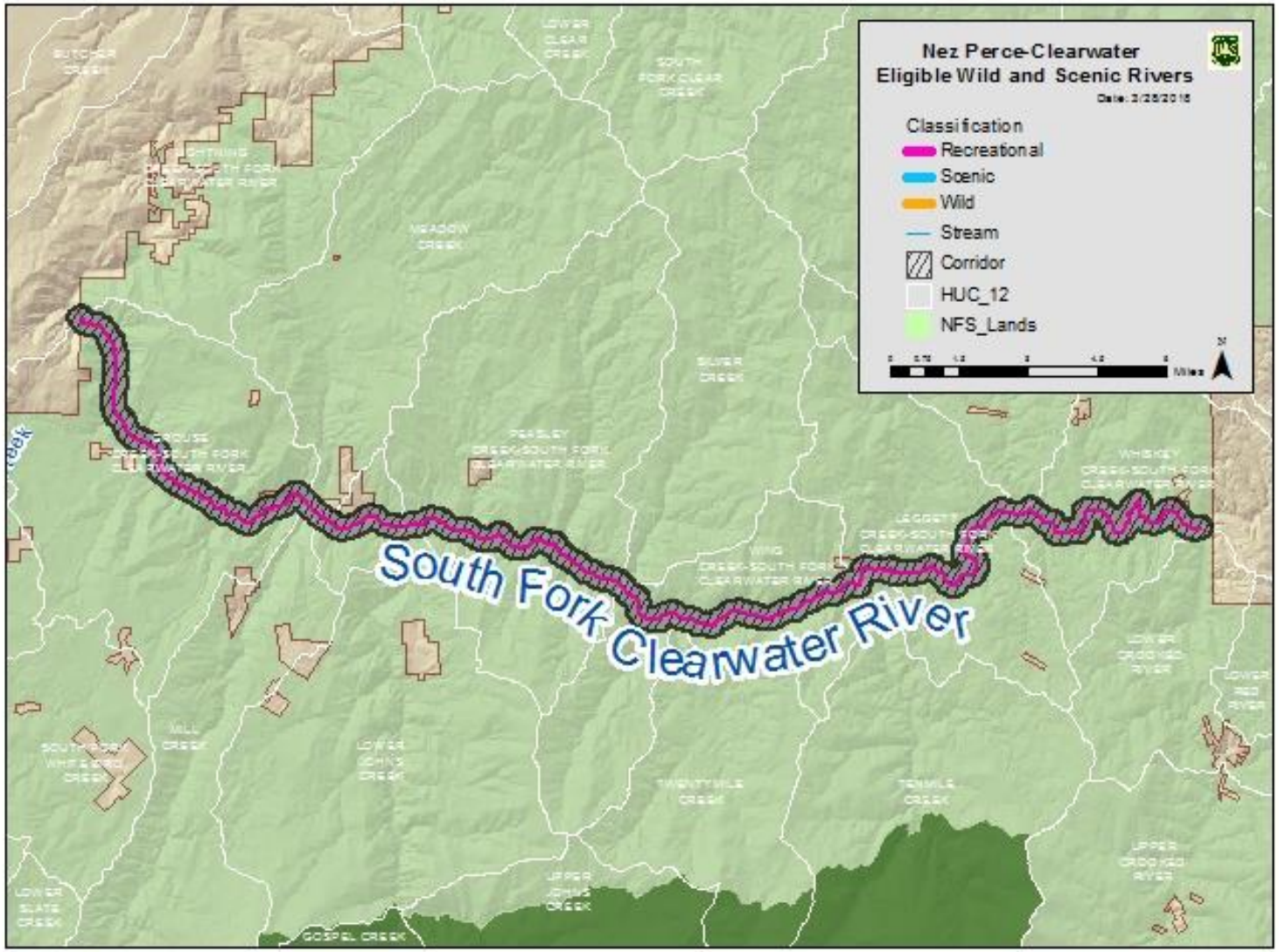
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Suitable

South Fork Clearwater River

Segment Description	National forest boundary to national forest boundary
Segment Length	34.48 miles (including 1.47 miles on private land)
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	11,033.6 acres (including 330 acres of private land)
Preliminary Classification	Recreational
Eligibility ORVs	Recreation, scenic, cultural, Nez Perce cultural, fish, and wildlife

Segment Map


Nez Perce-Clearwater
Eligible Wild and Scenic Rivers
Classification
Recreational
Scenic
Wild
Stream
Corridor
HUC_12
NFS_Lands
South Fork Clearwater River

Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The lower South Fork Clearwater River upstream from Blackerby Creek to 10 Mile Creek (downstream of Golden) forms a major distinctive river canyon on the national forest that provides a scenic ORV. This segment has an ORV even though there is a highway along the river, which affects its flow in places. This segment remains generally riverine in appearance. It has cliffs, large boulders forming rapids, the juxtaposition of white water and smooth, reflective water, and a variety of vegetation, tree, shrubs, and grasslands mixed with rock features along the segment. Distinctive features include Huddleston Bluff, a sheer cliff, noted in several comment letters. Downstream of Blackerby Creek, the river canyon opens up and appears more pastoral with intermixed private lands and calmer water. Upstream of Ten Mile Creek (just downstream of Golden), the stream is less riverine in appearance. The river is calmer, with fewer rocks and rapids and diversity of vegetation changes. The river downstream of Blackerby Creek or upstream of 10 Mile Creek does not have an ORV for scenery.

The recreational ORV is for steelhead fishing, which, beyond providing local opportunities, draws people from throughout western Montana and parts of Washington in particular. According to IDFG, “Adult steelhead create one of the state’s most amazing fishing opportunities” (Idaho Department of Fish and Game, 2018). Within the region of comparison, the Salmon River, Clearwater River, and Middle Fork Clearwater River also provide steelhead fishing, but the smaller size of the South Fork Clearwater River allows for more bank or walk and wade fishing than the larger rivers thus providing a different type of opportunity. Although this segment includes boatable rapids with up to class five at high water, described as the Golden Canyon run (Amaral, 1990), it is more of an opportunistic run which does not draw people to the area. Within the region of comparison, the nearby Lochsa River provides extensive, challenging whitewater. The Salmon River to the south also provides readily accessible whitewater runs. Boaters are not likely to bypass the Lochsa River or the Salmon River to run the South Fork Clearwater River, so boating is not considered as contributing to the ORV.

Swimming and soaking were originally considered as contributing to the ORV, but based on public comments, this use was reviewed, and it was determined that swimming/soaking is a local use and is more prevalent and of better quality on other rivers in the region of comparison, such as on the Main Clearwater, Middle Fork Clearwater, Salmon and Selway rivers.

The South Fork Clearwater River’s mining history is its ORV for cultural resources. The river features an outstanding collection of mining sites and features, along with the townsite of New Golden and its surrounding history.

Nez Perce tribal staff identified the South Fork Clearwater River as having cultural and historic importance to the Nez Perce Tribe.

The fish ORV includes diversity and abundance, natural reproduction, and cultural and historical importance. The South Fork Clearwater River functions as a migration corridor and provides winter and summer rearing habitat, as well as spawning habitat, for multiple native fish species. It is included as designated critical habitat for Snake River steelhead trout and Columbia River bull trout. The higher

elevation eligible segments upstream of 10 Mile Creek are identified as a major spawning area, with very high intrinsic potential (National Marine Fisheries Service, 2017). Spawning by fall Chinook salmon has been observed in eligible reaches in the vicinity of and downstream from Mill Creek. Native spring Chinook salmon are found throughout the eligible reaches, as are bull trout, westslope cutthroat trout, and steelhead trout. Juvenile Pacific lamprey have been documented in eligible segments, suggesting that spawning has occurred in these areas. B-run steelhead trout spawn throughout the eligible reaches.

In addition, the Nez Perce tribal staff identified the South Fork Clearwater River segment as having a fish ORV of cultural and historic importance to the Nez Perce Tribe.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. South Fork Clearwater River is listed as impaired (class 4A) for water temperature, physical substrate habitat alterations, and sedimentation/siltation and is not supporting cold water aquatic life and salmonid spawning beneficial uses. It is fully supporting primary contact recreation. It is included in the EPA approved South Fork Clearwater River TMDL Plan. A TMDL implementation plan is a water quality improvement strategy that includes the development of the TMDL allocated to a stream.

The wildlife ORV for the South Fork Clearwater River is populations of Harlequin ducks. Harlequin ducks are known along the South Fork Clearwater River from the national forest boundary near Blackerby Picnic Area upstream to the confluence with Mill Creek. They are also known from the confluence with Dutch Oven Creek upstream to the confluence with Crooked River. Only four observations have been made on the South Fork Clearwater River. The Harlequin Duck has been considered rare in Idaho for over 100 years. In Idaho, approximately 50 pairs breed along a limited number of high quality streams within the Priest River, Kootenai River, Clark Fork, Lake Pend Oreille, St. Joe River, Clearwater River, and the South Fork Snake River watersheds. Approximately 38 percent of all Harlequin duck observations in Idaho are within the Nez Perce-Clearwater National Forests. Harlequin ducks breed along relatively large, fast-moving, mountain streams with gradients of one to seven percent. Breeding streams are characterized by rocky substrates that support the benthic macro-invertebrates upon which the ducks feed, as well as large numbers of rapids/riffle areas interspersed with eddies. Water quality appears to be very important for successful foraging, with clear, low-acid water being optimal. Relative to other species of ducks, Harlequin ducks occur at low population densities and exhibit high breeding site fidelity, low reproductive rates, and delayed reproduction. All of these traits contribute to making Harlequin duck populations particularly slow to recover from habitat degradation or loss, or other factors that may lower duck survival. Harlequin ducks have disappeared from former breeding sites in Idaho and Montana (Wiggins, 2005).

The presence of the Selway forestsnail also is a wildlife ORV for the South Fork Clearwater River. This Idaho endemic snail occurs in Idaho County in isolated colonies along the lower Lochsa River, the Selway River, the South Fork Clearwater River, the lower Salmon River and their tributaries. The global extent of the species known range occurs largely within the region of comparison with only limited observations just outside of this area. This species is found in intact mixed coniferous forest, usually in low elevation, well-shaded, moist areas along medium to large streams. Sites usually have a diverse understory and a substantial duff layer (Idaho Department of Fish and Game, 2017). Only the section of this river from the

national forest boundary near Blackerby Picnic Area upstream to the confluence with Mill Creek is identified as having an ORV for the Selway forestsnail.

The wildlife ORV for the South Fork Clearwater River are populations of Harlequin ducks. Harlequin ducks are known along the South Fork Clearwater River from the national forest boundary near Blackerby Picnic area upstream to the confluence with Mill Creek. They are also known from the confluence with Dutch Oven Creek upstream to the confluence with Crooked River. Only four observations have been made on the South Fork Clearwater River. The Harlequin duck has been considered rare in Idaho for over 100 years. In Idaho, approximately 50 pairs breed along a limited number of high quality streams within the Priest River, Kootenai River, Clark Fork, Lake Pend Oreille, St. Joe River, Clearwater River, and the South Fork Snake River watersheds. Approximately 38 percent of all Harlequin duck observations in Idaho are within the Nez Perce-Clearwater National Forests. Harlequin ducks breed along relatively large, fast-moving, mountain streams with gradients of one to seven percent. Breeding streams are characterized by rocky substrates that support the benthic macro-invertebrates upon which the ducks feed, as well as large numbers of rapids/riffle areas interspersed with eddies. Water quality appears to be very important for successful foraging, with clear, low-acid water being optimal. Relative to other species of ducks, Harlequin ducks occur at low population densities and exhibit high breeding site fidelity, low reproductive rates, and delayed reproduction. All of these traits contribute to making Harlequin duck populations particularly slow to recover from habitat degradation or loss or other factors that may lower duck survival. Harlequin ducks have disappeared from former breeding sites in Idaho and Montana (Wiggins, 2005).

The presence of the Selway forestsnail is a wildlife ORV for the South Fork Clearwater River. This Idaho endemic snail occurs in Idaho County in isolated colonies along the lower Lochsa River, the Selway River, the South Fork Clearwater River, the lower Salmon River, and their tributaries. The global extent of the species known range occurs largely within the region of comparison with only limited observations just outside of this area. This species is found in intact mixed coniferous forest, usually in low elevation, well-shaded, moist areas along medium to large streams. Sites usually have a diverse understory and a substantial duff layer (Idaho Department of Fish and Game, 2017). Only the section of this river from the national forest boundary near Blackerby Picnic Area upstream to the confluence with Mill Creek is identified as having an ORV for the Selway forestsnail.

2. The current status of land ownership and use in the area

There is mixed ownership with NFS lands and private land. This suitability report and the associated ORVs only pertain to the Forest Service administered lands portion of the segment and corridor.

South Fork Clearwater River is within the forest plan revision proposed MA 3. The segment on NFS lands suitable for timber production, proposed MA 3, has been managed for timber production and other objectives under the 1987 Forest Plan and timber harvest has occurred along many portions of the segment. State Highway 14 runs along the river throughout the whole segment from Grangeville to Elk City. Developments in the corridor include Castle Creek Campground (nine sites), South Fork Campground (nine sites), Meadow Creek Campground (three sites), Leggett Creek Campground (five sites), Nelson Creek Picnic Area, Backerby Picnic Area, Cotter Bar Picnic Area, and McAllister Picnic Area. The Johns Creek and Cougar Creek Trailheads are in the corridor along with the following motorized trails: Center Star Mine Road, Cougar Creek Trail, and Dutch Oven Trail. Dozens of Forest Service,

county, and private roads branch off of Highway 14 and are within the corridor, including Cover Placers Road (FR 279), Cooked River Road (FR 233), FR 484 and FR 492.

There are 30 mining claims within the corridor, and the Forest Service has four mapped rock sources: Crooked River Mouth, South Fork Tailing, Leggett Creek, and Reed Creek. Suction dredging is authorized under permit for up to 15 miners in upper portions of the South Fork Clearwater River.

