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**Forest Service to Re-evaluate  
Southern California Streams for Wild & Scenic Protection**  
*Chief Rules Favorably on Appeal Filed by Friends of the River*

In response to an appeal filed by Friends of the River, 74 miles of rivers in southern California will be re-evaluated for protection under the National Wild & Scenic Rivers Act. The Chief of the Forest Service has directed his agency to re-evaluate seven streams in National Forests for possible Wild & Scenic River protection.

“The Chief’s decision is a clear victory for rivers and for good planning,” said Steve Evans, Conservation Director of Friends of the River. “Ultimately, this provides more protection for southern California rivers that are important sources of clean drinking water and provide diverse outdoor recreation opportunities for millions of people, as well as vital habitat for endangered fish and wildlife species.”

In his appeal decision, the Chief found that the agency’s own administrative record did not support the decision ultimately made in the forest plans concerning the seven streams’ potential eligibility or classification. The Forest Service was directed to complete the re-evaluation of the streams within six months. In the meantime, eligible rivers and streams are managed by the agency to protect their free-flowing character, potential wild, scenic, or recreational classification, and outstanding natural and cultural values.

The Chief ordered the Forest Service to re-evaluate whether two of the rivers are eligible for Wild & Scenic protection: Tassajara Creek on the Los Padres Forest and the West Fork San Luis Rey River on the Cleveland Forest. The Chief agreed with Friends of the River’s argument that the agency’s own administrative record identified potential outstanding values.

The Chief also directed the Forest Service to re-evaluate the potential Wild, Scenic, or Recreational classification of the Arroyo Seco River on the Los Padres Forest, Little Rock Creek on the Angeles Forest, and Middle Fork Lytle Creek, Bear Creek, and Siberia Creek on the San Bernardino Forest. Protected rivers are classified as Wild, Scenic, or Recreational based on the level of existing development and use. In its appeal, Friends of the River argued that several streams located in existing wilderness or roadless

areas were mis-classified as Scenic or Recreational rather than the more protective Wild. The Chief ruled that the administrative record did not support the less protective classifications proposed for five streams and directed the Forest Service to re-evaluate their classification.

The Forest Service completed the long-term management plans for Los Padres, Angeles, San Bernardino, and Cleveland National Forests in 2005. These National Forests encompass nearly four million acres of public lands stretching from Monterey on the central coast of California to the Mexico border. Friends of the River appealed the Wild & Scenic River provisions of the plans in 2006.

As a part of its land and resource planning process, the Forest Service is required by law to consider rivers and streams for potential addition to the National Wild & Scenic Rivers System. Agency studies and recommendations may lead to congressional designation of the rivers, which means that they are permanently protected from new dams and diversions and are managed to protect their outstanding values. Several of the streams addressed in the appeal are under consideration by members of Congress for potential inclusion in federal designation that would add them to the National Wild & Scenic Rivers System.

Friends of the River nominated more than 55 rivers and streams for study in the planning process for the southern California forests. The Forest Service eventually determined 27 streams to be eligible on all four forests. Of seven eligible streams on the Los Padres Forest, the agency recommended congressional designation of three streams (including the Arroyo Seco River, upper Sespe Creek and upper Piru Creek) and chose not to recommend protection for three other eligible streams on the Los Padres Forest. The Forest Service chose not to complete studies for 21 eligible rivers and streams on the Angeles, San Bernardino, and Cleveland Forests.

Friends of the River's appeal was one of only two appeals of the southern California plans on which the Chief ruled positively. The Chief rejected appeals filed by California Governor Arnold Schwarzenegger, the Attorney General, and several conservation groups, corporations, and individuals.

Although Friends of the River was successful in encouraging the Forest Service to re-evaluate its eligibility or classification decisions for seven streams, the Chief rejected FOR's appeal arguments concerning ten other streams on the forests, including such important waterways as the Little Sur River, North Fork San Antonio River, lower Piru Creek, North Fork San Jacinto River, Pine Valley Creek, and the upper San Diego River.

