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Forest Service

Rocky Mountain Region

Shoshone National Forest

Clarks Fork Ranger District



Comprehensive River Management Plan
for the
Clarks Fork of the Yellowstone
Wild and Scenic River

September 2009

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Chapter 1 Introduction

About the National Wild and Scenic Rivers System

The Wild and Scenic Rivers Act (Act) was signed into law in 1968.¹ The Act protects the free flowing waters of many of our nation's most spectacular rivers and safeguards the special character of these rivers, while also recognizing the potential for appropriate use and development. The Act purposefully strives to balance river development with permanent protection for the country's most outstanding free flowing rivers.

To accomplish this, the Act prohibits federal support for actions such as the construction of dams or other instream activities that would adversely affect the river's free flow or outstanding resource values. Designation neither prohibits development nor gives the federal government control over private property. The Act specifically:

- Prohibits dams and other federally assisted water resource projects that would adversely affect river values.
- Protects outstanding natural, cultural, or recreational values.
- Ensures water quality is maintained.
- Requires the creation of a comprehensive river management plan that addresses resource protection, development of lands and facilities, user capacities, and other management practices necessary to achieve the purposes of the Act.

Background

The Clarks Fork of the Yellowstone River (Clarks Fork) was authorized for study by Congress in 1975.² The Clarks Fork of the Yellowstone Wild and Scenic River Study (River Study) and Final Environmental Statement were completed in 1979 and recommended inclusion of a 21.5-mile segment of the Clarks Fork into the National Wild and Scenic Rivers System as a wild river.

Although the recommendation went to Congress soon thereafter, it was not until November 28, 1990 that the Clarks Fork Wild and Scenic River Designation Act (Designation Act) of 1990 added a 20.5-mile segment of the Clarks Fork to the National Wild and Scenic Rivers System.³ The legislation classified the river as wild and specified a river corridor of 0.25 mile on each side of the river's ordinary high water mark.

The Designation Act is attached in appendix A and summarized here.

¹ Wild and Scenic Rivers Act, Public Law 90-542, October 2, 1968.

² Public Law 93-621.

³ Public Law 101-628. The final designation was 20.5 miles, versus the 21.5 miles recommended in the final environmental statement.

Public Law 101-628

This Act may be cited as the “Clarks Fork Wild and Scenic River Designation Act of 1990.” Section 3(a) of the Wild and Scenic Rivers Act (16 USC 1274(a)), as amended, is further amended by adding at the end the following:

Boundary. The twenty and five-tenths-mile segment from the west boundary of section 3, township 56 north, range 106 west at the Crandall Creek Bridge downstream to the north boundary of section 13, township 56 north, range 104 west at Clarks Fork Canyon; to be administered by the Secretary of Agriculture as a wild river. The boundary of the segment shall include all land within four hundred and forty yards from the ordinary high water mark on both sides of the river.

Condemnation. No land or interest in land may be acquired with respect to the segment without the consent of the owner thereof.

Downstream water resources. Designation of a segment of the Clarks Fork as a component of the Wild and Scenic Rivers System shall not be utilized in any Federal proceeding, whether concerning a license, permit, right-of-way, or any other Federal action, as a reason or basis to prohibit the development or operation of any water impoundment, diversion facility, or hydroelectric power and transmission facility located entirely downstream from the segment of the river designated by this paragraph and that water from any development shall not intrude upon such segment. Congress finds that development of water impoundments, diversion facilities, and hydroelectric power and transmission facilities located entirely downstream from the segment of the river is not incompatible with its designation as a component of the Wild and Scenic Rivers System.

Water right. The Secretary of Agriculture is directed to apply for the quantification of the water right reserved by the inclusion of a portion of the Clarks Fork in the Wild and Scenic Rivers System in accordance with the procedural requirements of the laws of the State of Wyoming.

Additional direction. The comprehensive management plan developed under subsection (d) for the segment shall provide for all such measures as may be necessary in the control of fire, insects, and diseases to fully protect the values for which the segment is designated as a wild river.

Relationship of a comprehensive river management plan to the National Environmental Policy Act and the Land and Resource Management Plan

This Comprehensive River Management Plan for the Clarks Fork of the Yellowstone River Wild and Scenic River (Plan) provides direction necessary to protect and enhance river values and amends the 1986 Shoshone National Forest Land and Resource Management Plan.

This Plan was developed in compliance with the National Environmental Policy Act, including public involvement. Some management actions identified in this Plan may require site-specific National Environmental Policy Act analysis and public involvement prior to implementation.

The projected timeframe for implementation of this Plan is over the next 5 to 10 years, as funding is available. This Plan will be reviewed periodically and may be amended as needed, with additional public involvement.