There are four livestock grazing allotments in this area.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

Highway 14 parallels the South Fork Clearwater River for much of its length and provides the only paved access to Elk City. Unstable slopes have resulted is several large slides that have closed the highway for several months during recent years. This resulted in a large unvegetated landslide scar. Being able to maintain the highway and manage slides is critically important to Idaho County and Elk City residents. The electrical power distribution line managed by Avista, which provides power to Elk City, parallels the highway and the river. Accessing and maintaining the power line is also very important.

The segments are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 6,014 acres due to a recreational classification. If timber harvest is curtailed or foreclosed on these lands, restoration of forested vegetation would be curtailed on 23 acres within the cool moist PVT group, 3,384 acres within the warm dry PVT group, and 2,607 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone. However, this river, including the acres mentioned above have been managed as eligible since 1987. Changes in management are not anticipated should the river be found suitable or designated.

Areas along the South Fork Clearwater River provide both summer and winter habitat for big game, and of particular interest, for elk. Changes in vegetation succession have been cited as a factor contributing to declining elk populations (Idaho Department of Fish and Game, 2014). Restrictions on timber harvest may impede the ability to manage winter habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession.

The river contains significant portions of high quality habitat for the fisher. These habitats occur from the national forest boundary near Elk City downstream until approximately the confluence with Otter Creek. These habitats would be protected or enhanced if this river is found suitable and added to the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

The Forest Service's authority for finding a river eligible or suitable only applies to NFS lands. Only the Forest Service administered portions of the river would be managed as eligible or suitable. At this time, the Forest Service is not pursing acquisition of lands or interests in lands on the basis of wild and scenic rivers. However, should the South Fork Clearwater River be added to the national system by Congress, Congress may or may not authorize and/or direct the Forest Service to pursue acquisition of lands or land interests, potentially affecting up to 330 acres of private land within the current corridor along approximately 1.5 miles of river. As it is not reasonably foreseeable that Congress would direct the agency to acquire lands or land interests, the cost of such action is not being calculated at this time.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional Designated or Suitable Wild and Scenic Rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

*1. **Desired Condition:** The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

*2. **Desired Condition:** In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

The Idaho County commissioners oppose the designation of additional wild and scenic rivers in Idaho County (Idaho County, 2016). Based on discussions with and letters from the Idaho County Commissioner Skip Brandt the commissioners particularly resist designation for the South Fork Clearwater River.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

Idaho County does not have local zoning or land use controls. Prevention of incompatible development on private land would depend on private property owner voluntary participation, education, and outreach.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

No non-Federal lands would be affected by an agency finding that the river is suitable. ORVs were determined based on their presence on Forest Service administered lands.

The State's ability to manage and protect water resources, fish and wildlife habitat is demonstrably high.

The State's ability to maintain free flow is not as evident.

The State's or county's ability to manage for scenery, geologic, botanic or cultural values is less apparent, especially given the county's opposition to additional wild and scenic rivers.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-

stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

State Protected River System: As outlined in the 2012 Idaho State Water Plan, the IWRB is authorized to protect highly valued waterways as "State Protected Rivers" with the goal of maintaining free-flowing waterways and conserving unique features where it is in the public interest to protect recreational, scenic, and natural values. "State Protected Rivers" are designated natural or recreational.

South Fork Clearwater River was identified in the Comprehensive State Water Plan for the South Fork Clearwater River Basin (Idaho Water Resources Board, 2005). It is designated a recreational river and may include some manmade development in the waterway or riparian area. The outstanding values recognized are recreational use, fish species of concern, wildlife species of concern, and salmonid spawning. The following activities are prohibited: alterations of the stream channel, except as allowed with specific provisions; construction of hydropower projects; construction of water diversion works; construction or expansion of dams or impoundments; dredge or placer mining; and mineral or sand and gravel extraction within the stream channel. The following activities are allowed if they do not impede fish passage, spawning, rearing and boat passage: 1) alterations of the stream channel for construction and maintenance of roads, bridges, and trails; public recreation facilities; fish and wildlife enhancement structures; and channel reconstruction projects approved by the IWRB and 2) construction of water diversion works for domestic, municipal, and agricultural uses. All activities must comply with all state stream channel alterations rules and standards. All works must be constructed or maintained to minimize erosion and sedimentation.

Alteration of the stream bed for recreational dredge mining is allowable as regulated by IDL and IDWR from July 15 to August 15, although a permit through IDWR is required. Before a permit is granted, the applicant must obtain a NPDES general permit for small scale suction dredging in Idaho from the Environmental Protection Agency. The South Fork Clearwater River does not currently meet state water quality standards for sediment and is subject to a pollutant budget, known as a TMDL. To meet statutory requirements and state water quality standards for the South Fork Clearwater River, IDWR limits mining operations on the mainstem South Fork Clearwater River to a total of 15 power sluices or dredges (nozzle five inches in diameter or less and equipment rated at a maximum of 15 horsepower). Additionally, the South Fork Clearwater River designation requires dredge sites to be inspected by IDWR with a fisheries biologist.

All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB's protection designations. The IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursue Federal protection of waters within Idaho.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

During discussions at January 2018 public meetings, numerous miners, Elk City residents, and many Grangeville residents opposed adding any restrictions to current uses of the river corridor.

12. The river's contribution to river system integrity or basin integrity

The South Fork Clearwater River is one of the major rivers on the Nez Perce-Clearwater National Forests. It is a major river in the Clearwater Basin.

13. The potential for water resources development

Water resource development is possible on the South Fork Clearwater River.

Potential dam sites on the South Fork Clearwater River have been mapped.

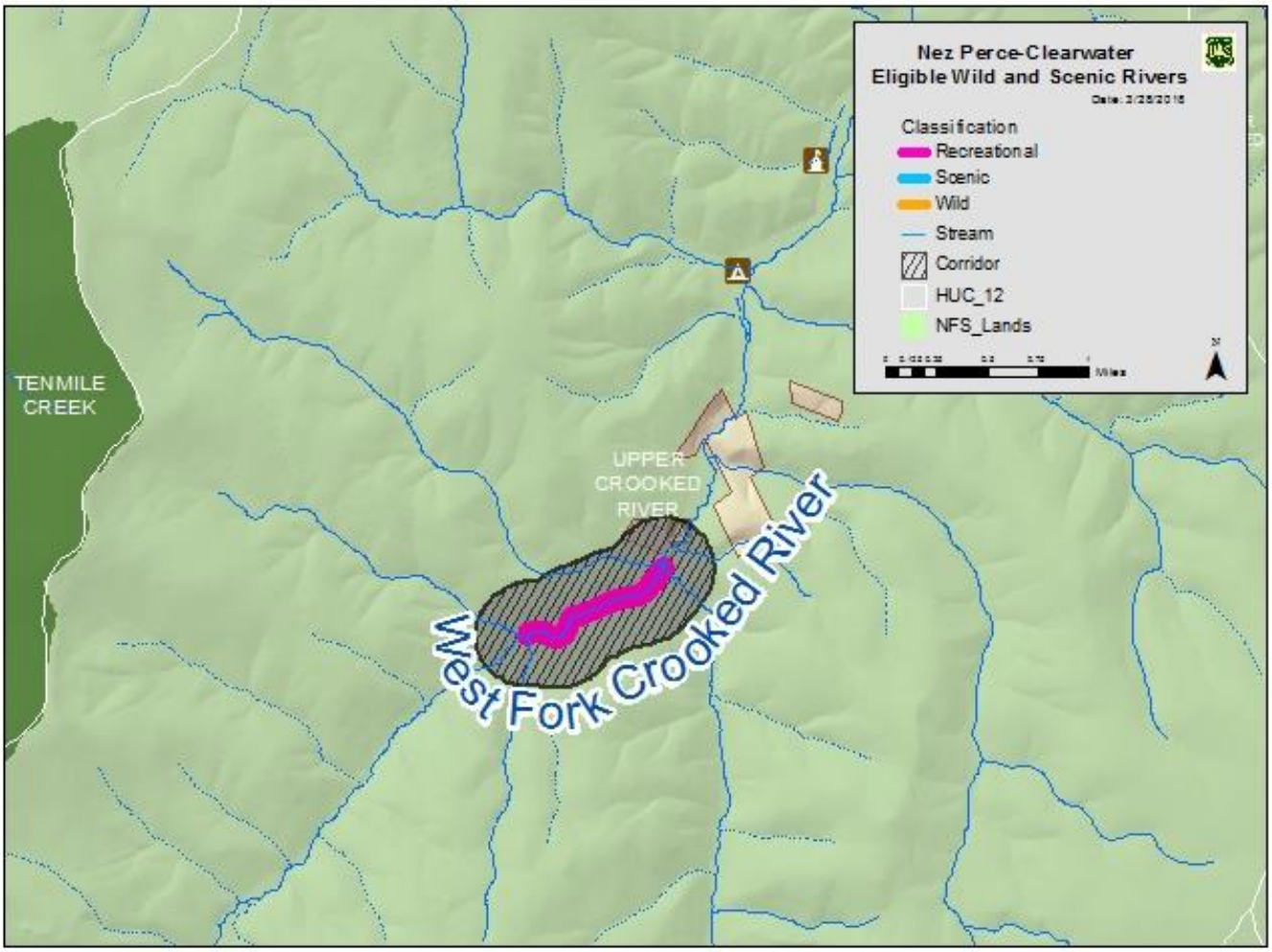
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Not suitable	Not suitable	Suitable	Not suitable

West Fork Crooked River

Segment Description	Confluence with East Fork Crooked River to headwaters
Segment Length	5.44 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	325.44 acres
Preliminary Classification	Recreational
Eligibility ORVs	Fish

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The fish ORV includes diversity and abundance, habitat quality, and natural reproduction. West Fork Crooked River supports spawning and early rearing habitat at significantly high levels for fluvial bull trout and provides a large percentage of the spawning habitat available in the South Fork Clearwater subbasin for this species, as well as within the region of comparison. Eligible segments are designated critical habitat for Columbia River bull trout and Snake River steelhead trout. It is part of a major spawning area for steelhead trout (National Marine Fisheries Service, 2017), and a local bull trout

population has been identified (US Fish and Wildlife Service, 2015). Habitat quality is very high, with high complexity from recruitment of large wood. A large westslope cutthroat trout population is present as well. This population has known high genetic integrity.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. West Fork Crooked River is listed as impaired (class 4A) for water temperature, physical substrate habitat alterations, and sedimentation/siltation and is not supporting cold water aquatic life and salmonid spawning beneficial uses. It is included in the EPA approved South Fork Clearwater River TMDL Plan. A TMDL implementation plan is a water quality improvement strategy that includes the development of the TMDL allocated to a stream.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

The majority of the West Fork Crooked River corridor is within the West Fork Crooked River Idaho Roadless Area (backcountry/restoration theme) and a short section of the northeast side (first 0.75 miles from the confluence with East Fork Crooked River) is in the forest plan revision proposed MA 3. Developments in the corridor include Orogrande Summit Campground (in the headwaters), Orogrande 1 and 2 Campground (three sites and one group site), self-guided tour (first mile of West Fork Crooked River), Columbia Ridge Motorized Trail (T 225), ML 3 Crooked River Road (FR 233), and ML 2 roads 311, 9848, and 9849.

There are 25 mineral claims within the first mile from the confluence with East Fork Crooked River.

The corridor on NFS lands suitable for timber production, proposed MA 3, has been managed for timber production under the 1987 Forest Plan, though there is no record of timber harvest occurring within the corridor.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A portion of the segment is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 117 acres in the recreational segment. If timber harvest is curtailed on these lands, restoration of forested vegetation would be curtailed on 107 acres within the warm dry PVT group and 9 acres in the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Areas along West Fork Crooked River provide high quality summer habitat for big game, and of particular interest, for elk. Changes in vegetation succession have been cited as a factor contributing to

declining elk populations (Idaho Department of Fish and Game, 2014). Restrictions on timber harvest may impede the ability to manage habitat to benefit big game species by reducing the number of tools available to manage forest vegetation succession. These activities are currently not restricted in forest plan revision proposed MA 3 and would be restricted in the river corridor if the river is included in the national system.

The river corridor contains high quality habitat for Canada lynx near the headwaters and for fisher near the confluence with East Fork Crooked River. These habitats would be protected if this river is found suitable.

No changes are anticipated to land use within the roadless area. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If this segment is found suitable, the recreational designation would cause increased restrictions for timber harvest and would likely foreclose timber harvest as an option for vegetation restoration. This option would likely be foreclosed on five acres within the cool moist PVT group, 43 acres within the warm dry PVT group, and 26 acres within the warm moist PVT group.

The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for this area; surface occupancy is allowed unless prohibited by the forest plan. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridors are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

2. ***Desired Condition:*** *In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

5. ***Guideline:*** *To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

As such, it is not expected that county or local governments would participate in preservation or administration of the river.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation of a river segment as suitable, particularly where the river segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery

planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

State Protected River System: As outlined in the 2012 Idaho State Water Plan, the IWRB is authorized to protect highly valued waterways as "State Protected Rivers" with the goal of maintaining free-flowing waterways and conserving unique features where it is in the public interest to protect recreational, scenic, and natural values. "State Protected Rivers" are designated natural or recreational.

West Fork Crooked River was identified in the Comprehensive State Water Plan for the South Fork Clearwater River Basin (Idaho Water Resources Board, 2005). It is designated a recreational river and may include some manmade development in the waterway or riparian area. The outstanding values recognized are recreational use, fish species of concern, and salmonid spawning. The following activities are prohibited: alterations of the stream channel, except as allowed with specific provisions; construction of hydropower projects; construction of water diversion works; construction or expansion of dams or impoundments; dredge or placer mining; and mineral or sand and gravel extraction within the stream channel. The following activities are allowed if they do not impede fish passage, spawning, rearing and boat passage: 1) alterations of the stream channel for construction and maintenance of roads, bridges, and trails; public recreation facilities; fish and wildlife enhancement structures; and channel reconstruction projects approved by the IWRB and 2) construction of water diversion works for domestic, municipal, and agricultural uses. All activities must comply with all state stream channel alterations rules and standards. All works must be constructed or maintained to minimize erosion and sedimentation.

