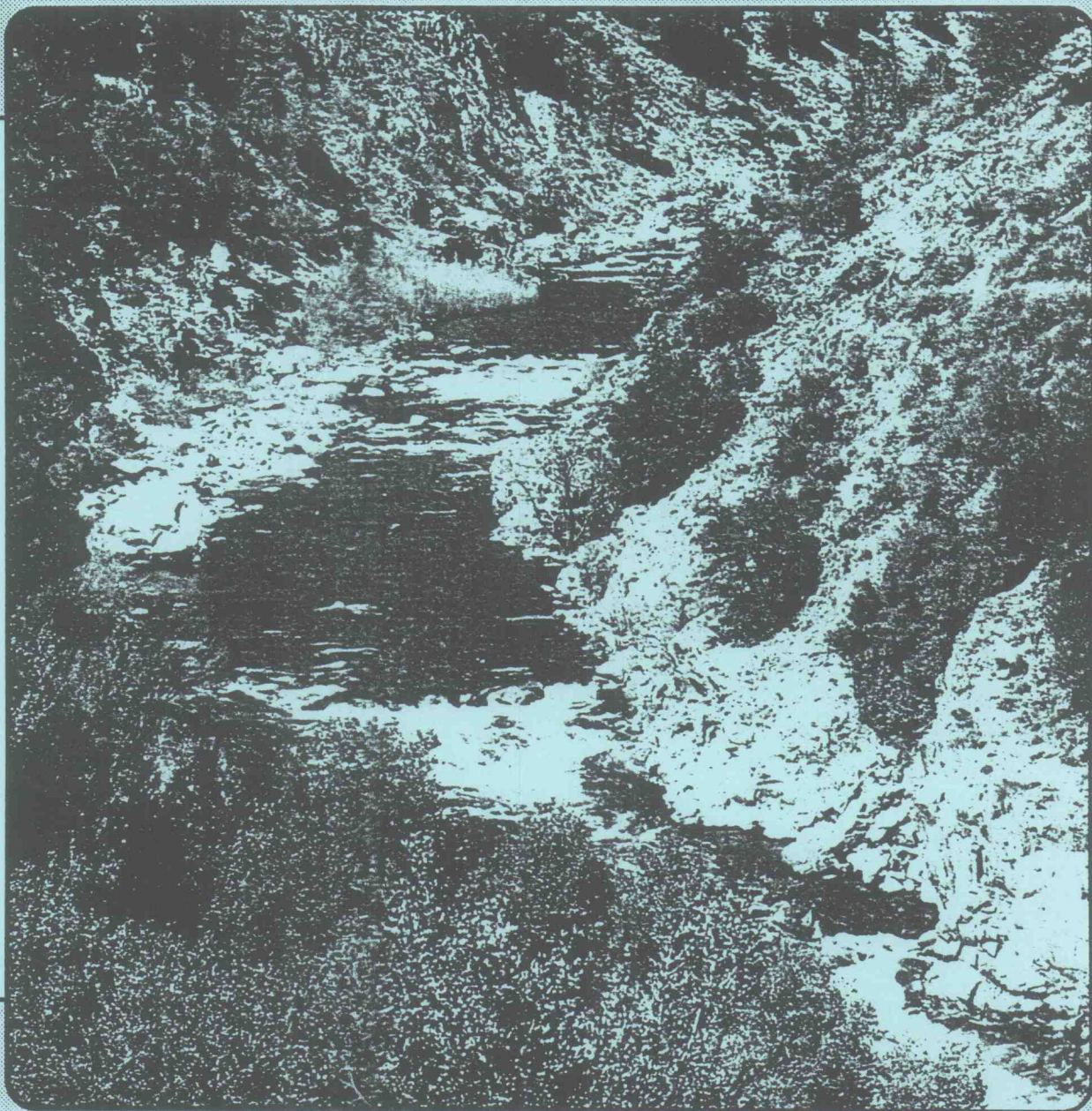


FINAL

Record of Decision



North and South Forks of The Kern Wild and Scenic River



United States
Department of
Agriculture



Sequoia and Inyo
National Forests



This is a picture of the North Fork Kern Wild and Scenic River, Sequoia National Forest, Tulare County, California. It was taken during the summer of 1988, looking north from Johnsondale Bridge, approximately 30 miles north of Kernville, CA.

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NATIONAL PARK SERVICE

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WASHINGTON, D.C. 20013-7127



IN REPLY REFER TO:

ENVIRONMENTAL QUALITY DIVISION EIS/RELATED DOCUMENT REVIEW

ER-92/0090 ENVIRONMENTAL ASSIGNMENT DATE: 11/16/94

DOCUMENT TITLE: NORTH & SOUTH FORKS KERN WILD & SCENIC RIVER, SEQUOIA &
INYO NATIONAL FORESTS

STATE: CA
COUNTY/DIVISION: KERN TULARE

DOCUMENT TYPE: FINAL EIS

APPLICANT: FS/DOA

WASO REVIEW: 774* ISA/MORLOCK
773*
REGIONAL REVIEW: WRO*

REVIEW INSTRUCTIONS:
PLEASE CALL NPS WASO-774 ASAP IF REVIEW SHOULD BE REASSIGNED (202) 208-4258

Final document; NO COMMENT UNLESS NPS HAS PROBLEM WITH PROJECT.
Provide comments in final-typed form on WASO letterhead to
WASO-774, set up for signature by the Assistant Director,
Planning.