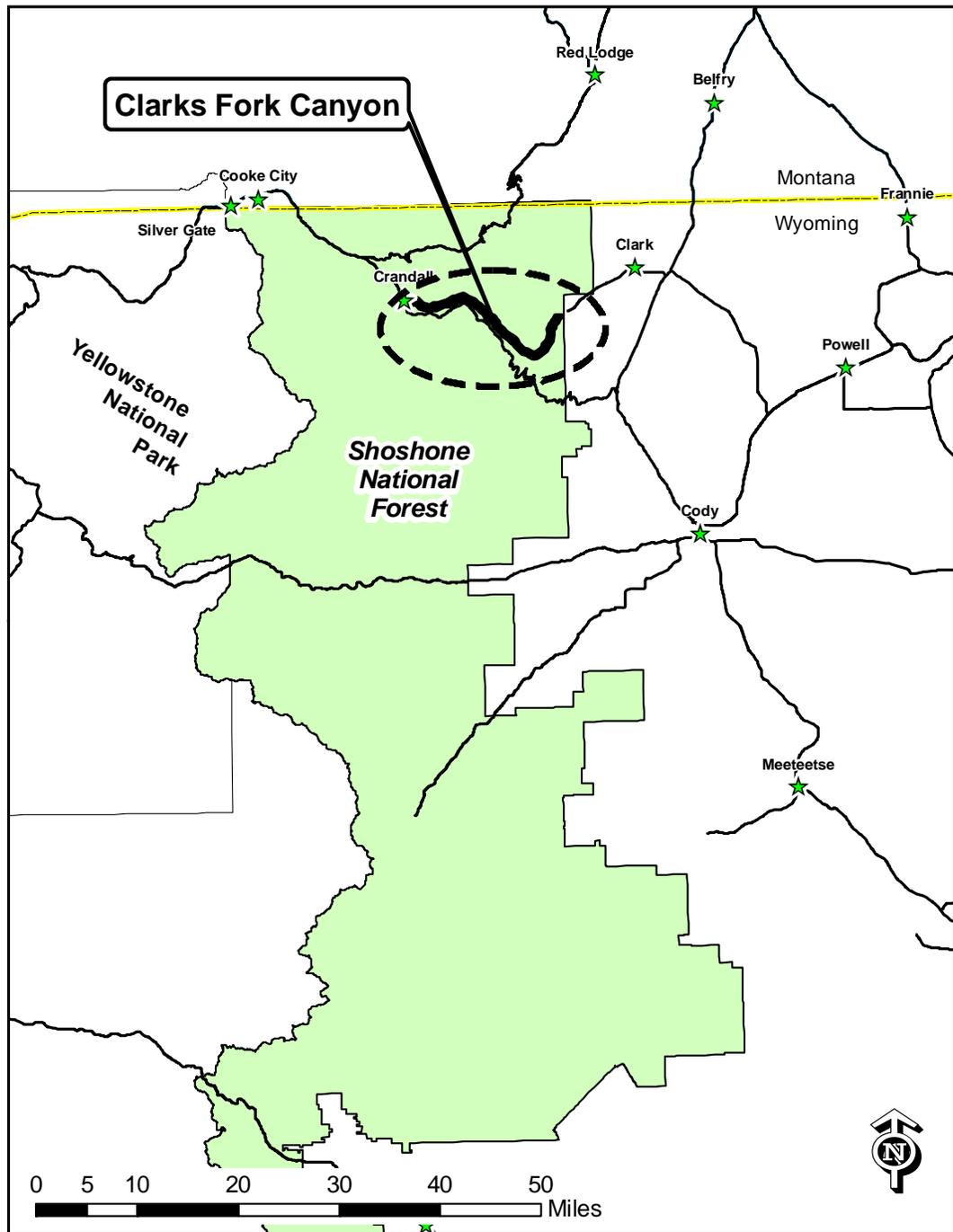


Figure 1. Vicinity map for Clarks Fork of the Yellowstone Wild River

Chapter 2 Description of river setting and resource values

Location

The Clarks Fork of the Yellowstone River is located approximately 30 miles north-northwest of Cody in Park County, Wyoming, on the Shoshone National Forest. The area can be accessed from several high-clearance roads off State Highway 296 (Chief Joseph Scenic Byway), which generally parallels the river to the south, and from the east by Park County Road 8VC (State Highway 292).

Boundary

The designated 20.5-mile wild river corridor starts on the upper end at the west boundary of Section 3, Township 56 North, Range 106 West (about 0.5 mile downstream from the Clarks Fork Bridge on Highway 296 near Painter Estates). It ends on the lower end at the north boundary of Section 13, Township 56 North, Range 104 West about one mile west of the Shoshone National Forest boundary near the mouth of the Clarks Fork Canyon.

The Clarks Fork Wild and Scenic River Designation Act of 1990 identified a boundary that includes all land within 440 yards (0.25 mile) from the ordinary high water mark on both sides of the river not withstanding sec 3(b) of the Wild and Scenic Rivers Act.

The Clarks Fork Wild and Scenic River boundary was published in the Federal Register in 1994 (Vol. 59, No. 232). The publication of the legal boundary and maps are available at the Wapiti Ranger District in Cody, Wyoming

Classification

The 20.5-mile designated segment is classified as a wild river. Wild rivers are those rivers or sections of rivers that are free of impoundments and generally are inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted.

Landscape character

In the 1979 River Study and Final Environmental Statement, the Clarks Fork River was divided into three segments based on the physical characteristics of the canyon. These descriptions provide a helpful overview of the landscape character.

Upper Canyon. This segment begins at the upper terminus of the designated river downstream of the Crandall Bridge flowing to Canyon Creek, approximately 8 miles in length. It is characterized by slopes of 40 to 90 percent covered by stands of Douglas-fir with some Engelmann spruce and lodgepole pine. Most of this segment has a well-developed floodplain, which supports stands of Englemann spruce.

Most of the Upper Canyon has a gentle gradient. In the central portion of the Upper Canyon the river is contained within a shallow, narrow canyon. The river gradient increases here, resulting in several waterfalls, cascades, and rapids; most are impassable by boat or raft. In places, 500-foot granite cliffs contain the river and its immediate environment.

Middle Canyon. This segment runs downstream from the confluence of the Clarks Fork River and Canyon Creek for approximately 8 miles. Douglas-fir with limited

shrub understory is confined to benches or narrow floodplains where some soil development has occurred. This segment is deeply incised into granite, with walls towering to 1,200 feet vertically from the water's edge. The river drops very fast throughout the entire segment, forming several rapids, plunge pools, and waterfalls that preclude raft or boat use, and most kayakers. This middle canyon contains the section known as the "box," which is an extremely technical kayak run with numerous portages.

Lower Canyon. In the eastern segment of about 7 miles, the river character changes dramatically. The canyon opens to a 0.5-mile wide u-shaped glacial valley with canyon walls towering up to 4,000 feet above the river. A combination of granite and overlying sedimentary rock form a very interesting and scenic geological display. There are a few rapids and, generally, the river gradient is nearly flat in this segment.

Vegetation on the canyon walls is limited to widely scattered Douglas-fir and grasses and forbs. Vegetation in the canyon is typical of extremely dry sites, which is unusual for mountain valleys in the Absaroka-Beartooth area. Yucca and common junipers are the most noticeable species. Prolonged periods of high wind have prohibited the junipers from growing as trees, resulting in dense mats and mounds known as krummholz.

Land ownership and land use description

There has been very little development within the designated river corridor because of the rugged terrain.

Lands in the corridor are part of the National Forest System, except for 136 acres of private land in Section 6, Township 56 North, Range 105 West, known in the past as the Wright Place (now part of the Switchback Ranch). This inholding is located on the river below Reef Creek, about 3.5 miles downstream from the west end of the river corridor. The land is occupied by a house, and several barns and sheds, and is used for the irrigated production of hay. Access is by a 4WD road (Forest Road 174) that crosses National Forest System lands. Forest Road 174 is not open for public use; a special use permit (easement) is in place to provide authorized private land access. A bridge provides access across the river

An electricity transmission line parallels some of the wild river corridor on the south side, from about the box to Crandall Creek in the middle and upper segments. A transmission line also crosses the river canyon in the Middle Canyon section, providing electricity to the Switchback Ranch (private land) on the Dillworth Bench.