All landowners, private, State, and Federal, are encouraged to manage their lands consistent with the IWRB's protection designations. The IWRB also encourages Federal resource management agencies to work within the comprehensive state water planning process rather than pursue Federal protection of waters within Idaho.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is

potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could

be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this rivers important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely.

Segment Suitability Determination

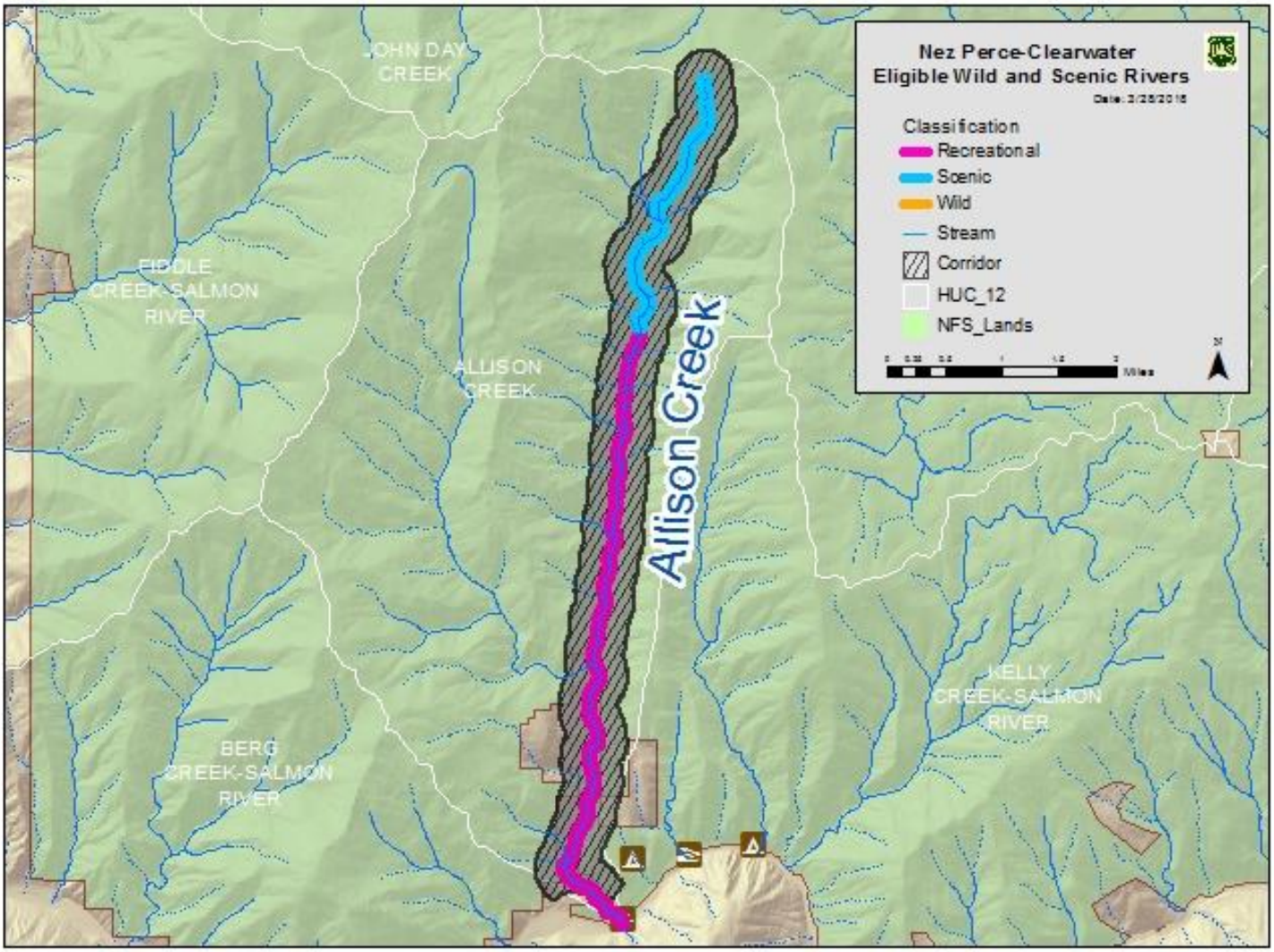
Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Salmon River Basin

Allison Creek

Segment Description	Confluence with Salmon River to headwaters
Segment Length	8.39 miles (including 2.62 are on private land)
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	2,684.8 acres (including 435 acres of private land)
Preliminary Classification	Upper portion from headwaters to FSR 221: scenic Lower portion from FSR 221 to Salmon River: recreational
Eligibility ORVs	Nez Perce cultural and wildlife

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

Nez Perce tribal staff identified the Allison Creek segment as having cultural and historic importance to the Nez Perce Tribe.

The Selway forestsnail is an Idaho endemic with a global range that is only known to occur in isolated colonies at lower elevations along the lower Lochsa River, the Selway River, the South Fork Clearwater River, and the lower Salmon River and their tributaries. This species is found in intact mixed coniferous

forest, usually in low elevation, well-shaded, moist areas along medium to large streams. Sites usually have a diverse understory and a substantial duff layer. It is known only from about a dozen sites across its entire range, including Allison Creek. Occurrences of this species in the lower Salmon River drainages are disjunct from the rest of the species range (Frest & Johannes, 1997).

The boulder pile mountainsnail (*Oreohelix jugalis*) has been found near Allison Creek near the confluence with the Salmon River. This mountainsnail is an Idaho endemic species whose global distribution is only found in the Salmon River Subbasin between Hells Gate Creek and Allison Creek. The species is considered critically globally imperiled (G1G2) and critically imperiled at the state level (S1) by Nature Serve ((NatureServe, 2017). Though a terrestrial species, all known observations of this snail have been observed within river corridors within one-quarter mile from rivers. The species is known from fewer than 20 sites in western Idaho ((Hendrix & Maxwell, 2005). In 1999, these snails were thought to be declining and were reported as common at only 26 percent of sites ((Frest T. , 1999). Habitat loss arising from road construction (extraction of road building materials), mining, and livestock grazing are the primary threats to this species (Frest T. , 1999).

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Allison Creek is listed as impaired (class 4A) for *Escherichia coli* and is not supporting secondary contact recreation. It is supporting cold water aquatic life. It is included in the EPA approved Lower Salmon River and Hells Canyon Tributaries TMDLs Plan. A TMDL implementation plan is a water quality improvement strategy that includes the development of the TMDL allocated to a stream.

2. The current status of land ownership and use in the area

There is mixed ownership with both NFS lands and private land. This suitability determination is solely based on and only applies to NFS lands.

The majority of Allison Creek is within the forest plan revision proposed MA 3, and it runs through the John Day Idaho Roadless Area (backcountry/restoration theme) for about 1.5 miles. Developments in the corridor include Allison Creek Picnic Area. FR 221 runs alongside the creek for the first 5.5 miles and other roads within the corridor include FR 263 (ML 3), FR 441 (ML 3), FR 221G (ML 2), and FR 2081 (ML 1). The segment on NFS lands suitable for timber production, proposed MA 3, has been managed for timber production under the 1987 Forest Plan and timber harvest has occurred along the segment.

The creek is within the Allison-Berg allotment area.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A portion of the proposed segment is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 1,156 acres based on recreational and scenic

classifications. If timber harvest is curtailed on these lands, restoration of forested vegetation would be curtailed on 34 acres within the cold PVT group, 44 acres within the cool moist PVT group, 963 acres within the warm dry PVT group, and 116 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Areas along the lower section of Allison Creek provide winter habitat for big game, and of particular interest, for elk. The headwaters of Allison Creek have good potential to be managed to improve elk summer forage. Changes in vegetation succession have been cited as a factor contributing to declining elk populations (Idaho Department of Fish and Game, 2014). Restrictions on some types of vegetation management may impede the ability to manage habitat to benefit big game species or manage fuels by reducing the number of tools available to manage forest vegetation succession. These activities are currently not restricted in forest plan revision proposed MA 3.

No changes are anticipated to land use in the roadless area. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If this segment is found suitable, the recreational and scenic designations would cause increased restrictions for timber harvest and would likely foreclose timber harvest as an option for vegetation restoration. This option would likely be foreclosed on 14 acres within the cool moist PVT group, 251 acres within the warm dry PVT group, and 146 acres within the warm moist PVT group.

The Idaho Roadless Area Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for this area, surface occupancy is allowed unless prohibited by the forest plan. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

The Forest Service's authority for finding a river eligible or suitable only applies to NFS lands. Only the Forest Service administered portions of the river would be managed as eligible or suitable. At this time, the Forest Service is not pursing acquisition of lands or interests in lands on the basis of wild and scenic rivers. However, should Allison Creek be added to the national system by Congress, Congress may or

may not authorize and/or direct the Forest Service to pursue acquisition of lands or land interests, potentially affecting up to 435 acres of private land within the corridor. As it is not reasonably foreseeable that Congress would direct the agency to acquire lands or land interests, the cost of such action is not being calculated at this time.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

*1. **Desired Condition:** The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

*2. **Desired Condition:** In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

As such, it is not expected that county or local governments would participate in preservation or administration of the river.

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

Idaho County does not have local zoning or land use controls. Prevention of incompatible development on private land would depend on private property owner voluntary participation, education, and outreach.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

No non-Federal lands would be affected by an agency finding that the river is suitable. ORVs were determined based on their presence on Forest Service administered lands.

The State's ability to manage and protect water resources and fish and wildlife habitat is demonstrably high.

The State's ability to maintain free flow is not as evident.

State or county's ability to manage for scenery, geologic, botanic or cultural values is less apparent, especially given the county's opposition to additional wild and scenic rivers.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for

protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creek's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on Federal land and is very remote. While dam construction is possible, it is unlikely.

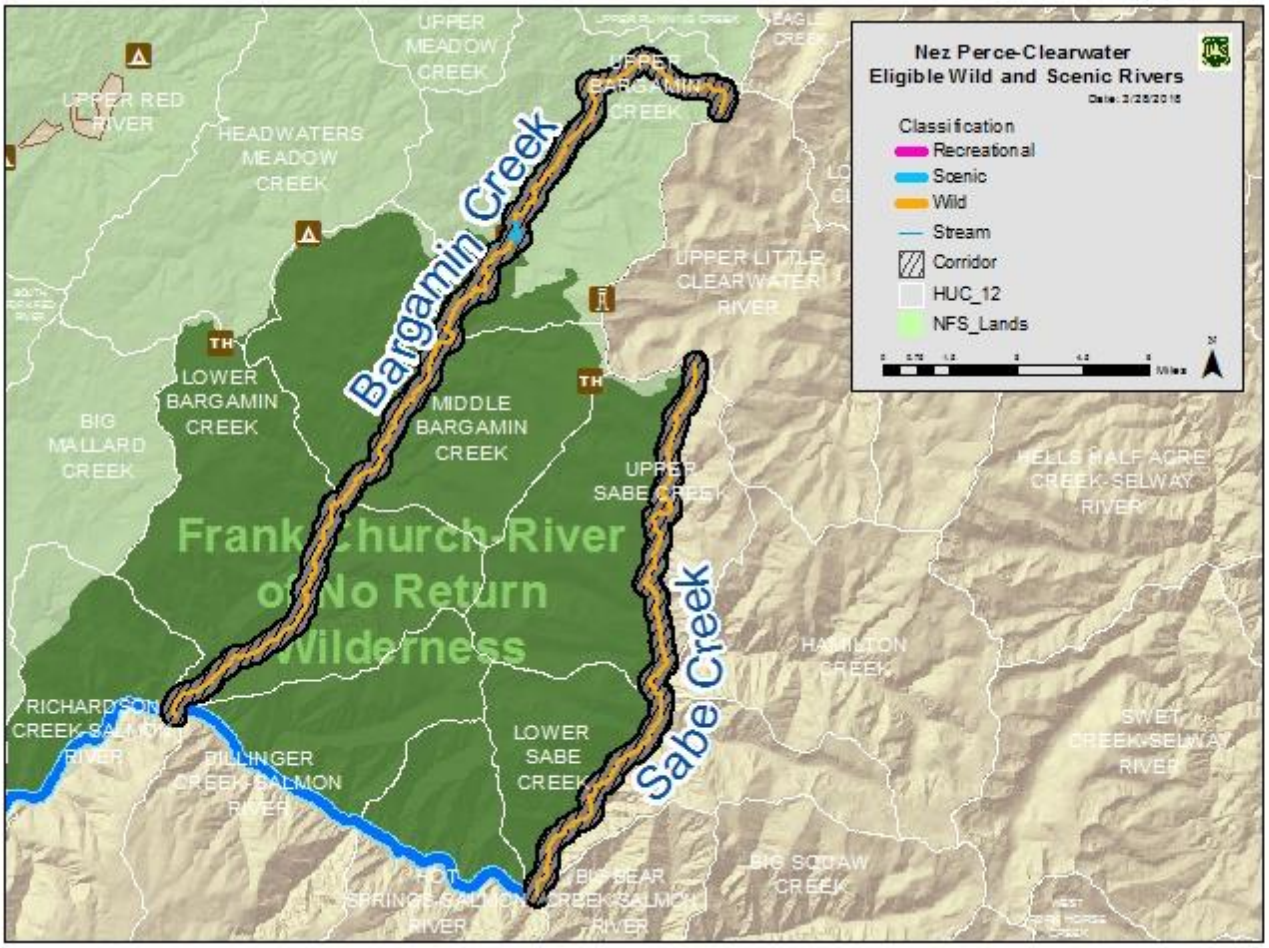
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Bargamin Creek and Sabe Creek

Segment Description	Bargamin Creek: confluence with Salmon River to headwaters Sabe Creek: confluence with Salmon River to headwaters
Segment Length	40.87 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	13,078.4 acres
Preliminary Classification	Sabe Creek: wild Bargamin Creek upper and middle portion: wild Middle section from Hot Springs Creek to wilderness boundary: scenic
Eligibility ORVs	Bargamin Creek: fish and scenic