SEND TO LEAD WASO PERSON: ISA/MORLOCK
DATE DUE TO WASO-774: 11/14/94
LEAD INTERIOR BUREAU: OEPC
DATE DUE TO LEAD BUREAU: 11/14/94

OTHER INSTRUCTIONS/ REMARKS:
RECEIVED DOCUMENTS 11/15/94.
(3 VOLS. - THREE SETS)
773 - HAUBERT*

DATE RECEIVED IN THE DIVISION OF ENVIRONMENTAL QUALITY: 10/26/94
*REPRESENTS COPY(S) OF DOCUMENT SENT TO WASO STAFF/REGION.

ER-92/0090

USDA - Forest Service
Inyo and Sequoia National Forests
Kern and Tulare Counties, California

Record of Decision
for
North and South Forks of the Kern Wild and Scenic River

On September 7 and 30, 1994, Inyo National Forest Supervisor Dennis W. Martin and Sequoia National Forest Supervisor Sandra H. Key, respectively, signed the Record of Decision based on the Final Environmental Impact Statement for North and South Forks of the Kern Wild and Scenic River. This decision amends each Forest Land and Resource Management Plan and implements the Comprehensive Management Plan for the North and South Forks of the Kern Wild and Scenic River. Highlights of this decision include the following: 1) a change in the boating use on the "Wild," "Scenic," and "Recreation" river segments; 2) a change in trail use emphasis within the river corridor; 3) developed and dispersed camping and other recreation use within the river corridor was changed; 4) livestock management practices will continue within the river corridor; and 5) acquiring easements when necessary to protect and/or enhance the river's natural values.

The associated Record of Decision and supporting environmental documentation are available upon request from the Sequoia National Forest, 900 West Grand Avenue, Porterville, CA 93257 and the Inyo National Forest, 873 N. Main Street, Bishop, CA 93514.

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR Part 217. To initiate an appeal, a written notice of appeal must be filed with the Regional Forester, Pacific Southwest Region, Forest Service, USDA, 630 Sansome Street, San Francisco, California 94111 within 45 days from the date of publication of this decision. Notices of Appeal which do not meet the requirements of 36 CFR 217 shall be dismissed.

* This Public Notice will appear in the Porterville Recorder and the Inyo Register on Wednesday, October 12, 1994.

UNITED STATES
DEPARTMENT OF
AGRICULTURE

FOREST
SERVICE

Cannell Meadow Ranger District
P.O. Box 6
Kernville, California 93238

ER-92/0090

Reply To: 2350

Date: October 5, 1994

Dear Interested Reviewer:

Enclosed are copies of the Final Environmental Impact Statement, Comprehensive Management Plan, and/or Record of Decision for the North and South Forks of the Kern Wild and Scenic River.

If you have any questions concerning these documents please feel free to contact Beverly Bauges or myself at 619-376-3781.

Thank you for your interest in the management of our public lands and for your participation in the development of these documents.

Sincerely,



for
GENE BLANKENBAKER
District Ranger

Enclosures

RECORD OF DECISION
and
Inyo National Forest Plan Amendment #4
and
Sequoia National Forest Plan Amendment

based on the
FINAL ENVIRONMENTAL IMPACT STATEMENT

for the
**NORTH AND SOUTH FORKS
OF THE
KERN WILD AND SCENIC RIVER**

**USDA Forest Service
Pacific Southwest Region**

SEQUOIA AND INYO NATIONAL FORESTS

Kern and Tulare Counties, California

This document presents reasons for selecting Alternative 3 to implement the management plan for the North and South Forks of the Kern Wild and Scenic River for the next 10 to 15 years. Long-term estimates of the Alternatives' environmental and economic attributes, contained in the environmental impact statement, were considered in the decision. The Comprehensive Management Plan will be an amendment to the Inyo and Sequoia Forest Land and Resource Management Plans.

September 1994

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RECORD OF DECISION

and
Inyo National Forest Plan Amendment #4
and
Sequoia National Forest Plan Amendment

based on the

Final Environmental Impact Statement
for the
North and South Forks
of the
Kern Wild and Scenic River

INTRODUCTION

The Sequoia and Inyo National Forests have completed the planning process for the North and South Forks of the Kern Wild and Scenic River. On November 24, 1987, Congress passed Public Law (PL) 100-174 which placed portions of the North and South Forks of the Kern River into the Nation's Wild and Scenic River System. This legislation designated the following portions of each river:

North Fork Kern River - 78.5 continuous miles, starting from its headwaters located within the Sequoia National Park, south to the Kern/Tulare County line

South Fork Kern River - 72.5 continuous miles, starting from its headwaters located within the Golden Trout Wilderness, Inyo National Forest, south to the southern boundary of the Dome Land Wilderness, Sequoia National Forest

Section 3 of the 1968 Wild and Scenic Rivers Act (PL 90-542), as amended, requires that the Federal agency charged with the administration of each component of the National Wild and Scenic Rivers System shall prepare a comprehensive management plan to provide for the protection of the river values. The North and South Forks of the Kern Wild and Scenic River (Kern W&SR) Final Environmental Impact Statement (FEIS) is the basis for the resulting Comprehensive Management Plan, hereinafter called the Plan.