Past and present use includes a minor amount of commercial livestock grazing. In the Lower Canyon, it consists primarily of trailing activities along a stock driveway and limited amount of use on the benches above the canyon but within the 0.5-mile wild and scenic corridor. Portions of four grazing allotments (Bench, Table Mountain, Ghost Creek, and Crandall I) overlap into the 0.5-mile river corridor. Overall, grazing use is minimal throughout the corridor.

Opportunities for vegetation management are limited due to the steepness and lack of accessibility.

There are no known valid mining claims in the wild river corridor. Limitations on mineral entry and development on public lands are specified in section 9 of the Act.

Fires have occurred very infrequently, although some evidence in the form of vegetation patterns suggests past wildfires, the most evident being the Dano Fire of 1996.

Free-flowing status

The Clarks Fork is free flowing, without past or present major diversions. There are no planned impoundments or diversions on the Forest. The bridge across the river has minor in-water structures.

Outstandingly remarkable values

Three outstandingly remarkable values were identified in the River Study and Final Environmental Statement.

Scenic value

The River Study identified the scenic qualities of the landforms and waterforms that are of a tumultuous whitewater nature, broken occasionally by deep, slick water pools.

Deep chasms, soaring cliffs, and whitewater combine to provide outstanding scenery in the canyon. The overall setting has stunning vistas of mountain scenery and magnificent geologic features and landforms, and outstanding opportunities for wildlife viewing (bears, wolves, mountain goats, and other big game). The geology, vegetation, and wildlife combine to create the scenic beauty of the area. Scenic vistas are in a relatively wild and natural state; the Chief Joseph Scenic Byway parallels the wild river corridor for about 20 miles.

Recreational value

The Clarks Fork Wild and Scenic River was identified as having an outstandingly remarkable recreational value in the River Study. Although traditional forms of water-based recreation are limited, the canyon provides high potential for challenging, and superb whitewater kayaking. The Middle Canyon of the Clarks Fork (the box) is recognized as one of the ultimate whitewater challenges in the Northern Rockies because of its spectacular scenery, challenging rapids, arduous portages, and long length. The “honeymoon section” just upstream offers less challenging rapids that appeal to a broader range of the paddling community. The lower Clarks Fork features yet another great whitewater run, a relatively popular road-accessible Class IV/V section.

Recreation/tourism based on natural beauty, relative solitude, and the opportunity to view natural settings and wildlife abound in the river corridor. The canyon provides opportunities for viewing spectacular scenery and enjoying a unique and unusual environment, including numerous waterfalls and cascades, wet microenvironments, deep and narrow canyon walls, boulder floodplains, sand dunes, and wind-blown juniper krummholz. It is a rugged and primitive mountainous/canyon area that is home to populations of special species of wildlife including elk, bighorn sheep, black and grizzly bears, wolves, cougars, moose, coyote, bobcat, pine marten, beaver, golden and bald eagles, osprey, and peregrine falcons.

Historical value

The Clarks Fork Wild and Scenic River was identified as having an outstandingly remarkable historical value in the River Study because of an event of nationwide interest.

In 1877, Chief Joseph and the Nez Perce eluded the U.S. cavalry in a 1,300-mile chase from Oregon to Montana. Although their exact route is unknown, they are said to have escaped through the mouth of the lower canyon, thus avoiding a cavalry detachment waiting on the plains to the east.

In addition, the Clarks Fork is named after William Clark of the Lewis and Clark Expedition. The Nez Perce (Nee-Me-Poo) Trail, a designated National Historic Trail, roughly follows the scenic byway and is an important historic resource in the greater Clarks Fork River area.

Historically, the greater Clarks Fork River area has served as an important transportation artery. Native Americans indigenous to the area west of the continental divide were using this area as a route to reach the buffalo hunting grounds of the Great Plains. The nearby Dead Indian Pass may have been in use as early as 1700 BC and is only about 2 to 3 miles south of the river corridor.

In 1869, gold was discovered along the upper Clarks Fork River and a mining camp was established, later to become Cooke City, Montana.

Water rights, water quality, and in-stream flow

The Clarks Fork River originates in the Beartooth Mountains north of Cooke City, Montana, and is a major tributary of the Yellowstone River. The river flows into Wyoming, carving a deep, narrow canyon which is the section included in the designated wild river corridor. The river then flows back into Montana to join the Yellowstone River near Laurel, Montana.

The Designation Act directed “the Secretary of Agriculture to apply for the quantification of the water right reserved by the inclusion of a portion of the Clarks Fork in the Wild and Scenic Rivers System in accordance with the procedural requirements of the laws of the State of Wyoming.” In 1994, the Shoshone National Forest submitted an Application for Permit to Appropriate Surface Water to the Wyoming State Engineer. The State Engineer processed and approved the application, assigning it Permit No. 9 I.F, later renamed to W.S.1, with a priority date of November 28, 1990.

Biophysical relationships were used to determine the amounts of water needed to protect the two values related to water for which the river was designated (recreational and scenic). The resultant water right is for an instream flow that is dynamic and flexible in time and amount. It adjusts to the actual streamflow at any point in time. The instream flow is determined by the relationship of the actual streamflow to three key discharge values associated with the river.⁴

The Wyoming Department of Environmental Quality classifies the Clarks Fork River between the Montana state line and Forest boundary as a Class 1 stream.⁵ Class 1 waters are those surface waters in which no further water quality

⁴ Detailed information about baseflow, instream flow, actual streamflow, and water quality is available from the Shoshone’s hydrologist located in Cody, Wyoming.

⁵ Class 1 designations are based on value determinations rather than use support and are thus protected for all uses in existence at the time of their designation. The designation date is November 28, 1975.

degradation by point source discharges are allowed and which nonpoint sources are controlled through implementation of appropriate best management practices.

Recreation use and capacity

Types of recreation uses

The recreation settings and opportunities in the designated corridor include primitive and semi-primitive non-motorized and limited semi-primitive motorized recreation. Most of the corridor is extremely rugged with access limited to a few forest roads.⁶

Recreation use is highest in the Lower Canyon where activities such as fishing, kayaking, hunting, walking/hiking, horseback riding, mountain biking, scenic viewing, and camping occur. The Upper and Middle Canyons receive light use from hiking/fishing and kayak use.

Tourism and scenic driving are promoted in the area adjacent to the river corridor. For example, the adjacent Highway 296, which provides access to Yellowstone National Park, is a Scenic Byway that receives a substantial amount of tourism traffic. Highway 296 parallels the designated river corridor, usually less than a mile away, but separated by steep terrain and canyon walls.