Segment Map



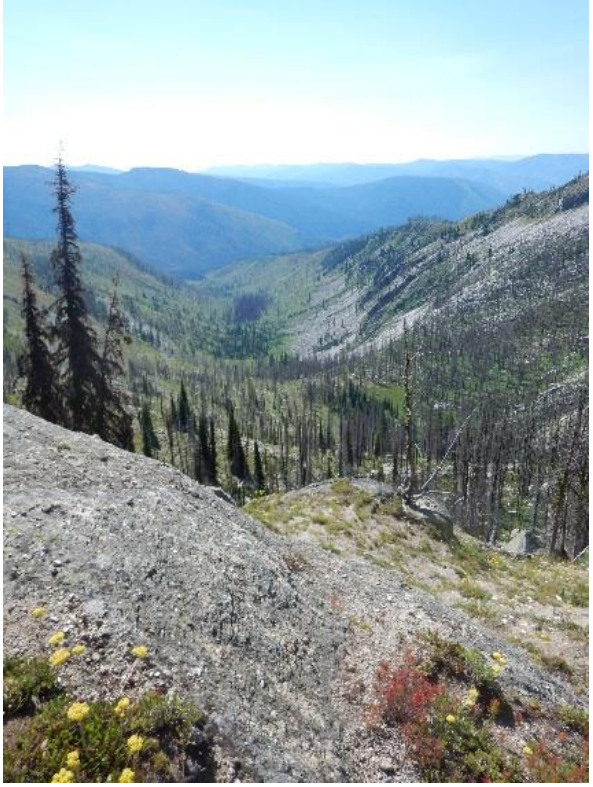
Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The fish ORV for Bargamin and Sabe creeks includes diversity and abundance, habitat quality, and natural reproduction. Eligible segments in both creeks support high species diversity, including spring/summer Chinook salmon, steelhead trout, bull trout, and westslope cutthroat trout. Population numbers are among the highest within the region of comparison. Eligible segments are included as designated critical habitat for Snake River spring/summer Chinook salmon, Snake River steelhead trout, and Columbia River bull trout. Both creeks have been identified as a minor spawning area for Chinook salmon and steelhead trout (National Marine Fisheries Service, 2017), and a bull trout local population has been identified in both (US Fish and Wildlife Service, 2015). Habitat is abundant given the relative size and accessibility of these creeks within the region of comparison and is largely unaffected by human disturbance. There are no known non-native aquatic species present.

Bargamin Creek was originally not identified as having a scenic ORV but was later added based on public input. A history of fires in the river corridor have maintained a diversity of vegetation throughout the U-shaped valley of the corridor as well as a slow moving water through the meadows nears its headwaters and fast-moving water downstream. The stream drops approximately 3,500 feet from its headwaters to the Salmon River, creating rocky drops. The steepness of the creek and the open vegetation allow for distant views.

Photo 3- Looking down into the "wild" section of Bargamin Creek towards the Salmon River.



The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Bargamin Creek is meeting water quality standards and fully supporting the following beneficial uses: cold water aquatic life, salmonid spawning, and secondary contact recreation. Sabe Creek is meeting water quality standards and fully supporting the following beneficial uses: aesthetic, wildlife habitat, and agricultural/industrial water supply.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests and Bitterroot National Forest.

The headwaters of the Bargamin Creek segment are within the East Meadow Creek Idaho Roadless Area (primitive theme area). Bargamin Creek from the mouth to Poet Creek is in the Frank Church-River of No Return Wilderness Area. The Nez Perce Trail Road (FR 468) crosses Bargamin Creek in this area and

other developments found in the corridor near Poet Creek include the Poet Creek Campground (its access road) and the Bargamin Creek Motorized Trail (T 502).

Sabe Creek's western side in on the Nez Perce-Clearwater National Forests and eastern side is on Bitterroot National Forest within the Frank Church-River of No Return Wilderness Area. Near the headwaters of Sabe Creek, the Nez Perce Trail Road (FR 468) runs through a small section of the corridor. The area around the Nez Perce Trail Road is in forest plan revision proposed MA 3.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

Some segments are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be foreclosed on 27 acres of the segments classified as scenic and wild that overlap with proposed MA 3. If timber harvest is foreclosed on these lands, forest vegetation restoration would be curtailed on 24 acres within the cool moist PVT group and three acres within the warm moist PVT group. Management activities near the creeks would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

No changes are anticipated to land use within the roadless areas. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If these segments are found suitable, the scenic designation would cause increased restrictions for timber harvest and would likely foreclose timber harvest as an option for vegetation restoration. This option would likely be foreclosed on 410 acres within the cold PVT group, 912 acres within the cool moist PVT group, 82 acres within the warm dry PVT group, and 348 acres within the warm moist PVT group.

Within Idaho Roadless Areas that allow timber harvest, one segment would be designated wild if found suitable. Timber harvest is not used extensively in this area. However, if this segment is found suitable, timber harvest would be foreclosed as an option for forest vegetation restoration on six acres within the cold PVT group, 15 acres within the cool moist PVT group, 16 acres within the warm dry PVT group, and one acre within the warm moist PVT group.

The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy for primitive themed areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

No changes are anticipated to land use within the wilderness area. Wilderness designation withdraws the area from mineral entry, and water developments in wilderness areas must be authorized by the President.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridors are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

2. ***Desired Condition:*** *In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

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Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

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Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

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Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

Bargamin and Sabe creeks are both major tributaries to the Salmon River and provide important fish habitat in conjunction with the Salmon River. It would be beneficial to manage these as a system.

These creeks are identified as being an important contributor to the river system and to basin integrity. Multiple ORVs have been identified, including a fish ORV corresponding to the creeks' potential to support recovery goals of ESA listed aquatic species. These creeks are some of the larger tributaries in the subbasin or basin. As such, they play an important ecological role in providing clean, free flowing water and habitat for fish and wildlife species. They also are often critically important culturally in the present day, historically, and prehistorically.

13. The potential for water resources development

No potential dam sites have been identified in these streams, which are primarily in the wilderness area.

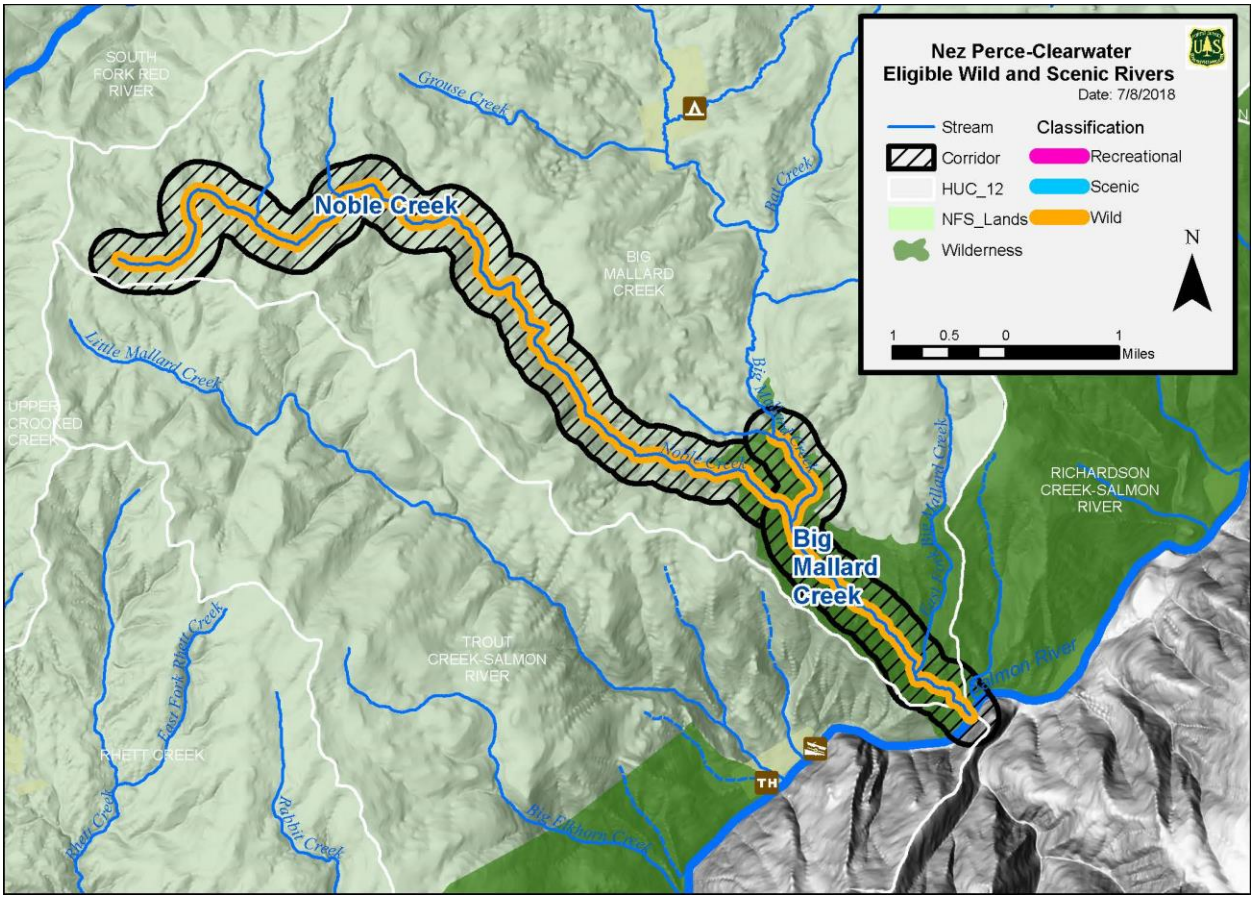
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Suitable

Big Mallard Creek and Noble Creek

Segment Description	Big Mallard Creek: confluence with Salmon River to confluence with Summit Creek Noble Creek: confluence with Big Mallard Creek to headwaters
Segment Length	12.57 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	10,433 acres
Preliminary Classification	Wild and recreational
Eligibility ORVs	Big Mallard Creek: scenic and geology Noble Creek: fish

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The scenic ORV for Big Mallard and Noble creeks is the combination of waterfalls, which are exemplary scenic features. Noble Creek is a tributary to Big Mallard Creek. Big Mallard Creek Falls drop in a spectacular manner to the Salmon River. This is one of the longest waterfalls in the region of comparison with a near-vertical drop of close to a mile. Both waterfalls are within the boundary for the Frank Church-River of No Return Wilderness Area, which appears to have been drawn specifically to include these two creeks.

The combination of Big Mallard Creek and Noble Creek waterfalls are also the outstandingly remarkable geology value.

The fish ORV is based on habitat quality and natural reproduction. Noble Creek supports the only allopatric resident westslope cutthroat trout population in the region of comparison. It is isolated from Big Mallard Creek and the Salmon River by a large waterfall, which is a complete upstream migration barrier. Therefore, it is likely this population is genetically unique and has very high genetic integrity. Population abundance is very high. Habitat quality in these low gradient eligible segments is very high. There are no non-native species present in Noble Creek.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Big Mallard Creek is meeting water quality standards and fully supporting the following beneficial uses: cold water aquatic life and salmonid spawning. Noble Creek is meeting water quality standards and fully supporting the following beneficial uses: cold water aquatic life, secondary contact recreation, and salmonid spawning.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

The Big Mallard Creek and Noble Creek segments are within the Frank Church-River of No Return Wilderness Area. The corridor extends beyond the wilderness area and into small portions of Gospel Hump and Mallard Idaho roadless areas (backcountry/restoration themes).

Big Mallard Creek Road (FR 421) is also within the segment. A corridor of land around the Big Mallard Creek Road (FR 421) is in forest plan revision proposed MA 3.

There are no motorized trails, mining claims, mapped rock sources, or allotments in this area.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

The corridor of land around the Big Mallard Creek Road is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards the desired conditions. In proposed MA 3, timber harvest would also provide products that contribute to economic stability for local communities. However, only a negligible portion of the creek corridors would overlap with proposed MA 3, so a suitable designation would not be expected to have any noticeable impact on vegetation management or timber production. Management activities near the creek would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

No changes are anticipated to land use within the roadless area. Within Idaho Roadless Areas that allow timber harvest, some segments would be designated wild if found suitable. Timber harvest is not used extensively in this area. However, if these segments are found suitable, timber harvest would be foreclosed as an option for forest vegetation restoration on six acres within the cold PVT group, three acres within the cool moist PVT group, 161 acres within the warm dry PVT group, and 23 acres within the warm moist PVT group.

The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for this area, surface occupancy is allowed unless prohibited by the forest plan. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

No changes are anticipated to land use within the wilderness area. Wilderness area designation withdraws the area from mineral entry, and water developments in wilderness areas must be authorized by the President.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridors are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

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*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

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Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

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12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate these creeks' important contributions to the system.

13. The potential for water resources development

Although the waterfalls themselves are within the wilderness boundary, there is a private ranch upstream. A substantial reduction of water flow in the waterfalls would reduce their scenic value.

