

January 26th, 2017

Laura Jo West, Forest Supervisor
Coconino National Forest
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Sedona, AZ 86341

Electronically submitted to: comments-southwestern-coconino-redrock@fs.fed.us

RE: Comments of American Whitewater on Comprehensive River Management Plan (CRMP) for the Fossil Creek Wild and Scenic River

Dear Ms. West:

Thank you for the opportunity to provide comment on the Comprehensive River Management Plan (CRMP) for the Fossil Creek Wild and Scenic River. We believe that the development and implementation of a CRMP is critical to ensuring that the values that caused a stream to be designated as a Wild and Scenic River are protected and enhanced. At the same time the CRMP should ensure that the public's connection to Fossil Creek remains intact and strengthened through designation.

American Whitewater is a national non-profit 501(c)(3) river conservation organization founded in 1954 with approximately 6000 individual members and 100 local-based affiliate clubs, representing whitewater paddlers across the nation. American Whitewater's mission is to conserve and restore America's whitewater resources and to enhance opportunities to enjoy them safely. As a conservation-oriented paddling organization, American Whitewater and our local members have been active stakeholders in the effort to designate Fossil Creek as a Wild and Scenic River and develop a CRMP. American Whitewater has a significant percentage of members residing in close proximity to Fossil Creek as well as members who travel from across the country to experience this unique resource.

Inspiring River Enthusiasts to be Advocates for River Conservation

Rivers are protected by the members of the public that know them best through personal connections, and it is vital for the fate of both protected and yet-to-be protected rivers that CRMP's maintain, protect and celebrate these connections. The goal of the Wild and Scenic Rivers Act is to celebrate special rivers, and ensure they stay special for current and future generations to enjoy. It is a flexible piece of legislation that requires sustainable and inclusive management. Although this makes the law a popular tool for protecting rivers, over 70,000 large dams exist in this country and less than 1% of rivers are protected from dams by

the Wild and Scenic Rivers Act.¹ For the Wild and Scenic Rivers Act to remain a viable and popular conservation tool, a CRMP must protect rivers without unduly alienating or disenfranchising would-be river enthusiasts. The experiences current voters and youth have today in wild streams—rather than looking at them from an upland trail or car—will shape the future of river conservation and the fate of freshwater ecosystems nationwide. With this goal in mind, we encourage the Forest Service to include alternatives within the Fossil Creek CRMP that inspire people to sit on the banks of the creek, engage in a spiritual moment in this desert oasis, take a swim or leap from a rock, put on a mask to observe native roundtail chub, or paddle downstream over waterfalls and across emerald pools.

In your cover letter for the scoping process you reference the need to “balance recreational use with protection of Fossil Creek’s water quality, free-flowing condition, and outstandingly remarkable values (ORVs).”² We note that recreation is itself an ORV that the agency is obligated to protect and enhance and not simply balance with other values. All ORVs need to be protected and enhanced while balanced appropriately with each other. Section 10(a) of the Wild and Scenic Rivers Act specifically states that “each component of the national wild and scenic rivers system shall be administered in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values.”³

Paddling is a Rare, Unique, and Exemplary Value of Fossil Creek that should be Protected and Enhanced

As American Whitewater and others have commented in the past, Fossil Creek’s waterfalls, deep pools, rapids, geology, scenery, water quality, and flow regime combine to make it a rare, unique, and exemplary whitewater paddling resource. A big highlight for paddlers is that Fossil Creek can be boated for a longer season than other regional streams. Another highlight is the waterfalls: fun, relatively safe, and great for paddlers with a wide variety of skill levels. One of the primary elements of a river is of course its bed, and every type of rock offers different types of rapids for paddlers to experience. Travertine is a relatively rare type of riverbed, and a high quality one for paddlers to enjoy. Paddling is an ancient, healthy, sustainable, immersive way for the public to experience the recreational, scenic, and other values of Fossil Creek. It should be recognized as one of the activities that defines the recreational ORV in the CRMP and should be protected and enhanced under the plan.