Table 1 summarizes the permitted commercial recreation use on the Clarks Fork Ranger District, some of which may include authorized use in the river corridor. Much of this use is spread across the Clarks Fork Ranger District and does not necessarily occur in or near the wild river corridor. Currently, commercial users report their use by ranger district so this use is not specifically tied to the wild river corridor. As part of this plan, reporting specific to the wild river corridor will be implemented.

⁶ A forest road is a road wholly or partly within or adjacent to and serving the National Forest System that the Forest Service determines is necessary for the protection, administration, and utilization of the National Forest System and the use and development of its resources.

**Table 1—Existing commercial uses under special use permits (outfitter and guides)
(number of service days)**

Permitted outfitter	Day use hunting	Day use fishing	Day use trail rides	Summer pack trips	Other (hiking, skiing, snowmobiling)
Crandall Creek Outfitters	40	--	--	--	--
Elk Creek Ranch	--	100	1,440	--	314
K-Z Partnership	100	200	1,000	--	20
Morning Creek Outfitters	150	40	50	--	--
Northwest College	--	--	300	--	--
Papoose Creek Outfitter	100	20	220	20*	--
Seven D Ranch	50	200	1,400	15*	150
Switchback Outfitters	40	--	--	--	--
Timber Creek Outfitters	150	100	850	--	--
Wapiti Ridge Outfitting	180	--	--	--	--
Wyoming Wilderness Outfitter	25	25	--	--	--

*Clarks Fork Canyon Unit

Existing recreation developments and trails

All the recreation developments and recreation uses described in this section are compatible with other management direction, public use of the resource, and resource attributes of the river. The following developments are present.

BLM Canyon Trailhead. Public access exists via Bureau of Land Management public land on the east end of the Lower Canyon near the Forest boundary. The site consists of a short stretch of road from the end of the paved highway to a small parking/trailhead area. This is where Forest Road 119 originates. The road is in rough condition and therefore not very suitable for large trailers, etc. Some recreationists choose to park at the end of the county road, creating a de facto trailhead for horse users and all-terrain vehicles. This minimal development is about 1 mile outside the designated corridor and off National Forest System lands. Forest Road 119 is described in further detail in the Access and Roads section.

Canyon Rim Trail (or Nez Perce Trail). The Canyon Rim Trail (trail 761) is located east of the Dead Indian Campground (which is outside the designated corridor). This non-motorized trail is used mostly by hikers with some horse use. A small parking area serves a minimally developed trailhead off Wyoming Highway 296. The trailhead is outside the designated wild corridor and provides access to the scenic vistas of the canyon corridor.

Lewis and Clark Trail (or Clarks Fork Trail). Trail 628 is on the north side of the wild river and runs from the Clarks Fork Trailhead (outside the corridor) to Forest Road 119. The trail is a non-motorized, primitive trail. This trail provides non-motorized access to the wild river corridor and is very compatible with the wild

designation. Although named for the Lewis and Clark Expedition, no part of this area was crossed by the expedition. Several non-system trails and scrambling routes also provide access.

Use trends

The public is increasingly looking to public lands for a variety of recreation opportunities, including off-highway vehicle use, which is becoming more popular. This trend is expected to continue locally as population and tourism increase in Park County and the region. Additionally, advancements in technology have allowed increasing motorized access to previously inaccessible areas.

A trend causing concern is damage from unauthorized vehicle use (primarily all-terrain vehicles) off designated routes, potentially modifying the natural environment of the river corridor. The type and intensity of unauthorized motorized use is a potential threat to the river's outstandingly remarkable values. Additional human use problems such as littering, vandalism, trampling of vegetation, and loss of solitude may be associated with higher use.

Future trends to be aware of include geo-caching and mountain bike use, which may increase in popularity in the future. Rock climbing occurs at low levels. Since the Clarks Fork was designated, kayak use has grown but is limited to the more extreme enthusiasts because of access and navigability of the Clarks Fork. These uses are neither causing nor likely to cause adverse effects.

Casual collecting for gold is a minor use in the corridor and may increase in the future relative to gold prices.

Visitor use capacity

Visitor use capacity is defined as the quantity of recreation use the area can sustain without adverse impacts on the outstandingly remarkable values and free-flowing character of the river area, quality of the recreation experience, and public health and safety.

While the increased recognition of the Clarks Fork as a desirable recreation area has probably resulted from designation into the National Wild and Scenic Rivers System, increases in use are not nearly as large as other, more accessible rivers that have been added to the system. The generally inaccessible nature of much of the corridor and lack of potential to generate a large amount of non-motorized recreational use is expected to continue to limit use.

Use limits are not needed due to the light kayaking use and the low potential for increases in such use. Fishing is also self-limiting due to the inaccessibility of the Middle and Upper Canyons and distances people have to hike to fish in the canyon in these segments. Kayaking is also somewhat self-limiting, due to the extreme difficulty and skill level required. No use allocations or special use permits currently exist for commercial boating or kayaking in the designated river corridor.

Trends for increased motorized use and the potential for associated resource impacts and social conflicts exist. As part of this Plan, specific management actions for the wild river corridor will be implemented, including monitoring actions and related management actions.