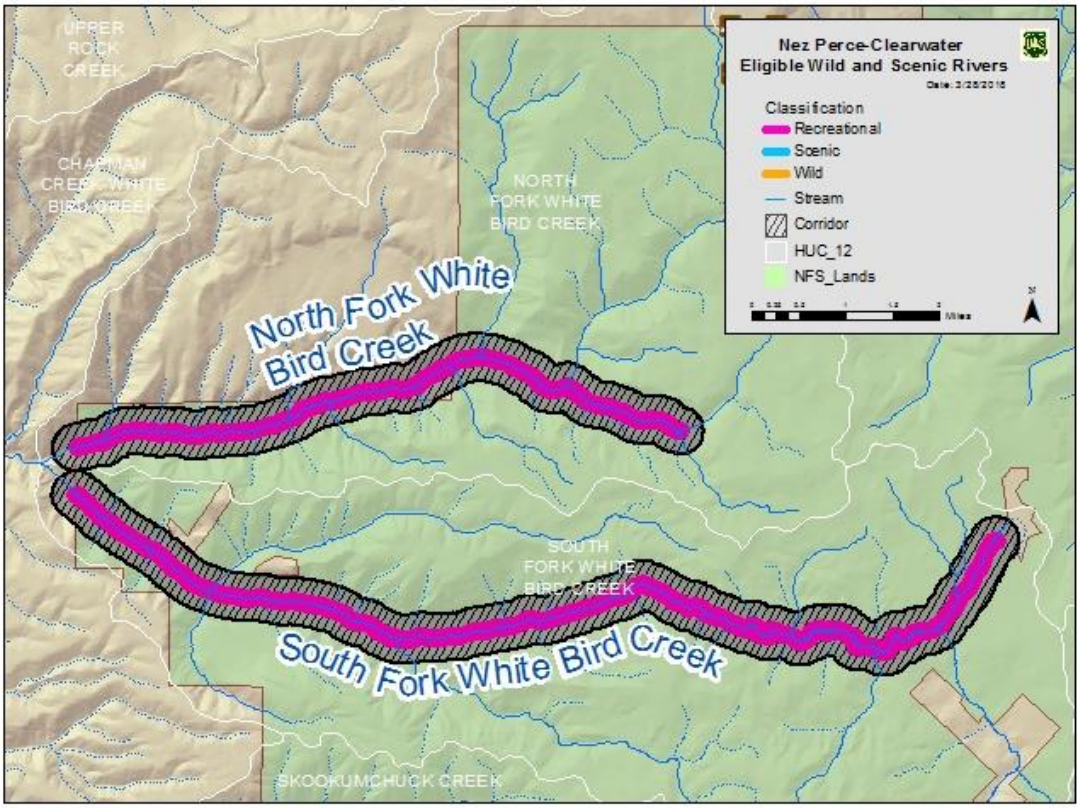
Segment Suitability Determination

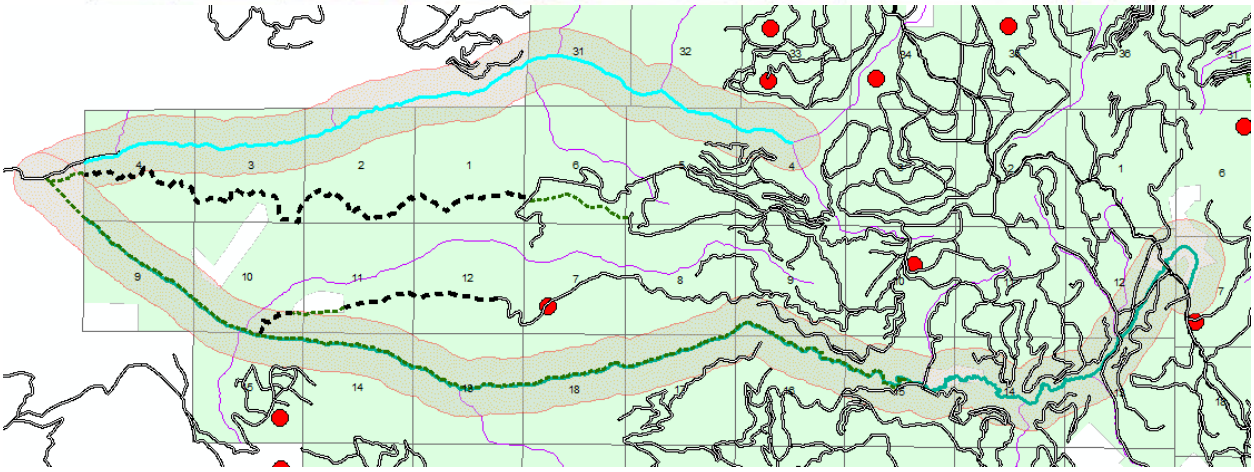
Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

South Fork White Bird Creek and North Fork White Bird Creek

Segment Description	South Fork White Bird Creek: national forest boundary to the headwaters North Fork White Bird Creek: national forest boundary to confluences of Tollgate and Goodwin creeks (this creek leaves the Forest Service boundary for 1.41 miles)
Segment Length	South Fork White Bird Creek: 13.17 miles (of which 1.63 are on private land) North Fork White Bird Creek: 5.59 mile (does not include the area where it leave the proclaimed Forest Service boundary for 1.41 miles)
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	South Fork White Bird Creek: 4,214.4 acres (including 172 acres of private land) North Fork White Bird Creek: 1,788.8 acres (only the areas within the national forest boundary)
Preliminary Classification	Recreational
Eligibility ORVs	Nez Perce cultural and fish

Segment Map





Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

Nez Perce tribal staff identified North Fork White Bird Creek and South Fork White Bird Creek as segments having cultural and historic importance to the Nez Perce Tribe.

The fish ORV is based on species abundance and diversity and natural reproduction. South Fork White Bird and North Fork White Bird creeks support very high densities of juvenile steelhead trout within the region of comparison. Both species use South Fork White Bird and North Fork White Bird creeks for spawning and early rearing. Eligible segments are included as designated critical habitat for Snake River steelhead trout and Snake River spring/summer Chinook salmon. They are also included as a minor spawning area for both species. The higher elevation eligible segments in North Fork White Bird Creek support a known indigenous population of interior redband trout.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. North Fork White Bird Creek is meeting water quality standards and fully supporting the following beneficial uses: cold water aquatic life and secondary contact recreation. South Fork White Bird Creek is meeting water quality standards and fully supporting the following beneficial uses: cold water aquatic life and salmonid spawning.

2. The current status of land ownership and use in the area

There is mixed ownership with NFS lands and private land. The headwaters of South Fork White Bird Creek are on private land and a midsection of the North Fork White Bird Creek leaves the national forest for 1.4 miles.

North Fork White Bird Creek is within the forest plan revision proposed MA 3. Developments in the corridor include the Bentz Ridge Motorized Trail (TR 340), three private roads, and FR 479B (ML 1). The segment is within the White Bird Creek and Peter Ready allotments.

South Fork White Bird Creek is within the forest plan revision proposed MA 3. Developments in the corridor include Milner Motorized Trail (TR 641) and Pinnacle Ridge Motorized Trail (TR 325). Over 20 roads intersect the corridor and roads that cross the creek include FR 221 (ML 5), FR 342 (ML 3), and FR 2009 (ML 3). The segment crosses White Bird Creek and Peter Ready allotments.

The segments on NFS lands suitable for timber production, proposed MA 3, have been managed for timber production and other objectives under the 1987 Forest Plan and timber harvest has occurred along the segments.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

The proposed segments are in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 3,745 acres of the segment based on a recreational classification. If timber harvest is curtailed or foreclosed on these lands, restoration of forested vegetation would be curtailed on 86 acres within the cold PVT group, 245 acres within the cool moist PVT group, 2,145 acres within the warm dry PVT group, and 1,259 acres within the warm moist PVT group. Management activities near the creeks would follow the direction of BMPs for riparian

management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Areas along the lowest section of South Fork Whitebird Creek provide winter habitat for big game, and of particular interest, for elk. Changes in vegetation succession have been cited as a factor contributing to declining elk populations (Idaho Department of Fish and Game, 2014). Restrictions on some types of non-fire vegetation management may impede the ability to manage winter habitat to benefit big game species or manage fuels by reducing the number of tools available to manage forest vegetation succession.

The headwaters of the South Fork Whitebird Creek contains high quality fisher habitat. These habitats would be protected if this river is added to the national system.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

The Forest Service's authority for finding a creek eligible or suitable only applies to NFS lands. Only the Forest Service administered portions of the creek would be managed as eligible or suitable. At this time, the Forest Service is not pursing acquisition of lands or interests in lands on the basis of wild and scenic rivers. However, should the creeks be added to the national system by Congress, Congress may or may not authorize and/or direct the Forest Service to pursue acquisition of lands or land interests, potentially affecting up to 172 acres of private land within the corridor. As it is not reasonably foreseeable that Congress would direct the agency to acquire lands or land interests, the cost of such action is not being calculated at this time.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

2. ***Desired Condition:*** *In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

5. ***Guideline:*** *To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

Idaho County does not have local zoning or land use controls. Prevention of incompatible development on private land would depend on private property owner voluntary participation, education, and outreach.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

No non-Federal lands would be affected by an agency finding that the creeks are suitable. ORVs were determined based on their presence on Forest Service administered lands.

The State's ability to manage and protect water resources and fish and wildlife habitat is demonstrably high.

The State's ability to maintain free flow is not as evident.

The State or county's ability to manage for scenery, geologic, botanic, or cultural values is less apparent, especially given the county's opposition to additional wild and scenic rivers.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation of a river segment as suitable, particularly where the river segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the “best of the best” rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two

examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing

protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate these creeks' important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely.

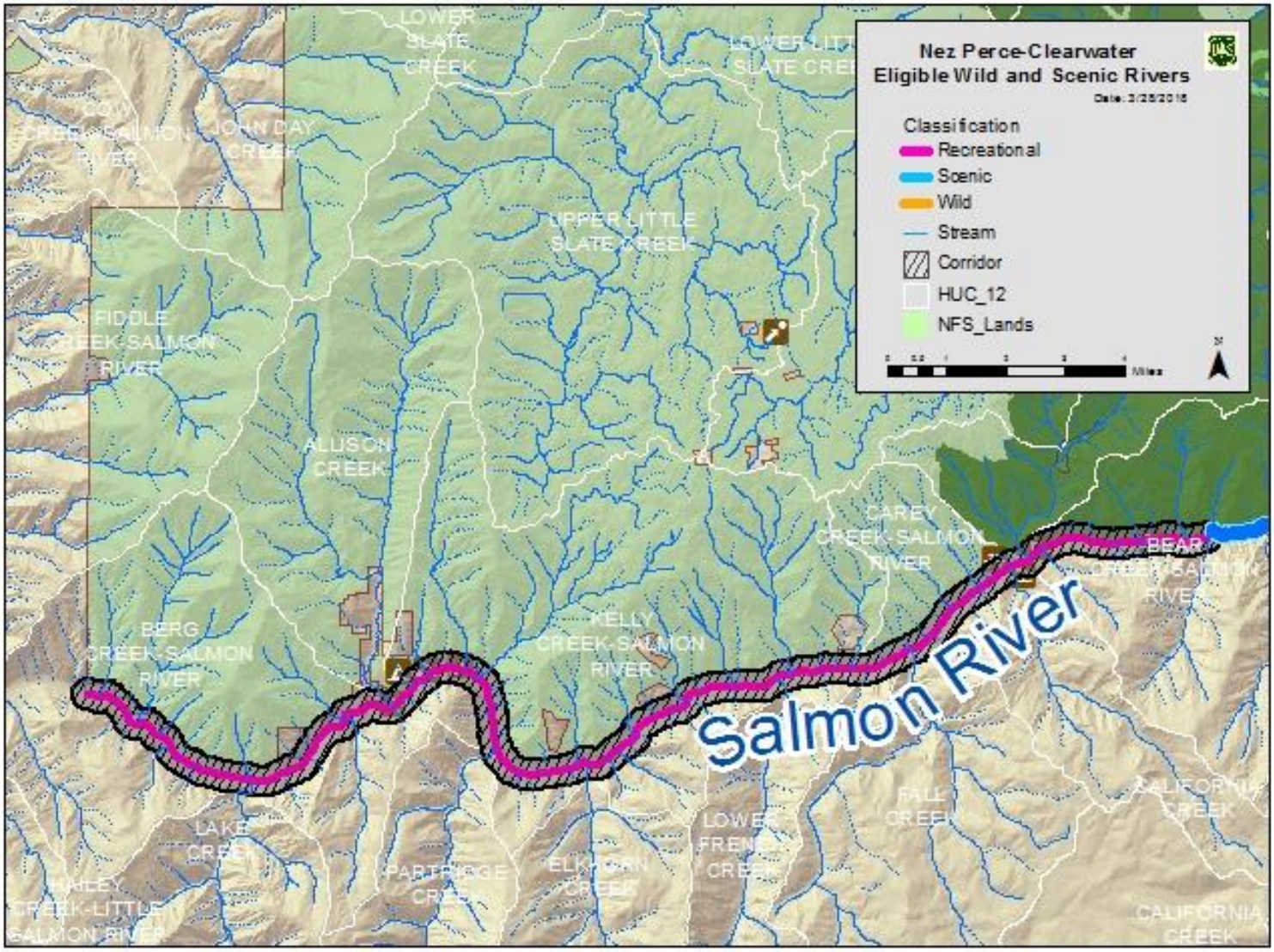
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Not suitable	Not suitable	Not suitable	Not suitable

Salmon River

Segment Description	National forest boundary to Long Tom Bar at wild and scenic river designation
Segment Length	23.19 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	37,322 acres
Preliminary Classification	Recreational
Eligibility ORVs	Scenic, recreation, and wildlife

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

This corridor of this river segment contains a mix of vegetation, from steep, rocky grasslands to coniferous trees to cottonwoods along the river. The deep wide canyon provides extensive views. Much of this segment is wide, relatively calm water that forms pools interspersed with rapids that form whitewater that contributes to visual variety. The scenic quality of the Salmon River downstream from Long Tom Bar to the national forest boundary, which had been found scenic in the 1973 Salmon River Study that evaluated the Salmon River from source to mouth, has been reaffirmed. The 112-mile stretch from the mouth at the Snake River upstream to Long Tom Bar was also found scenic in the nationwide rivers inventory, last updated in 1993. The BLM considers this segment as both eligible and suitable

based on the 1973 study directed by the 1968 Wild and Scenic Rivers Act (BLM Cottonwood Resource Management Plan 2008).

The recreational ORV is for boating, swimming, and fishing. The Salmon River from Long Tom Bar to Riggins provides easily accessible boating on a large, broad and flat river interspersed with rapids, most notably at French Creek and Ruby Rapids. This stretch has a road along the length of it, which provides access in many places. Three developed boat ramps at Vinegar Creek, Carey Creek, and Spring Bar are in this segment along with one at Shorts Bar on BLM lands several miles downstream of the national forest boundary, allow for different length of trips. The river can be boated by kayak, raft, canoe, drift boat, and jet boat. The low elevation of this segment varies from 1,700 feet to 1,900 feet and allows for a long boating season with opportunities during most of the year.