Applicable Laws and Regulations

The FEIS and Plan were developed under the implementing regulations of the National Forest Management Act (PL 100-150); Title 36, Code of Federal Regulations, Part 219 (36 CFR 219) published in 47 CFR 43026 on September 30, 1982; The National Environmental Policy Act (NEPA); Council on Environmental Quality (CEQ) Regulations (40 CFR 1500-1508); and the Wild and Scenic Rivers Act (PL 90-542, 36 CFR 297). Specifically, the goals of the Wild and Scenic River Act are:

"It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreation, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations."

In addition, Plan preparation was guided by the Forest Service Manual (FSM 2354.3) as well as many other applicable laws and regulations, including but not limited to: The Endangered Species Act, the Wilderness Act, the Clean Water Act, and the National Historic Preservation Act.

Included in the planning process were thorough studies of the lands, resources, and the socioeconomic interests of the river area. Four planning Alternatives were studied and analyzed in detail in the FEIS. This Record of Decision documents our selection and approval of one of these Alternatives for future management of the Kern W&SR and discloses the reasons for our decision.

DECISION AND REASONS FOR THE DECISION

The Sequoia and Inyo National Forests propose to amend their respective FLRMPs to provide for the protection of the North and South Forks of the Kern Wild and Scenic River values. It is our decision to select Alternative 3 as the basis for development of the Plan. We have reviewed the environmental consequences of the Alternatives analyzed in the FEIS. We gave particular attention to the 100 public review comments presented in Appendix B of the FEIS. We have concluded that the Plan provides for multiple-use management of acoustics, air quality, fire/fuels, heritage resources, land ownership and use, livestock grazing, minerals, socioeconomics, soils/geology, transportation, vegetation, visual resources, water quality/hydrology, and wildlife and fisheries. This decision includes adoption of specific mitigation measures and a monitoring program.

As a management strategy, the Plan is basically programmatic. Some site specific projects are scheduled in the Plan to provide for its implementation and to help mitigate adverse environmental consequences. However, the emphasis in the Plan is not on site-specific decisions. Rather, it provides overall systematic guidance and establishes management direction to govern future actions. The site-specific actions are project level decisions and not part of the FLRMP amendment decision. Site-specific projects will require additional analysis.

We have determined that this amendment does not result in a significant change in the Inyo and Sequoia Forest Plans, in accordance with regulations in 36 CFR 219.10(f). This finding is based on the fact that the proposed amendment does not alter the Forest Plans' goals, objectives or outputs.

This decision amends the Inyo National Forest Land and Resource Management Plan, by making the following modifications:

Modifications To The Inyo Forest Plan

<u>Page</u>	<u>Modification</u>
97	Replace the statement "Develop management plans in conjunction with the Sequoia National Forest for the newly designated North Fork of the Kern and South Fork of the Kern Wild and Scenic Rivers: with "Implement the Comprehensive Management Plan for the North and South Forks of the Kern Wild and Scenic River cooperatively with the Sequoia National Forest."
126	Add the following statement "When Management Area Direction for MAs 19 (Golden Trout) and 20 (South Sierra) is more restrictive than the following Management Prescription direction, it then supercedes the following."
237	Replace the statements "Manage the South Fork of the Kern and North Fork of the Kern Wild and Scenic Rivers in accordance with final legislation. Prepare a river management plan for each designated river including final classifications and boundary descriptions." with "Manage the South Fork of the Kern and North Fork of the Kern Wild and Scenic Rivers in accordance with the Comprehensive Management Plan (CMP) prepared for the same rivers. Said CMP has been incorporated into this Forest Plan (see Appendix A)."
241	Replace the statements "Manage the South Fork of the Kern Wild and Scenic River in accordance with final legislation. Prepare a river management plan for the river that includes classifications and boundary descriptions." with "Manage the South Fork of the Kern Wild and Scenic River in accordance with the Comprehensive Management Plan (CMP) for the North and South Forks of the Kern Wild and Scenic Rivers. Said CMP has been incorporated into this Forest Plan (see Appendix A)."
298	Add the following to the list of EXISTING PLANS INCORPORATED INTO THE PLAN WITHOUT REVISION: "- Comprehensive Management Plan (CMP) for the North and South Forks of the Kern Wild and Scenic Rivers (1994)

This decision amends the Sequoia National Forest Land and Resource Management Plan by making the following modifications:

Modifications To The Sequoia Forest Plan

<u>Page</u>	<u>Modification</u>
4-21	Add the statement "Implement the Comprehensive Management Plan for the North and South Forks of the Kern Wild and Scenic River (1994) cooperatively with the Inyo National Forest."

Description of the Selected Alternative

Alternative 3 provides a *blend of management emphases* of Alternatives 1, 2, and 4, appropriate to individual river segment classifications or groups of like segments.