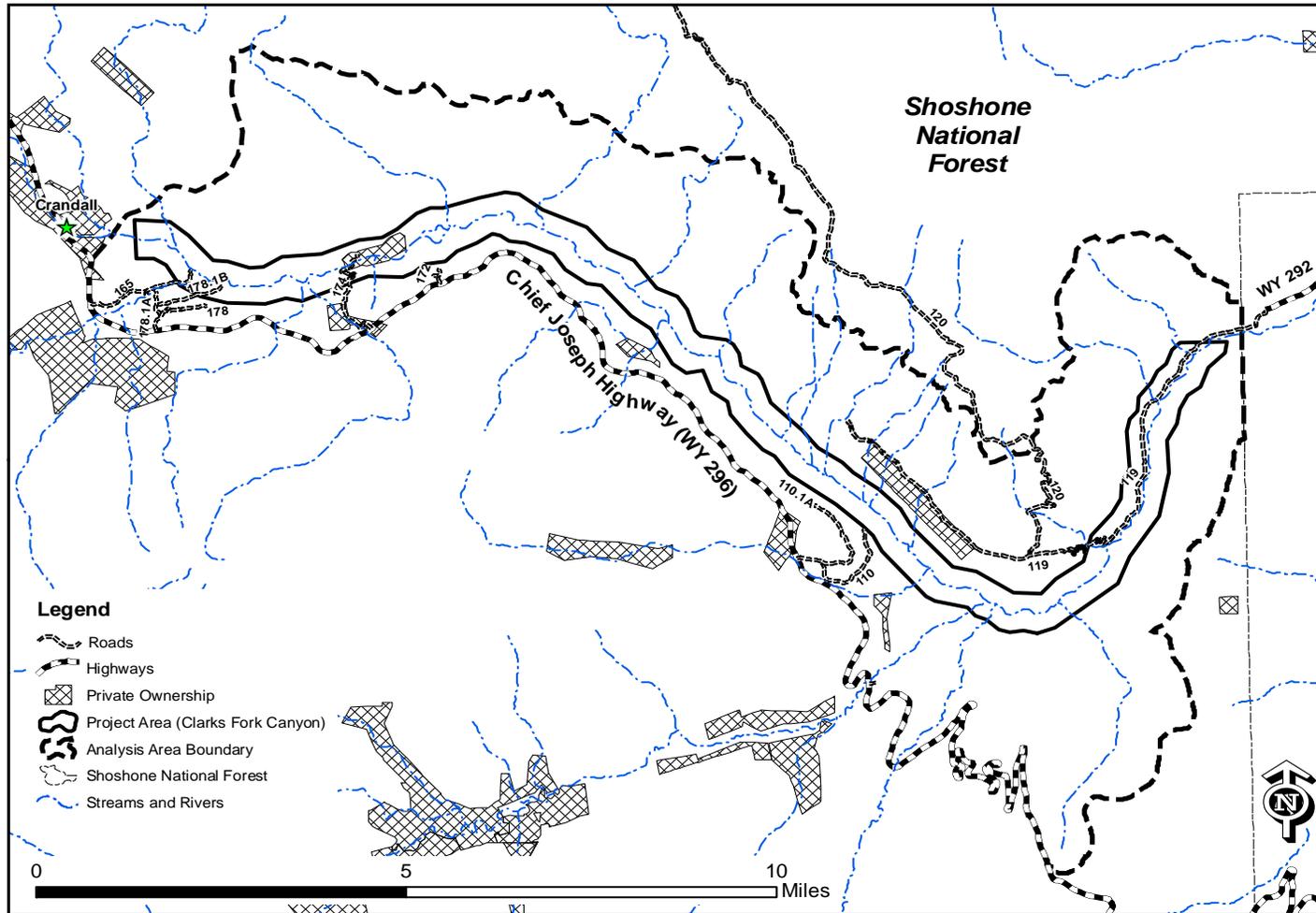


Figure 2. Existing situation map for the Clarks Fork of the Yellowstone Wild River Corridor

Access and roads

The following roads are designated as open to motorized use; the total miles of open, designated roads in the wild river corridor are 4.47 miles and are described below. Two roads provide access to private land.

Forest Road 110. Forest Road 110 is classified as a maintenance level 2 road (high clearance vehicles) and was open to public motorized use at the time of wild river designation. It does not extend into the corridor but accesses the boundary of the designated river corridor. It is used by kayakers and other recreationists.

Forest Road 119. Forest Road 119 is classified as a maintenance level 2 road open to public motorized use and was open to public motorized use at the time of wild river designation. This 9.5-mile road has been in existence and used by the private landowner of the Switchback Ranch as the primary access for decades. About 3.5 miles are inside the wild river corridor. The portion of Forest Road 119 inside the corridor is rocky and stable. Because it is hard and durable, its use is not affecting water quality in the river. There is no evidence of the road surface migrating to the river. Outside the corridor, Forest Road 119 is characterized by extremely steep grades, sharp switchbacks, a narrow running surface, loose surfacing, and a low maintenance frequency where the road ascends the canyon. The road has a history of erosion and is prone to being washed out in places. The switchbacks are extremely tight and do not allow for regular trailer use, i.e., recreational, camper, etc. The running surface is extremely narrow, which inhibits two-way traffic; there is limited ability to pass on the steep grades and switchbacks. The surface is loose rock over large boulders, creating traction problems.

The portion of Forest Road 119 in the Lower Canyon is open year round and is popular for motorized access to Forest Road 120. Forest Road 120 traverses the Beartooth Plateau and is closed seasonally by a locked gate.⁷

Forest Road 165. This 2-mile road is a maintenance level 2 road that was open to public motorized use at the time of wild river designation. Approximately 0.35 mile is located inside the wild river corridor. It starts at Highway 296 and ends at the Clarks Fork River. This road has been in existence and used to access the river for decades. This road and Forest Road 178.1B access take-out/put-in sites for river runners. Forest Road 178.1B is the preferred access point for boaters.

Forest Road 174. This road accesses private land and the landowner has been authorized an easement to cross a portion of the national forest. This road has been in existence and used by the private landowner for decades. It crosses about 0.25 mile of the wild river corridor.

Forest Roads 178, 178.1A, and 178.1B. While this road system does not access the river directly, it does provide vehicle access to user-created foot routes that are used by boaters. Forest Road 178 is a 0.50-mile, improved aggregate-surfaced road that starts at Highway 296 and ends at the transfer station. Forest Road 178.1A is a two-track road that branches off 178 and continues north for approximately 0.40 mile before ending close to Crandall Creek (which flows into the Clarks Fork River). Forest Road 178.1B branches off 178.1A and parallels Crandall Creek for approximately 1.0 mile before ending on the bench above the Clarks Fork. The user-created foot routes used by boaters begin from Forest

⁷ Special Order 01-009, paragraph 4.

Road 178.1B. Approximately half of 178.1A and all of 178.1B are within the wild river corridor.

Access

Access to the Upper Canyon is provided by Forest roads 165, 178, 178.1A, and 178.1B.

Access to the Middle Canyon is only by kayak, primitive trails, or scrambling, fitting with the wild river corridor designation and desired primitive setting.

Access through the Lower Canyon is provided by a primitive road (Forest Road 119) that can be traveled with high clearance and/or 4WD vehicles, all-terrain vehicles, and motorcycles. This road enters the mouth of the canyon from the east from County Road 8VC (State Highway 292) and switch backs up the north canyon face to leave the river corridor. About 3.5 miles of the road pass through the wild river corridor in the Lower Canyon. For most of the distance, Forest Road 119 is not highly visible from the river. The road climbs out of the canyon as a very narrow 4WD/all-terrain vehicle road, which provides access to the Dillworth Bench area and the private land at the Switchback Ranch, to the north and out of the designated river corridor.

Chapter 3 Planning context

Overview

When the Shoshone National Forest Land and Resource Management Plan (Forest Plan) was approved in 1986, the segment was recommended for inclusion in the National Wild and Scenic Rivers System, and management direction was included in the Forest Plan as management area direction 10D.