This segment of the Salmon River develops large beaches in the summer since it is a large free-flowing river. Its natural and often dramatic water level fluctuation transports sand where it can be deposited to replenish beaches. The combination of large beaches with calm pools at low elevation attract people from within and beyond the region of comparison. The Salmon River stands out with places for swimming that may attract people beyond the region of comparison since the other large rivers have dams or diversions (e.g., the Snake, Bitterroot, and North Fork Payette rivers), have steep and rocky shorelines (e.g. Lochsa and South Fork Payette rivers), or are smaller rivers closer to roads (e.g. the lower Selway and South Fork and North Fork Clearwater rivers) that form smaller beaches but do not provide the same level of experience as the Salmon River. The Clearwater River also develops several large beaches. Most of the smaller rivers do not provide water deep enough to swim or soak.

The Salmon River provides both steelhead and salmon fishing easily accessible by road with boating access points. Within the region of comparison, the Clearwater River, along with the lower Middle Fork Clearwater (for less than two miles), downstream of the national forest boundary and the lower Snake River provide this opportunity. The South Fork Clearwater, Little Salmon and South Fork Salmon provides a unique steelhead bankfishing opportunity. Steelhead fishing routinely draws numerous visitors from within and beyond the region of comparison from southwest Montana, Spokane, and Boise.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. This portion of the Salmon River has not been assessed or there is insufficient data to determine if water quality standards are being met or if beneficial uses are supported.

The Wildlife ORV is based on observations of the following species:

- The ashy pebblesnail (*Fluminicola columbiana*) was originally known from the Lower Snake and Columbia River drainages in Washington, Oregon, Idaho, British Columbia, and possibly Montana. It is probably extirpated from the middle and upper Columbia River in Washington, Montana, and British Columbia, and may be extinct in the lower Columbia River in Washington and Oregon ((Neitzel & Frest, 1993). It is still extant in some tributaries in Washington (Okanogan and Methow Rivers). It was documented in the Salmon River by Frest and Nietzel between 1988 and 1991 ((Neitzel & Frest, 1993), (Idaho Department of Fish and Game, 2017)).
- The boulder pile mountainsnail (*Oreohelix jugalis*) has been found near the Salmon River. This mountainsnail is an Idaho endemic species whose global distribution is only found in the Salmon

River Subbasin between Hells Gate Creek and Allison Creek. The species is considered critically globally imperiled (G1G2) and critically imperiled at the state level (S1) by Nature Serve ((NatureServe, 2017)). Though a terrestrial species, all known observations of this snail have been observed within one-quarter mile of rivers. The species is known from fewer than 20 sites in western Idaho (Hendrix & Maxwell, 2005). In 1999, these snails were thought to be declining and were reported as common at only 26 percent of sites ((Frest T. , 1999)). Habitat loss arising from road construction (extraction of road building materials), mining, and livestock grazing are the primary threats to this species ((Frest T. , 1999)).

- The rotund physa (*Physella Columbiana*) is an endemic snail to the Columbia River Basin. Historically, it was widespread across the basin, but is now possibly extirpated from Oregon and British Columbia. In Idaho, the species was recorded in the early 1980s from scattered locations along the lower Clearwater River, the lower Salmon River, and the upper Snake River (Idaho Department of Fish and Game, 2017).
- The shortface lanx (*Fisherola nuttalli*) is a non-migrant freshwater snail. The range of the shortface lanx used to include almost the entire Columbia River Basin, but today this species is restricted to only a few remaining sites. In Idaho it is known in Hells Canyon of the Snake River and the lower Salmon and middle Snake rivers (Neitzel & Frest, 1993). It was documented in the Salmon River by Frest and Nietzel during surveys from 1988 to 1991 (Neitzel & Frest, 1993), (Idaho Department of Fish and Game, 2017).

The western ridged mussel (*Gonidea angulate*) is widespread across the northwestern U.S. but has experienced population declines and loss of populations in many areas of its range (Blevins, et al., 2017). Historically, populations existed in much of the Snake, Clearwater, Salmon, and Little Salmon rivers in Idaho. Recent analyses by the Xerces Society suggests that the species has been lost from about one-third of its range in Idaho (Idaho Department of Fish and Game, 2017), (Blevins, et al., 2017). The primary threat to this species is the degradation of water quality and quantity through impoundments, channel modification, reduced stream flow, contamination, sedimentation, nutrient enrichment, and thermal pollution (Idaho Department of Fish and Game, 2017).

2. The current status of land ownership and use in the area

The south side of the river is in public ownership for about 16 miles west of the Payette National Forest boundary in Section 18, T. 24 N, R. 4E. There is mixed ownership along the north side of the river in this 16 mile section; 12.4 miles are NFS lands, and 3.6 miles are privately owned.

The majority of the area is non-forested proposed MA 3. There are a very limited number of acres along this segment in land suited for timber production. This area has been managed for elk habitat under the 1987 Forest Plan.

Salmon River Road (FR 1614) and FS 103 are present along the river along with private road Berg Ranch (FR 9900).

There are boat ramps at Vinegar Creek, Carey Creek, and Spring Bar with dispersed campsites at Van Creek, a developed 18 unit campground at Spring Bar, and a developed picnic site at Allison Creek.

The French Creek Trail is open to hiking, horseback riding, and motorcycles and the Wind River Bridge and Idaho Centennial Trail 88 Trailhead are open for horses and pack animals.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

The proposed segment is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 243 acres if the segment is classified recreational. If timber harvest is curtailed on these lands, restoration of forested vegetation would be curtailed on 241 acres within the warm dry PVT group and two acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

4. The Federal agency that will administer the area should it be added to the national system

The north side of the river in this segment is primarily lands managed by the Nez Perce-Clearwater National Forests except for private lands near Allison Creek. The south side of the river is managed by the Payette National Forest from Long Tom Creek to French Creek. The remainder of the south side is a mix of private lands and lands managed by the BLM.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

The Forest Service's authority for finding a river eligible or suitable only applies to NFS lands. Only the Forest Service administered portions of the river and corridor would be managed as eligible or suitable. At this time, the Forest Service is not pursing acquisition of lands or interests in lands on the basis of wild and scenic rivers. However, should this segment of the Salmon River be added to the national system by Congress, Congress may or may not authorize and/or direct the Forest Service to pursue acquisition of lands or land interests, potentially affecting up to 4,188 acres of private land within the corridor. As it is not reasonably foreseeable that Congress would direct the agency to acquire lands or land interests, the cost of such action is not being calculated at this time.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

1. ***Desired Condition:*** *The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

2. ***Desired Condition:*** *In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

5. ***Guideline:*** *To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

Idaho County does not have local zoning or land use controls. Prevention of incompatible development on private land would depend on private property owner voluntary participation, education, and outreach.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

No non-Federal lands would be affected by an agency finding that the river is suitable. ORVs were determined based on their presence on NFS lands.

The State's ability to manage and protect water resources and fish and wildlife habitat is demonstrably high.

The State's ability to maintain free flow is not as evident.

The State or county's ability to manage for scenery, geologic, botanic, or cultural values is less apparent, especially given the county's opposition to additional wild and scenic rivers.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation of a segment as suitable, particularly where the segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the “best of the best” rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they

also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

This Salmon River segment is an essential portion of the Salmon River and Snake River basins and is notable in the Columbia River basin.

13. The potential for water resources development

Water resources development on the Salmon River is unlikely due to social and political considerations. The upper portion of the Salmon River was designated as wild and scenic in part to prevent dam construction. The Salmon River is the longest undammed river in North America. It is unlikely that would change with or without a finding of suitable or formal designation by Congress.

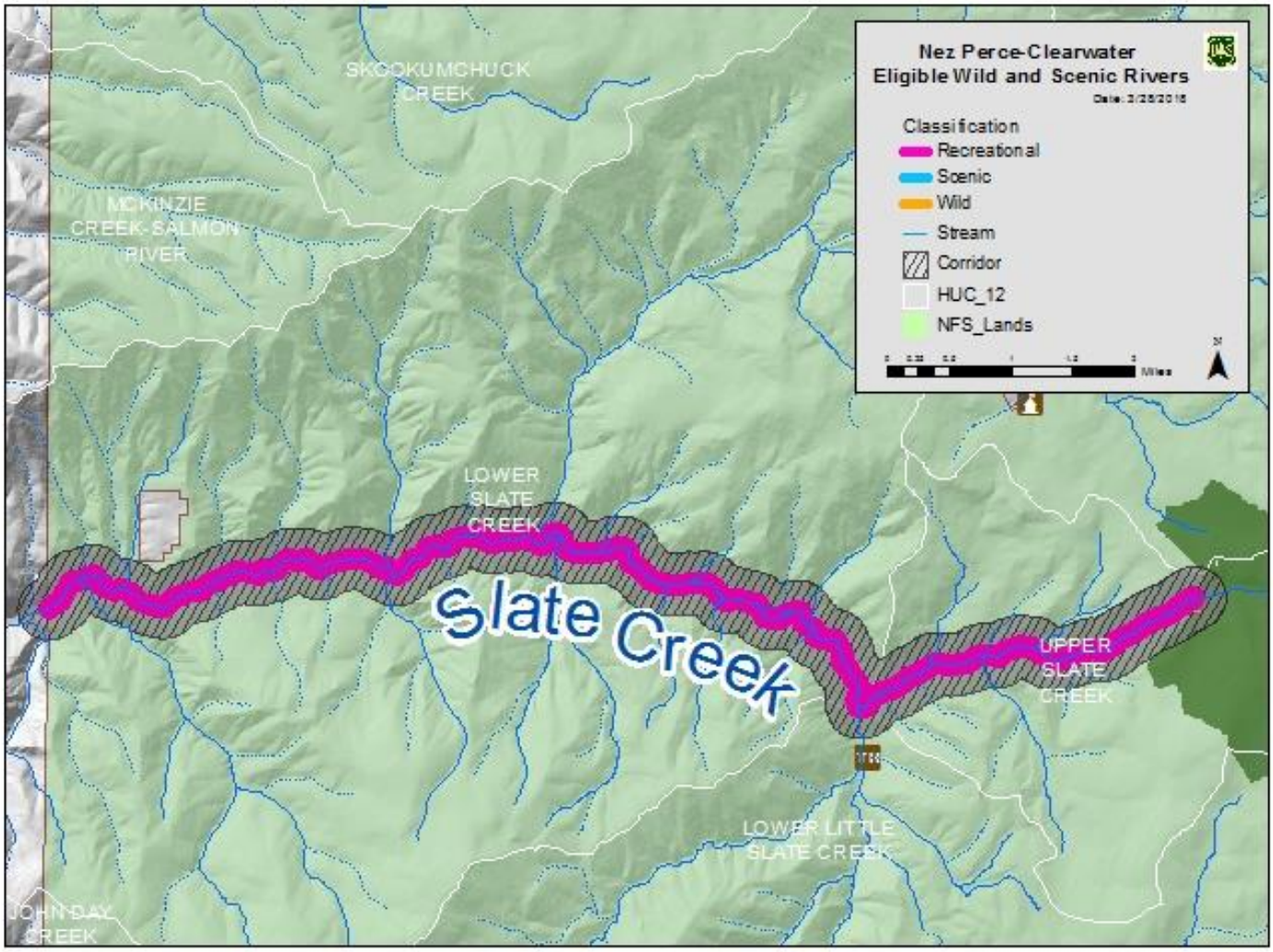
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Suitable	Not suitable	Suitable	Suitable

Slate Creek

Segment Description	National forest boundary to headwaters
Segment Length	17.76 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	5,683.2 acres
Preliminary Classification	Recreational
Eligibility ORVs	Nez Perce Tribe cultural, fish, and wildlife (marbled disc and Selway forestsnail)

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The fish ORV for Slate Creek includes diversity and abundance, natural reproduction, and cultural and historic importance to the Nez Perce Tribe. Slate Creek supports spawning and early rearing habitat for spring/summer Chinook salmon and steelhead trout, and both species are present in eligible river segments. The segment is also included as designated critical habitat for Snake River spring/summer Chinook salmon, Snake River steelhead trout, and Columbia River bull trout. It's identified as a minor spawning area for salmon and steelhead (National Marine Fisheries Service, 2017), and a local bull trout

population has been identified (US Fish and Wildlife Service, 2015). These populations and designations are unique within the region of comparison.

Fish diversity and abundance is defined as presence of two or more native fish species with high known genetic integrity, known high numbers of juvenile fish and adult fish, multiple life history strategies present, and higher fish densities than others in the region of comparison. Natural reproduction is defined when one or more native fish species is known to occur at high levels.

The wildlife ORV is based on the observations of wildlife species considered to be unique. Slate creek contains observations of the marbled disc (*Discus marmorensis*) and the Selway forestsnail. The presence of these two endemic gastropods provide the basis for Slate Creek having a wildlife ORV.

Marbled disc is an Idaho endemic, in which the entire global range is found only in the lower Salmon River drainage clustered closely in western Idaho County. The distribution of this snail is coincident with a geologic region known as the Martin Bridge Formation, characterized by a predominance of calcareous rock types. All localities are on the western and north western flanks of John Day Mountain, in portions of John Day Creek and Slate Creek drainages. The Slate Creek locations are the only places where the marbled disc is known to occur on NFS lands, making Slate Creek unique in the region of comparison. This species is considered a State of Idaho Species of Greatest Conservation Need Tier I (Idaho Department of Fish and Game, 2017). The species is considered critically globally imperiled (G1G2) and critically imperiled at the state level (S1) by Nature Serve (NatureServe, 2017). Frest and Johannes ((Frest & Johannes, 1997)) considered the species rare, even within its very narrow range. Though a terrestrial species, all known observations of this snail have been observed within one-quarter mile of rivers. Habitat is dense riparian conifer forest. Snails occur under rocks and woody debris partially buried in decomposing leaf and conifer needle litter or decomposing downed tree limbs. This species also inhabits well-shaded, moist ponderosa pine forests with diverse deciduous and forb understories. Within occupied habitat, colonies usually occur near stream edges and at the bases of steep slopes, often in association with limestone (Idaho Department of Fish and Game, 2017).