Hits and Misses in the Chief's Appeal Decisions:

### **HITS!**

Arroyo Seco River (Los Padres Forest) – The Arroyo Seco provides crucial habitat for the endangered Central Coast steelhead and possesses outstanding scenic, recreation, and

geological values. The Forest Service recommended designation of more than 18 miles of river, but proposed Scenic classification for a segment of the river located in the existing Ventana Wilderness, which should be appropriately classified as Wild. In response to the FOR appeal, the Chief directed the Forest Service to re-evaluate the Arroyo Seco's Scenic classification

Tassajara Creek (Los Padres Forest) – The Forest Service's own plan admits that endangered steelhead migrate from the Pacific Ocean, up the Salinas and Arroyo Seco Rivers, and into Tassajara Creek, but the agency failed to identify the creek as eligible for protection (as they did with the Arroyo Seco River). The Chief directed the Forest Service to re-evaluate Tassajara Creek's eligibility.

Little Rock Creek (Angeles Forest) – Little Rock is a spectacular stream that flows from the northern slope of the San Gabriel Mountains to the Mojave Desert and supports endangered populations of arroyo toad and mountain yellow-legged frog. The Forest Service classified the stream as Scenic, even though a segment flows through a roadless area. The Chief agreed with Friends of the River appeal that Scenic classification was not supported by the administrative record and directed the agency to re-evaluate Little Rock Creek's classification.

Middle Fork Lytle Creek, Bear Creek, and Siberia Creek (San Bernardino Forest) – These streams possess outstanding fish, wildlife, botanical, and recreational values. But the Forest Service inappropriately classified segments of these creeks as Scenic, even though the segments are located in existing wilderness and roadless areas. The Chief directed the agency to re-evaluate their classification.

West Fork San Luis Rey River (Cleveland Forest) – The Forest Service inexplicably considered the West Fork as ineligible, even though in the same plan, the agency admits that stream supports a unique subspecies of trout “unique for southern California.” The Chief directed the Forest Service to reevaluate the West Fork's eligibility.

## **MISSES!**

Little Sur River (Los Padres Forest) – The Chief rejected Friends of the River's contention that the Little Sur's steelhead fishery is an outstanding value making the river eligible for federal protection, even though the California Department of Fish and Game considers the Little Sur's steelhead population to be “one of the most important on the Central Coast.”

North Fork San Antonio River (Los Padres Forest) – The Chief found that “there is no indication in the record” that the North Fork and its tributaries possess significant cultural resources (as argued by Friends of the River), even though the agency's plan established the Milpitas Special Management Area on the North Fork in recognition of the river's “abundant” cultural values “reflecting continuous Native American occupation from prehistoric to historic times.”

Lower Piru Creek (Los Padres and Angeles Forests) – The Chief disagreed with Friends of the River’s contention that lower Piru Creek provides outstanding recreation opportunities, despite the fact that just a small portion of the creek may host up to 1,000 people wading, picnicking, and simply enjoying the stream on hot summer weekends.

North Fork San Jacinto River (San Bernardino Forest) – The Chief supported the agency’s classification of the North Fork as Recreational, even though Friends of the River identified segments of the river that are undeveloped and are more appropriately classified as Wild.

Pine Valley Creek (Cleveland Forest) – The Chief ignored the Forest Service’s own description of Pine Valley Creek as “one of the longest free flowing, low elevation streams” because “hydrology” was conveniently excluded as a value to be assessed in the river studies.

Upper San Diego River (Cleveland Forest) – The Forest Service described the upper San Diego River as “distinctive,” but apparently it isn’t sufficiently distinctive for the Chief to agree with Friends of the River’s contention that it possesses outstanding wildlife, scenic, and recreational values.

*For more information about southern California’s outstanding rivers, the Forest Service river studies, and Friends of the River’s appeal, contact Steve Evans at Friends of the River, (916) 442-3155 x221, email: [sevans@friendsoftheriver.org](mailto:sevans@friendsoftheriver.org).*