Wild and scenic river management

The following laws, regulations, and policies guide management of designated river segments:

- The Wild and Scenic Rivers Act, as amended
- The 1986 Shoshone National Forest Land and Resource Management Plan, as amended
- Clarks Fork Wild and Scenic River Designation Act of 1990
- The Comprehensive River Management Plan for the Designated Wild Segment of the Clarks Fork of the Yellowstone River

Relationship to other federal land management or regulatory agencies

The regulatory authorities of other governmental agencies assist in protecting river values; the USDA Forest Service, under the direction of the Secretary of Agriculture, is responsible for the administration of the designated wild river corridor in accordance with the Forest Plan and the Wild and Scenic Rivers Act. The local official responsible for administration is the forest supervisor for the Shoshone National Forest.

Bureau of Land Management lands are adjacent to the corridor. Cooperation, coordination, and planning are needed for future management (access, trailheads, trails, facilities, etc.) to ensure consistency in management and enforcement.

The Shoshone National Forest is required to consult with the U.S. Fish and Wildlife Service concerning how forest management activities may affect threatened and endangered species.

Relationship to tribal governments

Consultation with Native American tribes that may hold cultural, spiritual, or traditional values will occur when specific projects are proposed within the wild river corridor. Principal tribes that may be concerned include the Nez Perce, Crow, Shoshone, Northern Arapahoe, and Bannock tribes.

Another human use consideration is access to areas pertinent to subsistence, ceremonial, and other religious activities practiced by Native Americans.

During public scoping and issue identification, no comments were received from the tribes and no subsistence, ceremonial, or other religious activities were identified.

Relationship to state and local governments and non-governmental organizations

The Wild and Scenic Rivers Act stresses cooperation with states for planning and administration, and with state/local governments, landowners, and non-governmental organizations. Through the implementation of this Plan, the Forest Service will involve Park County, the State of Wyoming, and other agencies in river planning activities to ensure coordination of management actions with any state requirements and consistency with river management goals.

- State of Wyoming agencies such as the Game and Fish Department have responsibility for enforcement of state laws and regulations in the river corridor, such as fishing, hunting, and trapping regulations.
- Water quality and instream flow requirements are coordinated with the State of Wyoming Department of Environmental Quality Water Quality Division and the Environmental Protection Agency as needed to eliminate or diminish pollution in accordance with section 12(c) of the Act.
- The Forest Service will work in partnership with all interested parties including the Wyoming State Historic Preservation Office, tribes, local history and archaeological societies, universities, and rural economic development councils, etc.

Public involvement and key issues

The proposal to prepare this Plan was listed in the Shoshone's quarterly Schedule of Proposed Actions beginning July 1, 2007. A scoping notice was posted to the Forest's Web site and was provided to the public and other agencies for comment during the scoping period (January 24, 2008 to February 29, 2008). A public meeting attended by 42 people was held February 6, 2008 in Cody, Wyoming as part of the scoping process. Approximately 47 comment letters were received.

Key issues identified for development of the Plan are summarized here.

- Management of increasing recreation use of the river canyon.
- Development of an effective information and education and signing strategy for the area.
- Potential for increasing impacts to outstandingly remarkable values.

- Unauthorized use of motorized vehicles off designated routes or on user-created routes has the potential to adversely impact vegetation and the outstanding remarkable values that led to the river's designation. Where or what adaptive management actions should be taken to reduce or eliminate illegal (off-road) use?
- The Forest Service does not have adequate travel management in the area; road closures are ineffective; gates and signing are not to standard; unauthorized motorized use is occurring in many areas; and information, education, and enforcement are inadequate.
- What level of road maintenance is needed and who has responsibility for the cost of road maintenance?
- Increased management would lead to closures and loss of motorized recreation opportunities.
- Unauthorized motorized recreation use is causing resource damage, impairing special attributes, and causing user conflicts (loss of primitive, non-motorized setting). This in turn results in the issue of negative effects to the outstandingly remarkable values for scenic, historical, and recreational values.

The key issues that were identified relate to travel management: unauthorized motorized use, open roads in the river corridor, and use of the sensitive dunes area as an unauthorized vehicle play area. This motorized use, in addition to being a nonconforming use in a designated wild river segment and primitive setting, is impacting, or has the potential to impact, the outstandingly remarkable values for scenic, recreation, and history and degrade other resources such as wildlife habitat, vegetation, soils, and water quality. All-terrain vehicle and motorized use in the east end of the canyon (Lower Canyon) has increased, along with the potential resource damage and unauthorized motorized use off designated routes.

Chapter 4 Management direction

Visitors come to this area for its remoteness, natural character, scenic and historical values, and the primitive recreation experience the corridor provides. These visitor expectations and desired outcomes provide a framework to manage use levels in the corridor to maintain the quality of the experience and protect or enhance the scenic, recreational, and historical values. Management direction was developed to protect the wild river segment from the impacts of other land uses and preserve the free-flowing condition, water quality, and outstandingly remarkable values in accordance with the Act.

Management direction in chapter 4 of this Plan amends the 1986 Shoshone National Forest Land and Resource Management Plan and replaces management area direction 10D.

The following goals apply to the designated wild segment and corridor as described in appendix A.

- Provide opportunities for dispersed recreation activities
- Allow existing uses in the river corridor to continue, while ensuring outstandingly remarkable values (scenic, historical, and recreational values) are protected and preserved

Desired conditions

Recreation

Management of the corridor is in the context of providing opportunities for dispersed, primitive, river-oriented recreation as well as semi-primitive, non-motorized, and motorized recreation on the designated routes that existed when the river was designated.

The corridor is naturally appearing with a primitive, undeveloped character and a high scenic integrity. The corridor is generally inaccessible to motorized access except on a small number of designated routes (Forest Roads 110, 119, 165, 174, 178, 178.1A and 178.1B). Visitors to the wild river corridor find opportunities for solitude and primitive recreation, especially in portions of the corridor accessible only by foot, bicycle, kayak, or pack and saddle stock.

A variety of recreation opportunities are provided including hiking, fishing, horseback riding, primitive camping, kayaking, bicycling, scenic viewing, driving motorized vehicles on designated routes, and other recreational pursuits. User densities are low and encounters with other users are limited, especially away from access points.

Motorized routes provide access to private property, access for recreational pursuits including kayaking, and through passage on Forest Road 119.

Educational and interpretive materials present the outstandingly remarkable values of the Clarks Fork wild river to the public and encourage Leave No Trace principles. Water quality is high and meets state water quality standards to fully support State of Wyoming designated beneficial uses.