The major provisions of Alternative 3 are: 1) changing boating use on "Wild", "Scenic", and "Recreation" river segments; 2) changing the emphasis of trail use within the river corridor; 3) changing developed and dispersed camping and other recreation use within the river corridor; 4) continuing livestock management practices within the river corridor; and 5) providing for acquiring scenic/ access easements from private property owners within the river corridor if needed. Specifically:

Boating

North Fork

- **Private Boating:** on the the *Wilderness Run* the number of people allowed to launch will be limited to 15 a day, with a maximum group size of 15 people at one time (PAOT); on the *Forks Run* the number of people allowed to launch will be limited to 15 a day, with a maximum group size of 15 PAOT; on the *Upper Kern Run* there will continue to be no limit on the number of people allowed to launch each day. Maximum group size will be increased to 18 PAOT. Use will continue to be allowed 7 days a week on all runs.
- **Commercial Boating:** On the *Wilderness Run*, no commercial boating will be allowed at the present time. The potential for commercial boating permits can be analyzed during the update of the Golden Trout Wilderness Management Direction. On the *Forks Run* a limit of 15 people will continue to be allowed to launch each day, excluding guides. Maximum group size will continue to be 15 PAOT, excluding guides. On the *Upper Kern Run* the maximum of people allowed to float the river at one time will increase from 125 to 180. Of the 55 additional user days allowed in this Alternative, 25 user days will be offered through a prospectus for an additional commercial whitewater rafting permit. The new permit will not provide for trips on the *Forks Run*. The other 30 user days will be allocated through Temporary Special-Use permits (SUPs) to provide for special groups. Maximum group size will be 30 PAOT, excluding guides. Use will continue to be allowed 7 days a week on both runs.

South Fork

- On the South Fork, for private boaters, boating will continue to be authorized on all river segments where opportunities exist. Maximum group size will continue to be 15 PAOT within Wildernesses and will be limited to 18 PAOT outside Wildernesses. Use will continue to be allowed 7 days a week.
- Commercial boating use will continue to not be authorized on the South Fork at the present time.

Trails

- Trailheads will continue to not be allowed within the Kern W&SR corridor within Wildernesses.
- Motorized/mechanized use (except wheelchairs) will not be allowed within Wildernesses, unless authorized for emergency or safety purposes.
- For "Wild" river segments outside Wildernesses: trailheads can continue to be located within the river corridor. All motorized use (except wheelchairs) will now be prohibited under this Alternative, unless authorized for emergency or safety purposes. Mechanized use will continue to be allowed.
- For the "Scenic" river segment, trails and associated facilities will continue to be acceptable. Off-Highway Vehicle (OHV) use, trails and river crossings will be planned and managed in accordance with the Interagency Motor Vehicle Use Plan for the Inyo NF and the Sequoia Trail Plan for the Sequoia NF.
- For "Recreation" river segments, trail management objectives will now emphasize foot travel, equestrian, and mechanized modes of travel over motorized use. Motorized use will continue to be allowed within specific locations and on designated trails. Special emphasis will be given to developing additional trails accessible to individuals with disabilities.

Developed/Dispersed Camping and Other Recreation Uses

"Wild" river segments within and outside Wildernesses

- Activities allowed will now be compatible with ROS classes Primitive through Semi-Primitive Non-Motorized.
- Campsites and/or campfires will continue to not be allowed within 100 feet of the river's edge, tributaries, system trails, and meadows . Where terrain does not permit a 100 foot setback, camping and/or campfires will not be allowed closer than 25 feet from the river's edge, tributaries, system trails, and meadows.
- New outfitter/guide permits can continue to be issued when a public need is demonstrated and the service cannot be provided elsewhere. No additional permits for packers will be authorized within the GTW.
- Services such as patrol and facilities maintenance will be provided on a scheduled and regular basis.

"Scenic" river segments

- Recreational activities allowed will be those which are compatible with ROS classes Primitive through Semi-Primitive Motorized.
- Camping and campfires will continue to not be allowed closer than 100 feet of the river's edge, tributaries, system trails, and meadows within the corridor.
- New outfitter/guide permits will continue to be authorized when a public need is demonstrated.
- Administration will be provided on a scheduled and frequent basis.

"Recreation" river segments

- Activities allowed will continue to be those which are compatible with ROS classes Primitive through Rural.
- Increased levels of both developed and dispersed recreation uses and facilities will be allowed to meet recreational demand and/or to resolve user conflicts.
- Campsites and/or campfires will now not be allowed closer than 25 feet of the river's edge, tributaries, system trails, and meadows within the corridor.
- Opportunities for developing additional group campsites will be encouraged on North Fork, Segment 4.
- New outfitter/guide permits can continue to be authorized when a public need is demonstrated.
- Administration will be provided on a scheduled and frequent basis.

Livestock Management Practices

"Wild" river segments within wilderness

- Grazing will be allowed to continue at the level specified through the Allotment Management Plan process.
- Permanent or temporary modifications of grazing use and range improvements can now be made to accomplish specific resource management goals as long as they are compatible with wilderness policies and regulations.

All other river segments

- Grazing use and range improvements will be authorized and managed on a site-specific basis to ensure the river's outstandingly remarkable values will be protected.
- Where grazing use is reduced or discontinued within the W&SR corridor, the Sequoia National Forest will consider not re-issuing a permit.