The Selway forestsnail is an Idaho endemic with a global range that is only known to occur in isolated colonies at lower elevations along the lower Lochsa River, the Selway River, the South Fork Clearwater River, and the lower Salmon River and their tributaries. This species is found in intact mixed coniferous forest, usually in low elevation, well-shaded, moist areas along medium to large streams. Sites usually have a diverse understory and a substantial duff layer. It is known only from about a dozen sites across its entire range, including Slate Creek. Occurrences of this species in the lower Salmon River are disjunct from the rest of the species range (Frest & Johannes, 1997).

Nez Perce tribal staff identified the Slate Creek segment as having cultural and historic importance to the Nez Perce Tribe.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Slate Creek is meeting water quality standards and fully supporting the following beneficial uses: cold water aquatic life, secondary contact recreation, and salmonid spawning.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

The headwaters of the Slate Creek segment are within the Gospel-Hump Wilderness Area until the Rocky Bluff Campground (four sites). From there the segment is in forest plan revision proposed MA 3. The segment on NFS lands suitable for timber production, proposed MA 3, has been managed for timber production and other objectives under the 1987 Forest Plan and some timber harvest has occurred along the segment. The corridor also includes the North Fork Slate Creek (backcountry/restoration theme area) and Little Slate Creek Idaho Roadless Areas (backcountry/restoration and special themed areas). The Little Slate Creek Special Area is also a part of the No Business Creek RNA.

The North Fork Slate Creek Campground (five sites) is also in the corridor and FR 354 (ML 3) or FR 221 (ML 5) runs alongside the creek until it enters the wilderness area. A number of motorized trails and other roads branch off these main roads in the corridor, including the Idaho Centennial Trail (TR 88).

The segment crosses Butte Gospel and Peter Ready allotments. The Forest Service rock source Rocky Bluff is within the corridor.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A portion of the proposed segment is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 1,434 acres if the corridor is classified recreational. If timber harvest is curtailed on these lands, restoration of forested vegetation would be curtailed on two acres within the cool moist PVT group, 1,100 acres within the warm dry PVT group, and 332 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Areas along the lower section of Slate Creek provide winter habitat for big game, and of particular interest, for elk. Changes in vegetation succession have been cited as a factor contributing to declining elk populations (Idaho Department of Fish and Game, 2014). Restrictions on some types of vegetation management may impede the ability to manage winter habitat to benefit big game species or manage fuels by reducing the number of tools available to manage forest vegetation succession. These activities are currently not restricted in forest plan revision proposed MA3.

No changes are anticipated to the land use surrounding North Fork Clearwater River in the wilderness area, roadless areas, and RNAs. A wild and scenic designation would enhance protections.

No changes are anticipated to the land use in the roadless areas. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If this river segment is found

suitable, the recreational designation would cause increased restrictions for timber harvest and would likely foreclose timber harvest as an option for vegetation restoration. This opportunity would likely be foreclosed on 632 acres within the warm dry PVT group and 79 acres within the warm moist PVT group.

The Idaho Roadless Area Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for this area, surface occupancy is allowed unless prohibited by the forest plan. The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy in special areas of historic and tribal significance theme areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

No changes are anticipated to the land use within the wilderness area. Wilderness area designation withdraws the area from mineral entry, and water developments in wilderness areas must be authorized by the President.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

*1. **Desired Condition:** The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

*2. **Desired Condition:** In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation of a river segment as suitable, particularly where the river segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creek's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on Federal land and is very remote. While dam construction is possible, it is unlikely.

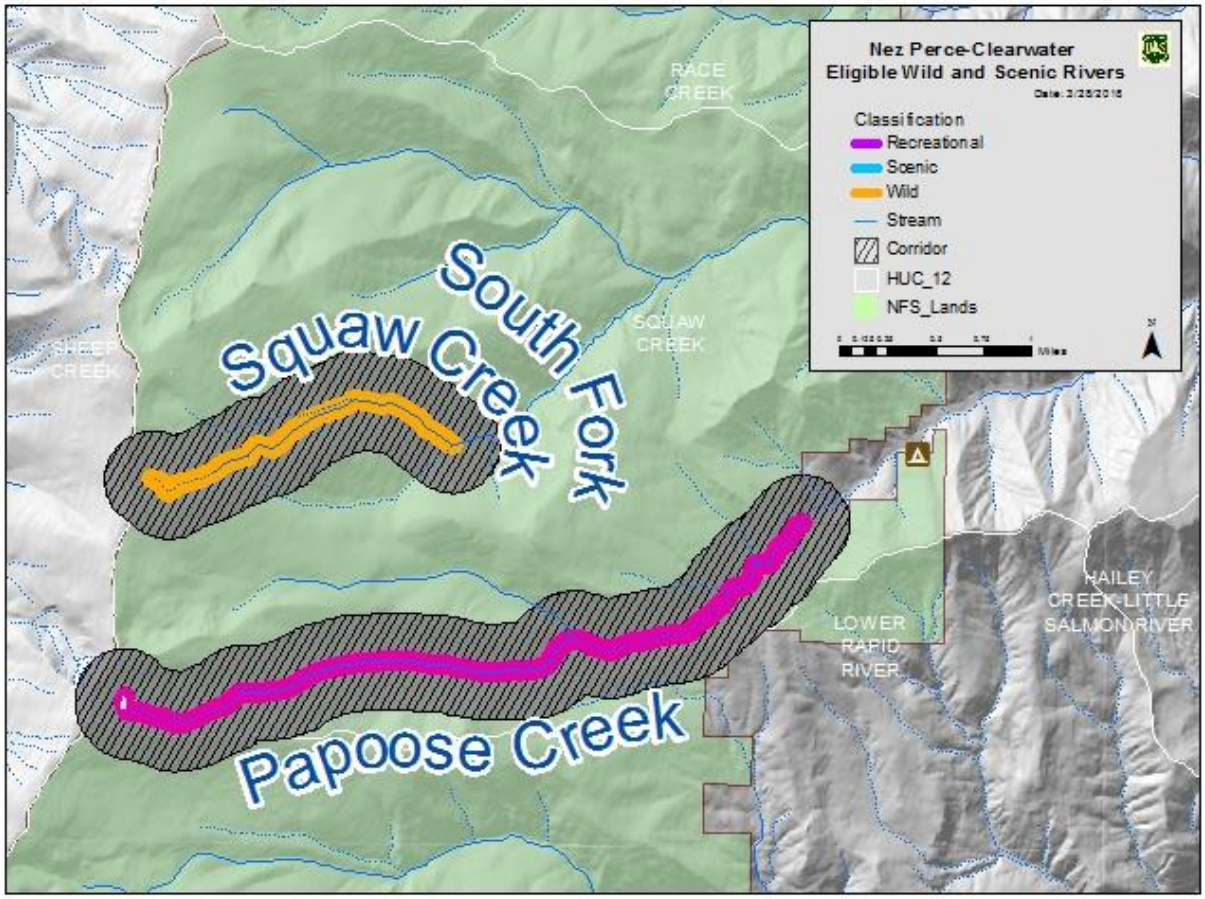
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Eligible	Not suitable	Not suitable	Not suitable	Not suitable

South Fork Squaw Creek and Papoose Creek

Segment Description	South Fork Squaw Creek: source to 1.22 miles downriver Papoose Creek: FR 517C to downriver 0.65 miles Shingle Creek: national forest boundary upriver 0.58 miles to Slivers Station
Segment Length	6.32 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	2793 acres
Preliminary Classification	South Fork Squaw Creek: wild Papoose Creek: recreational
Eligibility ORVs	South Fork Squaw Creek and Papoose Creek: wildlife (boulder pile mountainsnail and pristine pyrg snail) Papoose Creek: geology

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The Wildlife ORVs are based on the observations of wildlife species considered to be unique. Papoose Creek is one of a few locations where observations of the pristine pyrg (Pristinicola hemphilli) is known to occur within the region of comparison. The corridor of South Fork Squaw Creek is known to contain populations the boulder pile mountain snail (Oreohelix jugalis).

The pristine pyrg is a regional endemic known only from scattered locations in Washington, Oregon, California, and Idaho. In Idaho, populations occur in portions of the lower Snake River and lower Salmon River drainages (Frest T. , 1999). Its environmental specificity is considered narrow to very narrow ((NatureServe, 2017), with its habitat described as cold, undisturbed springs, seeps, and small creeks with cobble substrates, slow to moderate flows, and very shallow, cold, clear water. This snail is normally associated with springs and seeps that are in pristine condition. It is completely aquatic, semelparous (reproduces a single time before dying), and generally lives one to two years. Observations in Idaho typically consist of a small number of individuals. This species is considered a State of Idaho Species of Greatest Conservation Need Tier II (Idaho Department of Fish and Game, 2017). Most known

populations occur primarily on privately owned lands, but at least one location is within lands administered by the Nez Perce-Clearwater National Forests, and another site is on the Payette National Forest (Stagliano, Stephens, & Bosworth, 2007). Papoose Creek is one of the few known occurrences of this species on national forest lands. Habitat loss is the primary threat to the species. According to Frest and Johannes (Frest & Johannes, 1997), grazing is a prevalent cause of habitat degradation. Other causes include road construction and maintenance, damming and water diversion, and campground construction. Increased nutrient load in groundwater is also a potential threat to some populations ((Frest T. , 1999).

The boulder pile mountainsnail has been found near South Fork Squaw Creek. This mountainsnail is an Idaho endemic species whose global distribution is only found in the Salmon River Subbasin between Hells Gate Creek and Allison Creek. The species is considered critically globally imperiled (G1G2) and critically imperiled at the state level (S1) by Nature Serve (NatureServe, 2017). Though a terrestrial species, all known observations of this snail have been observed within one-quarter mile of rivers (Idaho Department of Fish and Game, 2017). The species is known from fewer than 20 sites in western Idaho (Hendrix & Maxwell, 2005). In 1999, these snails were thought to be declining and were reported as common at only 26 percent of sites (Frest T. , 1999). Habitat loss arising from road construction (extraction of road building materials), mining, and livestock grazing are the primary threats to this species (Frest T. , 1999).

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. South Fork Squaw Creek and Papoose Creek are meeting water quality standards and are fully supporting the following beneficial uses: cold water aquatic life and secondary contact recreation.

2. The current status of land ownership and use in the area

All of the lands in the South Fork Squaw Creek proposed corridor are managed by the Nez Perce-Clearwater National Forests. The segment is within the Salmon Face Idaho Roadless Area (backcountry/restoration theme). This area is within forest plan revision proposed MA 2. It is in the Papoose Allotment. Papoose Creek is also on lands managed by the Nez Perce-Clearwater National Forests. Papoose Creek is not in a roadless area and is within MA 3.

The segments on NFS lands suitable for timber production, proposed MA 3, have been managed for timber production and other objectives under the 1987 Forest Plan, though there is no record of timber harvest along the segments.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

No changes are anticipated to land use surrounding South Fork Squaw Creek since the area has been managed as a part of a backcountry/restoration theme of the Idaho Roadless Area. A wild and scenic designation would enhance the protections.

The area surrounding Papoose Creek is within the suitable timber base and timber harvests are one management tool used to current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 775 acres if the segment is classified as recreational. If timber harvest is curtailed on these lands, restoration of forested vegetation would be curtailed on 32 acres within the cool moist PVT group, 502 acres within the warm dry PVT group, and 241 acres within the warm moist PVT group. Management activities near the river would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

Papoose Creek also flows through Idaho Roadless Rule lands with themes that allow timber harvest for ecological restoration and other purposes. If Papoose Creek is found to be suitable, restoration activities would be curtailed within the recreational segments of the river. This means that forest vegetation

restoration would be curtailed on 98 acres within the cold PVT group, 136 acres within the cool moist PVT group, 52 acres within the warm dry PVT group, and 75 acres within the warm moist PVT group.

Also within Idaho Roadless Areas that allow timber harvest, South Fork Squaw Creek would be designated wild if found suitable. Timber harvest is not used extensively in this area. However, if this segment is found suitable, timber harvest would be foreclosed as an option for forest vegetation restoration on 68 acres within the cold PVT group, 196 acres within the cool moist PVT group, 106 acres within the warm dry PVT group, and 124 acres within the warm moist PVT group.

Areas along the section of Papoose Creek provide winter habitat for big game, and of particular interest, for elk. Changes in vegetation succession have been cited as a factor contributing to declining elk populations (Idaho Department of Fish and Game, 2014). Restrictions on some types of vegetation management may impede the ability to manage winter habitat to benefit big game species or manage fuels by reducing the number of tools available to manage forest vegetation succession.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segments if they are added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed for Papoose Creek or the South Fork Squaw Creek since all lands in its corridor are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

*1. **Desired Condition:** The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

*2. **Desired Condition:** In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

There are no private lands within the Papoose Creek and South Fork Squaw Creek segments.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

The Papoose Creek and South Fork Squaw Creek segments do not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the "best of the best" rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to

efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being the major tributaries and having the most ORVs. Current protections would likely perpetuate these creeks' important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. These creeks are entirely on Federal land and are very remote. While dam construction is possible, it is unlikely.