¹ <https://www.rivers.gov/wsr-act.php>

² Letter announcing comment period for Comprehensive River Management Plan (CRMP) for the Fossil Creek Wild and Scenic River, Forest Supervisor Laura Jo West Coconino National Forest, November 22, 2016.

³ 16 U.S.C. § 1281(a)

Regardless of the specific details in the plan, we greatly appreciate the implicit acknowledgement that paddling Fossil Creek is an acceptable activity, as it is on Wild and Scenic Rivers throughout the country. The paddling community has a deep connection to Fossil Creek, and we are glad the Forest Service respects that connection.

Whitewater Boating and Navigability of Fossil Creek

Depending on flows, Fossil Creek is navigable by small whitewater craft from above Fossil Springs to the Verde River. In an arid region with boating opportunities that are dependent on rare precipitation events, Fossil Creek is unique in providing year around opportunities for recreational boating. It has been featured in river guidebooks for more 25 years.⁴ In 2005 the Arizona Public Service Corporation decommissioned its Childs-Irving Hydropower Project along Fossil Creek, restoring normal water levels to the stream for the first time in over 100 years.⁵ These restored flows further enhanced opportunities for river-based recreation on Fossil Creek. The most popular section of Fossil Creek begins from the Waterfall (34.415, -111.605) and continues down to the Fossil Creek Bridge (34.394, -111.630).⁶ Paddlers access the run by parking at the Waterfall Trail Parking area (Lot 5) and hiking in to the waterfall with their boat and gear. Paddlers generally boat down to either the Fossil Creek Bridge or an intermediate access point at Irving. It is possible to navigate the river down to the Verde River confluence although this is less frequently done. Another alternative is to drive to the Fossil Springs Trailhead and hike the approximately 3.1 mile trail down to the river at Fossil Springs and float down to the Fossil Creek Bridge or alternate access points along the way.⁷ With the vehicle closure of Forest Road 708 between the Waterfall Trailhead and Fossil Springs Trailhead however, boating this section requires a long vehicle shuttle out and around on Highway 260 between Strawberry and Camp Verde and two separate access permits.

We are pleased to see recreation recognized as an Outstandingly Remarkable Value and support this determination. The Forest Service Handbook states that “in order to be assessed as outstandingly remarkable, a river-related value must be a unique, rare, or exemplary feature that is significant at a comparative regional or national scale... Recreational opportunities are, or have the potential to be, popular enough to attract visitors from throughout or beyond the region of comparison or are unique or rare within the region.”⁸ Fossil Creek clearly meets this standard, attracting visitors from Arizona and across the country to experience the unique riparian habitat and recreational opportunities provided by a perennial stream flowing through an arid landscape. It is the only readily-

⁴ Arizona Rivers and Streams Guide. 1989. Arizona State Parks. Phoenix, AZ.

⁵ Order approving surrender of license & removal of project works, and dismissing application for new license re Arizona Public Service Co's Childs Irving Project, w/ Chairman Wood concurring statement attached under P-2069 , Arizona Public Service Company (2004) 109 FERC ¶ 61,036.

⁶ <https://www.americanwhitewater.org/content/River/detail/id/5061/>

⁷ <https://www.americanwhitewater.org/content/River/detail/id/5260/>

⁸ Forest Service Handbook 1909.12-2006-8, Chapter 82.14

accessible travertine creek in the entire country that is regularly enjoyed by whitewater boaters. While Fossil Creek is regularly enjoyed by local paddlers, many visitors from across the country are attracted to the unique paddling experience this creek provides. The Forest Service resource assessment appropriately identifies whitewater recreation as one of the activities that supports the determination of recreation as an Outstandingly Remarkable Value, although it incorrectly implies that the creek was “discovered” by whitewater boaters following decommissioning of the hydropower project.⁹ The discussion of recreational resources in the CRMP should explicitly clarify the history of recreational boating on Fossil Creek that predates the decommissioning of the hydropower project.