Acquiring Scenic/Access Easements

- No specific recommendations will be made at this time to acquire scenic and/or access easements. In the future, easements will be acquired when necessary to protect and/or enhance the river's outstandingly remarkable values. If a conflict concerning priorities for acquisition of easements arises, the following priorities will be established:

- Priority 1 - "Recreation" river segments
- Priority 2 - "Scenic" river segments
- Priority 3 - "Wild" river segments outside Wildernesses
- Priority 4 - "Wild" river segments within Wildernesses

Rationale For Selection of Alternative 3

The Kern W&SR FEIS has, to our satisfaction, explored a reasonable range of Alternatives for accomplishing the goals of the W&SR Act. These Alternatives are consistent with the Sequoia Mediated Settlement Agreement. Additionally, the Significant Issues are addressed by each of the Alternatives, including Alternative 3.

We believe that Alternative 3 proposes the best balance among recreation, grazing use, scenic/access easement acquisition, and protection of the natural and heritage resources within the river corridor.

No single factor determined our decision. Among the many factors we considered were how well the various Alternatives would meet the stated goals and resolve the issues. The issues were addressed by all of the Alternatives considered, including Alternative 3. We considered the evaluation of direct, indirect, and cumulative effects in making this decision. We considered adverse effects which cannot be avoided, short-term uses versus long-term productivity, and identification of irreversible or irretrievable actions. These factors are described in detail in Chapter IV of the FEIS.

Our considerations included the environmental and socioeconomic effects associated with: 1) changing boating use on "Wild", "Scenic", and "Recreation" river segments; 2) changing the emphasis of trail use within the river corridor; 3) changing developed and dispersed camping and other recreation use within the river corridor; 4) continuing livestock management practices within the river corridor; and 5) providing for the acquisition of scenic/access easements from private property owners within the river corridor, if necessary to protect the river's outstandingly remarkable values.

Important components supporting our selection of Alternative 3 for the Kern W&SR include:

Boating

1. By increasing the number of commercial users by a potential of 20%, and providing for additional special groups to launch each day on the *Upper Kern Run*, this Alternative has the potential to meet the increasing public demand for whitewater boating outside Wildernesses. An additional commercial whitewater rafting permit will be offered through a prospectus. This will provide an additional opportunity for interested whitewater rafting businesses, including the current permittees. This increased boating use could have a positive financial impact on certain local and out-of-the-area businesses that provide equipment and supplies for this recreational activity, since more people would need their services and goods.

2. By providing for 30 additional user days for special groups, this Alternative will increase the potential for more business opportunities for new and current enterprises. It will provide opportunities for special whitewater floating groups, such as Boy Scouts, church groups, educational groups, semi-private outfitter/guide organizations, etc. However, some of this use is already on-going through private boating and unauthorized group boating. Therefore, in reality, 30 additional new user days will not be added. Additionally, some currently unauthorized use will be legalized and consequently better controlled through special-use permit requirements.
3. By decreasing the amount of private boating use on the *Wilderness Run* from an unlimited number to 15 people a day, this Alternative will protect the wilderness setting.

Trails

4. This Alternative will prohibit all motorized use within any "Wild" river segment. This will preclude individuals from operating off-highway vehicles in the corridor at the very northern end of North Fork, Segment 3, where the Rincon Trail (#33E23) terminates at the GTW boundary and thus will eliminate potential user conflict and encroachment problems.
5. In this Alternative, trails suitable for persons with disabilities will be provided, particularly on North Fork, Segment 4 where most of the recreation use occurs.

Developed/Dispersed Camping and Other Recreation Uses

6. This Alternative will allow a mix of dispersed and developed recreation opportunities and facilities to help meet future demand and resolve user conflicts. Future demand for facilities such as campgrounds and group camps will be met, particularly within the popular North Fork, Segment 4 and South Fork, Segment 3, while still providing dispersed camping opportunities.
7. ROS classes and camping setbacks from the river's edge will now be consistent between the Inyo and Sequoia National Forests and Wilderness river segments within the Kern W&SR corridor.
8. The new 25-foot camping setback within the heavily used "Recreation" segments will have the potential to significantly reduce user conflicts. It will also have the potential of reducing parking congestion along North Fork, Segment 4, as a result of eliminating dispersed camping areas located within 25 feet of the river's edge.
9. The potential adverse effects to heritage resources, wildlife, fisheries, water quality, and riparian areas within "Recreation" segments will be less because of the required 25-foot setback from the river's edge
10. Additional outfitter/guide permits for "Wild" river segments outside Wildernesses will be allowed to meet demand if the service cannot be provided elsewhere and the river's outstandingly remarkable values will be protected.

Livestock Management Practices

11. Livestock management practices will essentially remain unchanged. Range improvements such as fencing and water development will continue at current levels.
12. By considering not re-issuing permits where grazing use is reduced or discontinued, grazing use could be reduced in the future.
13. The economic status of local ranchers will remain at current levels.

Acquiring Scenic/Access Easements

14. Scenic and/or access easements can be acquired if needed.

Mitigation Measures and Monitoring

All practicable means to avoid or minimize environmental harm from Alternative 3 have been adopted.

Mitigation measures that will be applied to the implementation of this Alternative can be found in Appendix A of this document.