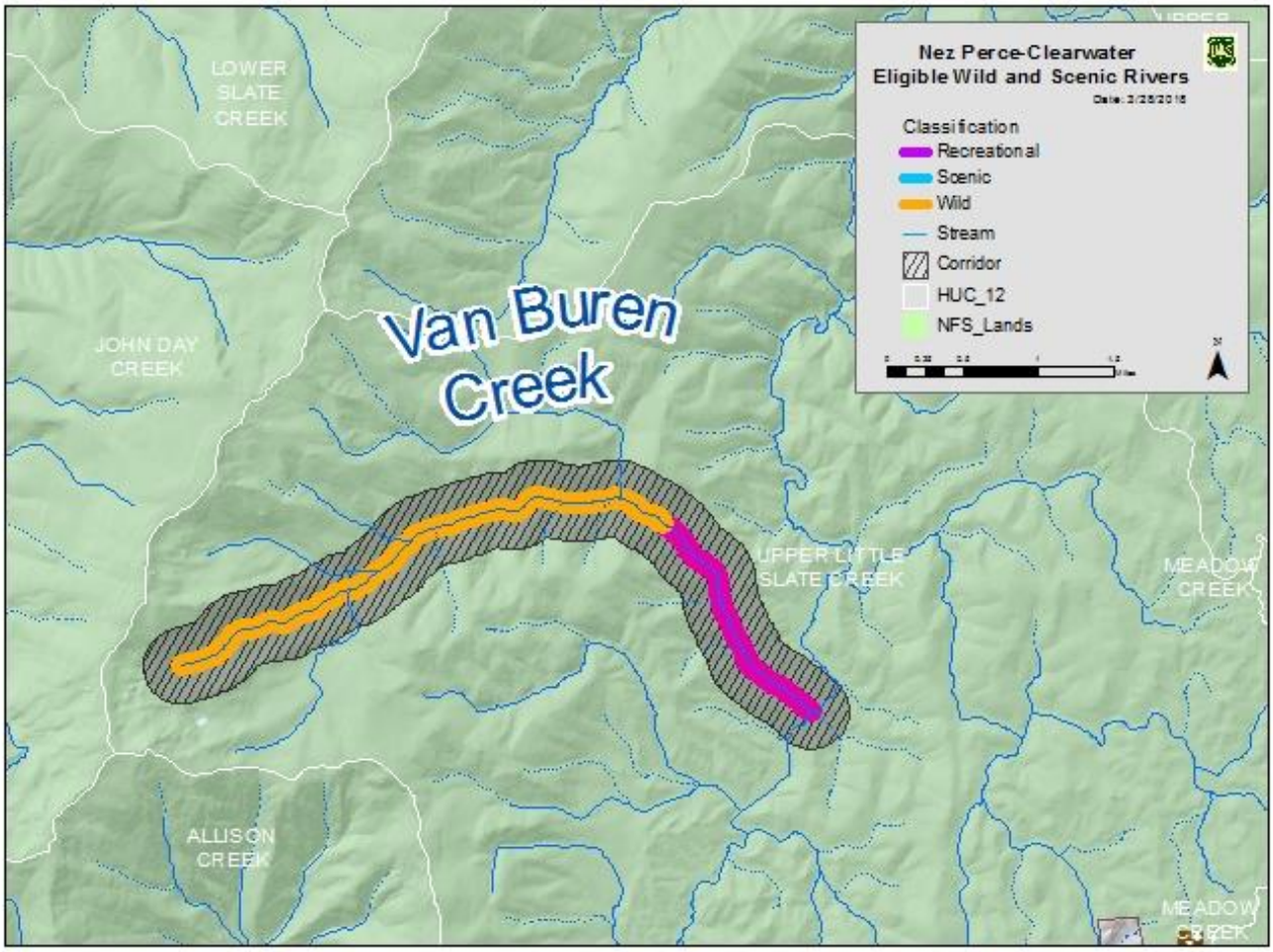
Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

Van Buren Creek

Segment Description	Confluence with Little Slate Creek to headwaters
Segment Length	5.31 miles
Segment Area/Corridor (one-quarter mile on each side of the segment, measured from the high water marks)	13,078.4 acres
Preliminary Classification	Van Buren Creek upper portion: wild Van Buren Creek lower portion: recreational
Eligibility ORVs	Fish

Segment Map



Elements for Determining Suitability

1. Characteristics that do or do not make the area (the corridor) a worthy addition to the national system

The fish ORV for the Van Buren Creek includes habitat quality and natural reproduction. Van Buren Creek supports the only known fluvial population of bull trout within the region of comparison. Eligible segments are included as designated critical habitat for Columbia River bull trout, and a local population has been identified (US Fish and Wildlife Service, 2015). Interior redband trout are also present. Eligible segments are included in the 2040 modeled climate shield for bull trout with moderate probability (Isaak, Young, Nagel, & Horan, 2015). There are no other areas in the region of comparison that have been similarly modeled, so Van Buren Creek represents the one place in the region of comparison where bull trout might be expected to persist into the future given current climate change trends. Habitat has been minimally affected by human disturbance. There are no known non-native species in Van Buren Creek.

The IDEQ 305(b)/303(d) 2014 Integrated Report (State of Idaho Department of Enviornmental Quality, 2017) presents the current status of water quality for Idaho's waters. Van Buren Creek is meeting water quality standards and fully supporting the following beneficial uses: cold water aquatic life, secondary contact recreation, and salmonid spawning.

2. The current status of land ownership and use in the area

All of the lands in the proposed corridor are managed by the Nez Perce-Clearwater National Forests.

The headwaters of the Van Buren Creek segment are within the Little Slate Creek Idaho Roadless Area (backcountry/restoration theme area). From its mouth to the roadless area, it is in forest plan revision proposed MA 3. The Van Buren Road (FR 2002) crosses the creek, the Van Buren Motorized Trail is on the east side of the creek, and 10 ML 1 roads provide administrative access to this area.

The segment on NFS lands suitable for timber production is in proposed MA 3 and has been managed for timber production and other objectives under the 1987 Forest Plan and timber harvest has occurred along the segment.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area is included in the national system

If the segment is designated recreational, changes to existing motorized use would not be anticipated.

A part of the segment is in forest plan revision proposed MA 3, suitable timber base, where timber harvests are one management tool used to move current forested vegetation conditions towards desired conditions, and where timber harvest provides products that contribute to economic stability for local communities. Timber harvest may be curtailed on 403 acres for the segment that may be classified as recreational, and timber harvest would be foreclosed on 23 acres for the segment that may be classified as wild. If timber harvest is curtailed or foreclosed on these lands, restoration of forested

vegetation would be curtailed on 209 acres within the warm dry PVT group and 217 acres within the warm moist PVT group. Management activities near the creek would follow the direction of BMPs for riparian management zones. If included in the national system, management activities within the corridor would have additional restrictions. The corridor is wider than the riparian management zone.

A variety of wildlife species, both those that are river dependent and those that are not, have habitat within the corridor and would benefit from protections provided through the Wild and Scenic Rivers Act. High quality fisher habitat occurs along the upper section of Van Buren Creek. Conservation of these habitats within the corridor would be preserved or enhanced should this creek be included in the national system.

No changes are anticipated to land use within the roadless areas. However, in the Idaho Roadless Rule, timber harvest is permitted for vegetation restoration and other purposes. If the segments that flow through Idaho Roadless Areas are found suitable, they would be designated wild, and this would foreclose timber harvest as an option for vegetation restoration. This option would be foreclosed on 65 acres within the cold PVT group, 386 acres within the cool moist PVT group, 275 acres within the warm dry PVT group, and 194 acres within the warm moist PVT group.

The Idaho Roadless Rule limits road construction or reconstruction within backcountry/restoration theme areas; however, for this area, surface occupancy is allowed unless prohibited by the forest plan. The Idaho Roadless Rule limits road construction or reconstruction and surface occupancy for special themed areas. The rule does not protect from water developments or locatable mineral activities pursuant to the General Mining Law of 1872.

4. The Federal agency that will administer the area should it be added to the national system

The USDA Forest Service (Nez Perce-Clearwater National Forests) would administer the segment if it is added to the national system.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by State and local agencies

The Forest Service does not propose sharing costs with State and local agencies. Water quality for this river would continue to be monitored under a MOU with IDEQ.

6. The need for, and cost to the United States of, acquiring lands and interests in lands and administering the area should it be added to the national system

No land acquisition or partial land interests would be needed since all lands in the corridors are NFS lands.

7. A determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national system

IDEQ would participate in monitoring water quality. IDWR administers water rights within the state. This segment is in Idaho County.

Idaho County does not support any additional designated or suitable wild and scenic rivers within Idaho County. From the Idaho County Natural Resources Plan (Idaho County, 2016):

All rivers in Idaho County are protected by the ESA, Clean Water Act, National Forest Management Act, and the Historic Preservation Act, and many are protected by the Wilderness Act.

Designating a river as a Study River or as a designated Wild and Scenic River has adverse impacts on private property, commercial and recreational uses, and in some cases, restoration or management of an area. Examples of these adverse impacts are demonstrated by the recent restrictions on Highway 12 along the Lochsa Wild and Scenic River and an interpretation by the McCall District Ranger, Payette National Forest, in a letter to an outfitter.

The following are the desired conditions, objectives, and guidelines for wild and scenic rivers:

*1. **Desired Condition:** The number of W&SRs remains constant at 6 rivers for the outstandingly remarkable values identified.*

*2. **Desired Condition:** In accordance with Section 5(c) of the W&SR Act, the Forest Service and BLM cooperate closely with the Board when studying any river located in Idaho County.*

[Numbers 3 and 4 purposefully omitted]

*5. **Guideline:** To minimize adverse impacts to private property and other recreational actives, including outfitter and guides, private property as well as a buffer should be excluded from any study river being considered under the W&SR Act.*

8. The adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development

This is not an issue since there is no private land in the corridor or visible from the corridor.

9. State or local government ability to manage and protect the ORVs on non-Federal lands

This segment does not include any non-Federal lands.

10. The consistency of designation with other agency plans, programs, or policies and with meeting regional objectives

Designation is inconsistent with the Idaho County Natural Resource Plan.

Designation of a river segment as suitable, particularly where the river segment is included as designated critical habitat for an ESA-listed fish species, or where it has an additional priority identified in any recovery plan for a listed fish species, would be consistent with recovery goals identified in recovery planning. Maintenance and improvement of stream habitat are central tenets of recovery planning, similar to language contained in the Wild and Scenic Rivers Act that directs ORVs to be maintained, particularly in rivers where fish is identified as an ORV. Exceptions could include construction of instream or near-stream structures to restore habitat, or establishment of structures or features for collection of fish or fisheries data in conjunction with recovery efforts.

Designation is inconsistent with IDPR programs and policies. IDFG has not indicated whether designation would be consistent with agency plans nor have they indicated support or opposition.

11. Support or opposition to designation

In general, support or opposition for additional wild and scenic rivers runs the entire spectrum. Many members of the public, including local elected officials, feel that the “best of the best” rivers are already formally designated and do not support any additional rivers to be designated or found suitable.

Alternatively, some members of the public, including a variety of river advocacy groups, believe all rivers should either be found suitable or remain as eligible to allow for Congress to determine if designation is appropriate. These individuals and groups generally support all rivers being designated or at least being found eligible in the interim.

Others support designation of rivers that have potential for future dam sites that may impact free flow. In this camp, some feel that rivers in designated wilderness areas already have enough protection (only the President can authorize dam construction in designated wilderness areas). Others feel that if there is potential for dam construction, the river should be protected regardless of the designation as no other statute completely forbids dam construction.

The Nez Perce Tribe has indicated they are supportive of all stream reaches identified by the forest plan revision team as being eligible, but the Nez Perce Tribe Executive Committee has not indicated which streams they support as being suitable or designated.

Collaboration has shown varying levels of support and no consensus was reached. From the Clearwater Basin Collaborative letter to Forest Supervisor Cheryl Probert on March 14, 2018:

Opposition

The two members who opposed the proposal were the Commissioners of the two affected counties. They questioned the likelihood of new dams or impoundments, and thus the need for protection under the Act, indicating that it would be an uphill battle to garner public approval of new installations of either. Additionally, they felt there was already adequate protections with the Clean Water Act, the Endangered Species Act and NEPA requirements. Further, they also felt that the proposed rivers were not outstandingly remarkable when compared with the Selway and the Lochsa, both of which are already listed rivers. They feared that an affirmative suitability recommendation or designation could further affect forest management and commerce because of the potential for future lawsuits and unintended consequences. Two

examples of these potentials reside with the recent use of Wild and Scenic designation to stop the Johnson Bar timber sale, and the lawsuit against the Mega-loads on Highway 12. Both examples are of great concern to them.

Support with Reservations

Several members voted with thumbs sideways, indicating they could live with the proposal, but had concerns which they hoped could be addressed.

Most members in this category were concerned that the Wild and Scenic Rivers Act is being broadly interpreted and might be used to stop forest management and other activities essential to the economic well-being of communities within the region.

Additionally, there were concerns that Idaho Department of Fish and Game's ability to exercise its jurisdiction over the management of fish and wildlife in the state of Idaho could be compromised as a result of river designation.

Some members expressed concern about the potential effect on forest management within the view shed. Their support was contingent upon the Forest Service adopting management direction that ensured forest management activities could continue in the view shed.

Similarly, many were fearful that designation could affect the ability of the Idaho Transportation Department, county road and bridge departments, and the Forest Service to efficiently and effectively implement road maintenance and improvement projects, particularly on Highway 14 and the Forest Service road along the North Fork Clearwater River. Citing the mega-loads lawsuit, several members also wanted to be assured that heavy equipment could be hauled or transported on roads in the river corridors, including future equipment that has yet to be developed or invented.

Some had reservations because they were concerned that collaborative solutions included within management direction may be lost between a determination of suitability and actual congressional designation. They would like to know how to permanently tie the balanced direction to final support of any river designation.

Like those who opposed the proposal, several members in this category equated support for suitable river segments with congressional designation. They feared that it would signal a green light to Congress to sponsor and pass legislation to designate more Wild and Scenic Rivers.

Support

The members who supported the proposal without reservation believed the process that was used to analyze all eligible rivers accurately identified those river segments with outstandingly remarkable values that could benefit from protection consistent with the Wild and Scenic Rivers Act. Those in support are concerned that current protections will not withstand adverse future political climate which will likely put these rivers at jeopardy. They feel that existing

protections do not match the level of protection which is deserved by these unique segments and that Wild and Scenic designation is the only way to adequately insure the preservation of the river segments into the future. They also feel that they have compromised in that they can support the listing of only 13 segments when suitability produced a list of 89 segments.

12. The river's contribution to river system integrity or basin integrity

All rivers and creeks on the national forest contribute to system and basin integrity. However, others within this basin were identified as being major tributaries and having the most ORVs. Current protections would likely perpetuate this creek's important contributions to the system.

13. The potential for water resources development

Water resources development is unlikely. This creek is entirely on Federal land and is very remote. While dam construction is possible, it is unlikely.

Segment Suitability Determination

Alternative A (No Action)	Alternative W	Alternative X	Alternative Y	Alternative Z
Not eligible	Not suitable	Not suitable	Not suitable	Not suitable

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