Alternatives C, D, and E propose to close the Waterfall to “waterplay.” It is unclear what activities encompass waterplay. A distinction should be made between boating—a form of navigation on the waterway—where individuals pass through an area and activities such as swimming where individuals spend extended periods of time at one site. We do not support closure of the Waterfall or segments of the creek to whitewater boating. Additionally we have concerns that limitations on swimming and contact access to the water at the Waterfall would not be consistent with agency obligations to protect and enhance the recreation value. The Waterfall is the primary access point for whitewater boaters and one of the most highly valued recreation sites along the entire river corridor. For similar reasons, we do not support provisions of Alternative D that would close the Waterfall Trail (aka Lewis Trail) given its importance in providing access to this unique, rare, and exemplary feature representing a defining element of the recreational ORV. Eliminating opportunities for the public to engage in contact recreation with the creek in favor of interpretive exhibits at a welcome center and a drive-through experience would diminish the recreational ORV.

Permit System

We generally support a limited-entry permit system and acknowledge positive benefits that include increasing the quality of the visitor experience, and reducing the number of vehicles turned away, search and rescue calls, health and safety incidents, and the amount of trash collected from previous years.¹⁰ However, the system does pose challenges for paddlesports enthusiasts who often make the decision on whether to take a trip based on hydrologic conditions that they are unable to easily predict a month in advance. Of 17,962 permits reserved in 2016, 4,937 were no-shows and 606 were cancellations, resulting in over 30% of

⁹ At Page 12, Fossil Creek Wild and Scenic River Resource Assessment, USDA Forest Service, Updated January 16th, 2016.

¹⁰ 2016 Visitor Use Summary for Fossil Creek Wild and Scenic River, Becky Smith, USFS Forestry Technician (Recreation), Red Rock Ranger District Coconino National Forest November 28, 2016.

reserved permits that were not used. We request an analysis of alternative systems for permits that provide more flexibility and recognize that a one-month planning horizon is not appropriate for all users. Specifically, we recommend that an alternative be included to provide for a block of permits (20-30%) that would be available for short-term reservations a day or two in advance. A system with this flexibility should include adaptive management provisions that describe how to allocate permits based on a quantitative analysis of visitor use. By including this flexibility in the CRMP, these future modifications could be implemented without additional environmental analysis under the National Environmental Policy Act.

In addition we support analysis of an alternative that includes a penalty for no-shows. On the Middle Fork Salmon Wild and Scenic River the penalty for a no-show (i.e. those who do not cancel their permit on recreation.gov) is a restriction from holding a permit on the river for three years. We suggest that the Forest Service analyze other permit systems administered by the agency and evaluate actions that serve to reduce the current unacceptably high number of no-shows, including both penalties for no-shows and incentives for timely cancellations.

Access

Some of the boating opportunities available on Fossil Creek require hiking with boats and gear. The hiking required (e.g. Waterfall Trail) can still be reasonably done in the course of a day trip to the river. Continued opportunities for day use however require vehicle access to the river (e.g. parking at Waterfall Trailhead). Reduced vehicle access to the river could limit opportunities for day use.

Some of our local members have commented that Forest Road 708 has been closed during rain and snow events and that this often occurs during the periods of high flow that are most attractive for whitewater boating. This impacts access to opportunities on both Fossil Creek and the Verde River. The most frustrating experiences are those where a paddler secures a permit to access Fossil Creek and then drives to Camp Verde only to find that Forest Road 708 has been closed and the information recording or website has not been updated accordingly. We request that access closures be more limited and that the Forest Service consider the desire our community has to access this resource when the water is high and other forms of river-based recreation may not be appropriate. If a closure is necessary for health and safety reasons, a better procedure to communicate this information should be implemented by promptly updating phone recordings and website and utilizing social media tools.