A Monitoring Plan is included in the Comprehensive Management Plan for the Kern W&SR. The Monitoring Plan describes the procedure by which the Forest Service will monitor certain activities and uses within the Kern W&SR to ensure compliance of management goals and actions contained in the Plan and to ensure that environmental consequences do not exceed acceptable levels.

Considering both the positive and negative environmental and socioeconomic consequences of all the Alternatives, it is our conclusion that Alternative 3 best satisfies the overall mix of public and Forest Service issues, objectives, and opportunities. It provides a reasonable balance between providing outdoor recreation opportunities, providing for livestock grazing, protecting the river's outstandingly remarkable values and natural and heritage resources, and providing for appropriate fisheries and wildlife management.

PUBLIC INVOLVEMENT AND ISSUES CONSIDERED

Comment on potential concerns and opportunities for managing the W&SR was solicited from Forest Service employees, members of the general public, other public agencies, Forest permittees, environmental organizations, private property owners, and elected representatives (See Appendix B - Public Involvement of the DEIS and FEIS.)

Comments were requested by various methods including publishing a Notice of Intent to prepare a DEIS and Draft Implementation Plan (IP) in the *Federal Register* filed May 22, 1989, radio and newspaper releases, monthly newsletter mailings to interested parties, and formal and informal public meetings conducted throughout the planning process. On May 13, 1989, a public field trip was conducted on Segment 4 of the North Fork to discuss a variety of strategies for managing the Kern W&SR.

This scoping process generated over 230 specific verbal and written concerns and opportunities for managing the Kern W&SR. These comments were then grouped by like resource areas and screened to determine if the concern or opportunity was a "Significant Issue".

Screening Criteria 1 - Is the W&SR Environmental Impact Statement/Comprehensive Management Plan the proper place to address the issue or is it outside the scope of the EIS/CMP objectives?

Screening Criteria 2 - Does the Forest Service have the authority to address the issue?

Screening Criteria 3 - Is the issue contrary to, or resolved by, an existing law, regulation, or Forest Service policy?

From the comments that remained after the screening process, sub-issues became evident. Sub-issues were then analyzed and grouped which formulated the Significant Issues. Significant Issues that were used to guide the development of Alternatives in the DEIS include:

■ **Significant Issue #1: What is the mix/level of appropriate recreation uses and facilities that should be provided within the W&SR corridor while still protecting the river's outstandingly remarkable values?**

Sub-Issue A - What is the appropriate mix/level of boating uses (commercial and private)?

There is concern that commercial boating may displace private boating opportunities. Some feel that commercial boaters disrupt the peace and quiet of the river experience and cause additional impacts to resources, while others feel that commercial boaters have less impact because of the information/education they receive from experienced guides.

Sub-Issue B - What is the appropriate mix/level of trail uses and facilities?

There is concern that trails within the river corridor may or may not be appropriate to the W&SR designation. There is concern that some trails may be allowed to regress to more natural conditions, thus eliminating stock use, while others feel that new trails, including motorized routes should be allowed.

Sub-Issue C - What is the appropriate mix/level of developed and dispersed/dispersed recreation uses and facilities other than boating and trails (i.e., camping, picnicking, fishing, hunting, rock climbing, site-seeing, and recreational mineral gathering)?

There is a concern that the amount of developed and dispersed camping may or may not be appropriate to the W&SR designation. Some feel that there needs to be more developed campgrounds to meet the growing recreation demand, while others feel that camping should be eliminated from the Kern W&SR corridor to protect the natural resources.

■ **Significant Issue #2: What is the need to change livestock management within the W&SR corridor to protect the river's outstandingly remarkable values?**

There is a concern that livestock grazing within the river corridor may or may not be appropriate to the W&SR designation. Some feel that livestock degrade the riparian areas and water quality of the corridor, while others feel that cattle grazing should be allowed.

■ **Significant Issue #3: What is the need for acquisition of scenic and/or access easements on private property within the W&SR corridor to protect the river's outstandingly remarkable values?**

There is a concern that new structures or activities on private land may adversely affect outstandingly remarkable values of the W&SR corridor or that river access may be limited. Some feel that private property development should be limited, others feel that private property development should not be restricted.

A Notice of Availability for the North and South Forks of the Kern W&SR DEIS was published in the *Federal Register* (Vol. 57, No. 21) on Friday, January 31, 1992. At the same time, approximately 300 copies of the DEIS and IP were mailed to interested individuals, organizations, and agencies. Government agencies were required and the public was requested to comment on the DEIS. During the 60-day comment period, 100 comment letters were received.

All of the the 100 comment letters were assessed and responded to using methods provided in the Council of Environmental Quality Regulations (CEQ) for implementing NEPA. Appendix B (Public Involvement) of the FEIS presents the comment letters and the Forest Service responses. Of the 100 letters received, approximately 20 letters had general comments, 14 letters had grazing comments, 8 letters had comments about public involvement, 24 letters addressed recreation concerns, 15 letters discussed 'boating demand', 6 letters addressed pirateering, 8 letters addressed law enforcement, 6 letters addressed trails, 3 addressed scenic/access easements, and 6 letters addressed wildlife and fisheries.