Commercial opportunities are limited. No use allocations or special use permits are or will be authorized for commercial boating or kayaking in the designated river corridor. No new commercial permits will be issued, but existing permits will be reissued when they come up for renewal and may be transferred to new owners.⁸ Outfitters will be required to report and break out wild and scenic corridor days from their larger authorized area. This information will then be used to cap service days within the corridor at the level being used within the canyon and will not be increased.

Other resources

Existing occurrences of invasive plant species are declining and new outbreaks of invasive plant and aquatic species are eliminated.

Commercial livestock grazing aids in maintaining vegetation conditions and supporting local communities and economies while protecting the outstandingly remarkable values for which the corridor was designated.

New or upgraded utility transmission lines do not substantially detract from the high scenic integrity of the corridor.

Natural and prescribed fires play a role in maintaining vegetation health and diversity. Active suppression occurs where necessary to protect life, investments, and the outstandingly remarkable values for which this river was designated. Suppression activities are conducted in a manner to reduce the visual impacts from the river corridor.

Management direction and actions include consideration for increasing enforcement and fines. In the event that monitoring indicates a lack of

⁸ Existing permits are those shown in Table 1.

compliance with motorized use restrictions, management direction is to pursue options with local authorities to implement special orders and increase the fines for unauthorized use. Long-term motorized access on Forest Road 119 would be subject to regulation or closure if monitoring indicates adverse impacts to the outstandingly remarkable values of the river corridor are occurring.

Standards

Direction from the Act incorporated as standards include:

- Dams and other water developments that restrict the free-flowing condition of the river are precluded (7(a)).
- Do not dispose of National Forest System lands (8(a)).
- Mineral entry or leasing is prohibited. A mineral withdrawal 0.25 - mile wide on each side of the river would be continued (9(a))

Forest-specific standards are:

- Manage stream flow according to State of Wyoming Permit No. W.S.1.
- Casual collecting (i.e., panning for gold by hand) is not allowed in the designated river corridor.
- Camping is prohibited in the lower corridor except in tents. Camping in recreational vehicles, camping trailers or other motorized dispersed camping is not allowed beginning at the western edge of Township 56 North, Range 104 West, Section 34 downstream to the end of the designated river corridor.
- Wheeled motorized vehicles are restricted to designated routes (Forest Roads 110, 119, 165, 174, and 178, 178. 1A, and 178.1B). In the lower corridor, motorized traffic is not permitted off designated routes for the purpose of dispersed camping or any other generally permitted activity. The general authorizations in Shoshone National Forest Special Order 001-09 allowing for dispersed camping and firewood cutting within 300 feet of an open motorized route do not apply. This excludes snowmobiles traveling over snow.
- Special orders will be established as needed to protect resources, reduce conflicts, or manage use within the designated river corridor. The orders will be established under the authority provided by 36 CFR 261.58(z) that covers special orders within wild and scenic river corridors.
- Public or recreational use of motorized aircraft, including but not limited to, helicopters, motorized hang gliders, planes, etc. are prohibited from landing in the designated river corridor or streambed.
- Helicopter use, including landings, for administrative access by the Forest Service, Wyoming Game and Fish, county sheriff or other agency or entity with a legitimate need for research and management activities, animal capture or wildlife surveys, emergencies, search and rescue, wildland fires, etc. could continue under the plan with prior notification of the Forest Service of planned activities.
- New roads, campgrounds, picnic areas, and trailheads are not allowed.

- Replacement of existing power lines is allowed; new power lines within the designated corridor would be discouraged.
- Special or competitive events are not permitted.
- New commercial outfitting permits that include the designated river corridor will not be issued.
- For present commercial outfitting permits, existing service days for commercial use will be retained but not expanded (increased).
- The maximum stay limit is 16 consecutive days.
- Motorized watercraft are prohibited.
- Memorial or dedication sites are prohibited except that a single memorial site that recognizes the dedication of the river is permitted. Any such memorial would be constructed of native materials and consist of a low profile stone monument, or something similar, with an appropriate plaque.
- Fish habitat improvement projects and structures that do not adversely affect the free-flowing condition of the river would be allowed.
- Fences will be constructed to be visually unobtrusive.

Guidelines

Management activities within the corridor and upstream of the corridor should include management measures from the Region 2 Watershed Conservation Practices Handbook.

Standards for Class 1 streams as prescribed in Wyoming Water Quality Rules and Regulations, chapter 1, should be adhered to.

Campsites, campfires, and human waste disposal should be at least 100 feet from the river shoreline to protect water quality.

Noncommercial groups should be limited to 15 persons and 15 head of saddle and/or pack animals.

Trailing of livestock should occur only on established stock driveways.

The designated motorized routes within the river corridor are maintained as primitive routes for off-highway vehicles or high clearance vehicles.

Activities should be conducted in a manner that prevents the introduction of aquatic nuisance species in riparian and aquatic habitats.

Reasonable access to private land is allowed. Any access to private land in or proximate to the corridor should be on private land where possible.

Commercial livestock grazing is administered under annual operating plans that include measures necessary to protect river values.

Prescribed burning that is consistent with the wild river values and maintenance/enhancement of vegetation diversity is allowed.

Use of motorized vehicles to control invasive plants is allowed, with use of motorized vehicles restricted to designated routes. Control efforts in other areas are conducted on foot or horseback.

Installation of measuring devices deemed necessary for the administration of in-stream flow as may be ordered by the State Engineer under W.S. 41-3-1003(a) is allowed.

Timber harvest, including commercial timber harvest, vegetation removal or treatment, and forest product removal is generally not allowed except for the removal of hazard trees.

Low-intensity development (such as interpretive signs) of cultural resource properties compatible with river designation is allowed.

New range improvement structures should not be authorized unless they provide additional protection of river values.

Chapter 5 Management approach, monitoring, and management actions

Management approach

The Forest Service will:

- Pursue opportunities to acquire scenic easements or lands from willing seller(s) within the corridor as a means to ensure long-term protection of the corridor's scenic values.
- As appropriate, work with state and county authorities to maintain zoning of private land in a manner compatible with protecting outstandingly remarkable values and river management goals.
- Cooperate and coordinate with state, local, other federal agencies, and stakeholders to establish partnerships to protect the wild river characteristics and outstandingly remarkable values of the river.

Controlling unauthorized use

Initial approaches for controlling unauthorized motorized use

In response to public involvement and identified key issues, emphasis will be on information and education to achieve compliance with travel designations. Public education/outreach campaigns, including efforts made in conjunction with the local motorized community, will be used to discourage unauthorized off-road vehicle use in the Clarks Fork corridor.