Forest Road 502 provides critical access to Childs on the Verde River. We want to ensure that paddlers have vehicular access to the Verde River for the enjoyment of that river's many values. Management actions regarding access should not unduly limit paddler access to the Verde River. Future management of

Forest Road 502 should recognize that it serves as a critical access point to the Wild and Scenic Verde River.

Alternative D contemplates restoring connectivity between Camp Verde and Strawberry via Forest Road 708. We support additional analysis of this element of Alternative D. Reopening 708 between Strawberry and Fossil Creek would enhance access for the local community and paddler access and enjoyment of Fossil Creek. In addition it could improve visitor safety by decreasing response time for emergency access. Having this road available as a shuttle route would greatly simplify logistics by reducing time and expense for those who run the river from Fossil Springs to Fossil Creek Bridge. If there are compelling biophysical reasons why vehicular use of this road would lead to substantial interference with protected river values we request that this be documented in the draft CRMP. We do not support elements of Alternative D that propose to close several of the day use sites, including Purple Mountain, Sally May, Tonto Bench, Waterfall Trailhead, Fossil Springs Dam, and Fossil Springs Trailhead, while encouraging visitors to experience the river at a welcome station and from the inside of their car. These elements are inconsistent with the “protect and enhance” standard for the recreation ORV because they diminish recreational opportunities that are currently available along the creek. Given the inconsistency with the Wild and Scenic Rivers Act and agency guidance for implementing it, these actions should not be further analyzed as they do not meet the Purpose and Need.

We also do not support actions considered in Alternative C that would eliminate parking at Fossil Creek Bridge, Irving, and Waterfall Trailhead. This would extend the distance to hike in to the Waterfall with boats and gear and would make it prohibitive for day trips on Fossil Creek.

Stewardship

Whitewater paddling is a low impact activity and our community is dedicated to the stewardship of Fossil Creek. We actively promote Leave No Trace principles that our membership embraces.¹¹ Many of our local members have participated in river clean ups. We have the ability to efficiently travel the length of the creek and access sites that are challenging to reach from land. Kayakers have removed truckloads of trash from Fossil Creek in the past and will continue to steward this treasured resource.

As users who spend limited time in one location, whitewater boaters generally have a low impact on day-use sites as they travel through the landscape on the water's surface. Due to this fact, whitewater boating generally has less of an impact on issues like soil compaction and reduction of ground cover representing recognized impacts of recreational use along Fossil Creek.

¹¹ Leave No Trace: The Paddlers' Footprint at
<<http://www.americanwhitewater.org/content/Wiki/stewardship:lntr>>

Our community also practices river safety and works to promote a safe environment for all recreational users along rivers. American Whitewater established the Whitewater Safety Code.¹²

Capacity

We support the goals of Alternative E to increase capacity (quantified as “People at One Time” or “PAOT”) from 780 to 1750 if infrastructure is built, management capacity allows, and visitor behavior promotes sustainable river value protection. Concurrent with this potential increase, we support actions that provide flexibility and options to access recreational opportunities on Fossil Creek on short notice (i.e. do not limit all permits to the one month in advance reservation system).

In our previous comments on the CRMP alternatives we expressed concern that the range for PAOT was too narrow for a robust analysis appropriate under the National Environmental Policy Act.¹³ We thank you for providing a wider range as requested in our earlier comments. We believe the greatest potential for modest increases in capacity exists with education focused on improving visitor behavior and management actions that encourage the right types of users. We support appropriate flexibility in the CRMP to allow managers to adjust PAOT based on active resource monitoring.

Conclusion

Thank you for the opportunity to provide scoping comments on the Comprehensive River Management Plan (CRMP) for the Fossil Creek Wild and Scenic River. We are strong supporters of protecting this resource in a manner that allows the public, and particularly whitewater paddlers, an opportunity to directly experience this incredible oasis in an arid landscape.

Sincerely,



Thomas O'Keefe, PhD

¹² <https://www.americanwhitewater.org/content/Wiki/safety:start>

¹³ Comments of American Whitewater Fossil Creek Wild and Scenic CRMP Alternatives, June 11th, 2014.