Based on the review comments, some changes were made from the DEIS to the FEIS. The FEIS specifies how and when the 55 additional user days, provided for in Alternatives 3 and 4, will be allocated. More information was added to Chapter III - Recreation, to help clarify the Sequoia and Inyo FLRMPs direction on future recreation demand. The title for the management plan was changed from Implementation Plan to Comprehensive Management Plan, to be consistent with the wording in the Wild and Scenic River Act. More specific information was added to Chapter III - Livestock Management, to better describe the grazing situation. More management actions were added to the Plan and Water Quality was added to the Monitoring Plan to enhance the protection of water quality.

ALTERNATIVES

This section briefly describes the Alternatives that were developed by the ID Team. They display a range of options that could be implemented in managing the Kern W&SR.

Alternatives Considered But Eliminated from Detailed Study

The ID Team considered a wide range of Alternatives to meet the goals and resolve the issues. Some of the Alternatives considered were studied in detail and others were eliminated from detailed study. The ID Team completed detailed studies on the Alternatives they felt best met the goals, addressed the issues, and could be implemented effectively. The Alternatives eliminated from detailed study and the rationale for their elimination are discussed below:

- **Eliminate all livestock grazing from within the corridor of the Kern W&SR** - This Alternative was considered but was not analyzed in detail. The Kern W&SR corridor (1/4 mile wide designation located on each side of the river), traverses a number of active range allotments. To exclude cattle completely from this narrow corridor would require hundreds of miles of exclusion fencing. Extensive fencing would create unnecessary impacts to Kern W&SR values, particularly to the visual quality of the area. The ID Team determined that an Alternative to exclude cattle grazing from the entire river corridor would not be reasonable or practical.
- **Eliminate all dispersed camping from the Tulare/Kern county line, north to the Johnsondale Bridge (North Fork, Segment 4)** - This Alternative was eliminated from detailed study. North Fork, Segment 4, was identified as possessing outstandingly remarkable recreational values because of the variety of opportunities it offers to a vast majority of citizens who live within a short distance of this major river (3-4 hours driving distance from the Southern California basin). Dispersed camping opportunities was a primary component for recognizing this Segment as possessing outstanding remarkable recreational values. The ID Team determined that to eliminate all dispersed camping, this action would unnecessarily deny the public the opportunity to enjoy this popular recreational pursuit.

Alternatives Considered In Detail

Four Alternatives were formulated and analyzed in the FEIS. The Alternatives differ in terms of the emphasis given to the identified resources and activities, outputs produced, and potential environmental consequences that may occur. Refer to Chapter II of the FEIS for a more complete description of each Alternative. The following are the themes of each Alternative:

Alternative 1: This Alternative constitutes the *"No Action"* or *"No Change"* Alternative that continues current management direction. Policy on use within river segment classifications or groups of like segments would be guided by current management direction and existing resource plans identified in the Sequoia and Inyo FLRMPs and the Sequoia Forest Mediated Agreement.

Alternative 2: This Alternative emphasizes *amenity values* over commodity (market) values appropriate to individual river segment classifications or groups of like segments. Commodity related programs and activities would be permitted but would have secondary emphasis. Amenity resources

include, but are not limited to: water quality, wildlife and fisheries habitat improvement, riparian and wetland areas, dispersed recreation, and visual quality.

Alternative 3: This Alternative provides a *blend of the management emphases* described in Alternatives 1, 2, and 4, appropriate to individual river segment classifications or groups of like segments.

Alternative 4: This Alternative emphasizes *commodity (market) values* over amenity values appropriate to individual river segment classifications or groups of like segments. Amenity related programs and activities would be permitted but would have secondary emphasis. Commodity resources include, but are not limited to, livestock management, consumptive fish and wildlife activities, developed recreation, packer/guiding opportunities, and other activities which could generate income.

The following table summarizes how each Alternative responds to the Significant Issues identified through the scoping process:

Table 1. COMPARISON OF ALTERNATIVES

ISSUES	ALTERNATIVE 1 (No Action)	ALTERNATIVE 2 (Amenity Alternative)	ALTERNATIVE 3 (Blend of Alts. 2 & 4)	ALTERNATIVE 4 (Commodity Alternative)
Land Ownership & Use	<p>North and South Forks (all river segments) - In the future, easements would be acquired when necessary to protect and/or enhance the river's outstandingly remarkable values.</p>	<p>North and South Forks, (all river segments) - Same as Alternative 1, except the following priorities would be established when a conflict for easement acquisition occurs:</p> <p>Priority 1 - "Wild" river segments within Wildernesses Priority 2 - "Wild" river segments outside Wildernesses Priority 3 - "Scenic" river segment Priority 4 - "Recreation" river segments.</p>	<p>North and South Forks (all river segments) - Same as Alternative 1, except the following priorities would be established when a conflict for easement acquisition occurs:</p> <p>Priority 1 - "Recreation" river segments Priority 2 - "Scenic" river segment Priority 3 - "Wild" river segments outside Wildernesses Priority 4 - "Wild" river segments within Wildernesses</p>	<p>North and South Forks (all river segments) - Acquisition would only be accomplished by mutual agreement between the Forest Service & the affected landowner(s). Priorities for acquiring easements would be as follows:</p> <p>Priority 1 - "Recreation" river segments Priority 2 - "Scenic" river segment Priority 3 - "Wild" river segments outside Wildernesses Priority 4 - "Wild" river segments within Wildernesses</p>
Livestock Management	<p>All river segments - Modifications to grazing use would be accomplished thru the range management program.</p>	<p>All river segments - Where grazing use is reduced or discontinued within the W&SR corridor, no new or increased use would be authorized.</p>	<p>All river segments - Modifications to grazing use would be accomplished thru the range management program. Where grazing use is reduced or discontinued within the W&SR corridor, the Sequoia NF would consider not issuing a new permit.</p>	<p>"Wild" river segments within Wildernesses - Same as Alternative 3, plus additional opportunities for allotment pastures would be considered.</p>