Existing programs such as Leave No Trace and Tread Lightly will be emphasized. Efforts to monitor and enforce off-highway vehicle regulations and educate the public on appropriate off-highway vehicle use will be coordinated with Wyoming State Trails. All-terrain vehicle patrols, trail hosts, law enforcement patrols, or other means of visitor contact will be used to inform and educate the public on travel management and to monitor/check on compliance with travel management regulations or other management issues. These field patrols will be used primarily in the high use season to reduce conflicts and impacts to wild river values.

In some instances, physical barriers will be used to discourage unauthorized use and allow rehabilitation of closed routes. Barriers may include soil berms, rocks or boulders, vegetation, or fences to prevent travel on unauthorized routes.

Approaches for controlling unauthorized use if monitoring indicates a lack of compliance

In the event of non-compliance, increased patrols will be implemented in areas where monitoring efforts detect non-compliance with route designations. Additional restrictions or management tools could include gates or seasonal

closures. Additional public notification, signing, and education efforts will be conducted.

Approaches for controlling unauthorized use if it is continuing

If unauthorized use continues to the point that additional protection measures are warranted on Forest Road 119, a National Environmental Policy Act process, including public involvement, will be initiated. This process will evaluate necessary management actions and alternatives, to possibly include permits, limits of use numbers, or road gating for additional seasonal or year round closures.

Management actions

Display designated routes and types of use descriptions for the wild river corridor on the motor vehicle use map that will be issued to meet the Travel Management Rule.

Identify designated routes on the ground in a clear and consistent manner to facilitate compliance and enforcement of the route designations, while keeping signing to a minimum to maintain the natural appearance in the wild river segment.

Post signs in strategic locations informing the public that motorized use is authorized only on open, numbered, posted routes, such as the Forest boundary, trailheads, and the junction of Forest Roads 119 and 120. Install an information/education kiosk or portal signing at the mouth of the Lower Canyon.

Forest Service recreation technicians, law enforcement officers, trail hosts, and volunteers will regularly patrol and monitor visitor compliance, including motorized use and camping.

Monitoring and baseline data collection

Monitoring

Monitoring gathers information to determine if desired conditions are being met and maintained to protect free-flowing condition, water quality, and outstandingly remarkable values for the benefit and enjoyment of present and future generations. Monitoring is focused on those conditions where existing conditions are not meeting desired conditions or are at some risk of not meeting desired conditions.

Information from monitoring will be used to determine if specific actions, projects, or additional monitoring are needed.

Unauthorized motorized use

The primary threat to outstandingly remarkable values is unauthorized motorized use. A baseline of unauthorized motorized use will be documented using Global Positioning System technology and photographs.

Then, monitoring will be focused on documenting unauthorized motorized routes using Global Positioning System and photography two times a year and comparing to baseline conditions. This information will be used to determine if an increase or decrease in illegal off-road travel is occurring. By 2012 or sooner, the

results of this monitoring will be analyzed to determine if additional measures are needed.

Stream health and Class 1 water quality standards

Stream health and water quality currently meet desired conditions and do not appear to be at future risk given current and expected land uses in and above the corridor. If baseline monitoring indicates otherwise, or ocular indicators show possible stream health or water quality issues may be occurring, a stream health assessment will be conducted.

Best management practices

A best management practices review is conducted periodically (2 to 3 years) to assess impacts (primarily sedimentation) to water quality from recreational activity. Data are used to identify whether mitigation or other actions are required to protect water quality.

Baseline data collection for Class 1 water quality standards and recreation

For future management of the wild river corridor, some base level information needs to be gathered. The following information on water quality and recreation use is needed to establish a baseline for assessing future management actions.

Stream health and Class 1 water quality standards

By 2012 or sooner, in cooperation with the Wyoming Department of Environmental Quality Water Quality Division, the Shoshone will collect baseline data to verify that State of Wyoming water quality standards are being met and designated uses are being protected, which are critical aspects of desired conditions.

Recreation use

Data will be gathered from permittees whose operating area includes the wild river corridor to identify the amount and type of commercial outfitting use occurring in the wild river corridor.

Data will be gathered on the amount of motorized use occurring on designated routes within the wild river corridor.

Appendix A—Clarks Fork Wild and Scenic River Designation Act of 1990

Public Law 101-628—November 28, 1990

Section 1301. This Act may be cited as the “Clarks Fork Wild and Scenic River Designation Act of 1990.”

Section 1302. Designation of river.

Section 3(a) of the Wild and Scenic Rivers Act (16 USC 1274(a)), as amended, is further amended by adding at the end the following:

“Clarks Fork, Wyoming—(A) The twenty and five-tenths-mile segment from the west boundary of section 3, township 56 north, range 106 west at the Crandall Creek Bridge downstream to the north boundary of section 13, township 56 north, range 104 west at Clarks Fork Canyon; to be administered by the Secretary of Agriculture as a wild river. Notwithstanding subsection (b), the boundary of the segment shall include all land within four hundred and forty yards from the ordinary high water mark on both sides of the river. No land or interest in land may be acquired with respect to the segment without the consent of the owner thereof. For the purposes of carrying out this paragraph, there is authorized to be appropriated \$500,000 for development and \$750,000 for the acquisition of land and interests therein.

“(B) Designation of a segment of the Clarks Fork by this paragraph as a component of the Wild and Scenic Rivers System shall not be utilized in any Federal proceeding, whether concerning a license, permit, right-of-way, or any other Federal action, as a reason or basis to prohibit the development or operation of any water impoundment, diversion facility, or hydroelectric power and transmission facility located entirely downstream from the segment of the river designated by this paragraph; Provided, That water from any development shall not intrude upon such segment. Congress finds that development of water impoundments, diversion facilities, and hydroelectric power and transmission facilities located entirely downstream from the segment of the river is not incompatible with its designation as a component of the Wild and Scenic Rivers System.

“(C) The Secretary of Agriculture is directed to apply for the quantification of the water right reserved by the inclusion of a portion of the Clarks Fork in the Wild and Scenic Rivers System in accordance with the procedural requirements of the laws of the State of Wyoming: Provided, That, notwithstanding any provision of the laws of the State of Wyoming otherwise applicable to the granting and exercise of water rights, the purposes for which the Clarks Fork is designated, as set forth in this Act and this paragraph, are declared to be beneficial uses and the priority date of such right shall be the date of enactment of this paragraph.

“(D) The comprehensive management plan developed under subsection (d) for the segment designated by this paragraph shall provide for all such measures as may be necessary in the control of fire, insects, and diseases to fully protect the values for which the segment is designated as a wild river.”

Approved November 28, 1990