Table 1. COMPARISON OF ALTERNATIVES (continued)

ISSUES	ALTERNATIVE 1 (No Action)	ALTERNATIVE 2 (Amenity Alternative)	ALTERNATIVE 3 (Blend of Alts. 2 & 4)	ALTERNATIVE 4 (Commodity Alternative)
<p>Recreation Boating</p>	<p>North Fork Private Boating - Boating would be allowed on the <i>Wilderness Run</i>, with no limit on the number of people allowed to launch/day. Boating would be allowed on the <i>Forks Run</i>, with a limit of 15 people allowed to launch/day. Boating would be allowed on the <i>Upper Kern Run</i>, with no limit on the number of people allowed to launch/day. Boating would be allowed 7 days/week.</p> <p>North Fork Commercial Boating - No boating would be authorized on the <i>Wilderness Run</i>. On the <i>Forks Run</i>, a limit of 15 people would continue to be allowed to launch/day. On the <i>Upper Kern Run</i>, a limit of 125 people would be allowed to launch/day. Boating would be allowed 7 days/week on both runs.</p>	<p>North Fork Private Boating - Boating would not be authorized on the <i>Wilderness Run</i>. On the <i>Forks Run</i>, a limit of 12 people would be allowed to launch/day. On the <i>Upper Kern Run</i>, a limit of 90 people would be allowed to launch/day. Boating would only be allowed on non-holiday weekdays on both runs.</p> <p>North Fork Commercial Boating - Boating would not be authorized on the <i>Wilderness Run</i>. On the <i>Forks Run</i>, a limit of 12 people would be allowed to launch/day. On the <i>Upper Kern Run</i>, a limit of 90 people would be allowed to launch/day. Boating would only be allowed on non-holiday weekdays on both runs.</p>	<p>North Fork Private Boating - On the <i>Wilderness Run</i>, a limit of 15 people would be allowed to launch/day. On the <i>Forks Run</i>, a limit of 15 people would be allowed to launch/day. On the <i>Upper Kern Run</i>, there would be no limit on the number of people allowed to launch/day. Boating would be allowed 7 days/week on all runs.</p> <p>North Fork Commercial Boating - Boating would not be authorized on the <i>Wilderness Run</i>. On the <i>Forks Run</i>, a limit of 15 people would be allowed to launch/day. On the <i>Upper Kern Run</i>, a maximum of 180 people would be allowed to float the river at one time. Of the 55 additional user days allowed in this Alternative, 25 user days would be offered through a prospectus for an additional commercial whitewater rafting permit. This new permit would not provide trips on the <i>Forks Run</i>. The 30 additional user days would be allocated through temporary special-use permits to provide for special groups. Maximum group size would be 30 PAOT, excluding guides. Use would be allowed 7 days/week on both runs.</p>	<p>North Fork Private Boating - On the <i>Wilderness Run</i>, there would be no limit on the number of people allowed to launch/day. On the <i>Forks Run</i>, there would be no limit on the number of people allowed to launch/day. On the <i>Upper Kern Run</i>, there would be no limit on the number of people allowed to launch/day. Boating would be allowed 7 days/week on all runs.</p> <p>North Fork Commercial Boating - On the <i>Wilderness Run</i>, a limit of 15 people would be allowed to launch each day. On the <i>Forks Run</i>, a limit of 24 people would be allowed to launch/day. On the <i>Upper Kern Run</i>, a maximum of 180 people would be allowed to float the river at one time. Of the 55 additional user days allowed in this Alternative, 25 user days would be offered through a prospectus for an additional commercial whitewater rafting permit. This new permit would not provide trips on the <i>Forks Run</i>, like the five current permits. The 30 additional user days would be allocated through temporary special-use permits to provide for special groups. Maximum group size would be 30 PAOT, excluding guides. Use would be allowed 7 days/week on both runs.</p>

Table 1. COMPARISON OF ALTERNATIVES (continued)

ISSUES	ALTERNATIVE 1 (No Action)	ALTERNATIVE 2 (Amenity Alternative)	ALTERNATIVE 3 (Blend of Alts. 2 & 4)	ALTERNATIVE 4 (Commodity Alternative)
Recreation Boating (continued)	South Fork Private and Commercial Boating - Boating would be authorized on all river segments.	<p>South Fork Private Boating - Boating would not be allowed on "Wild" river segments. On "Scenic" and "Recreation" segments, use would be allowed on non-holiday weekdays only.</p> <p>South Fork Commercial Boating - Boating would not be authorized on any river segments.</p>	<p>South Fork Private Boating - Boating would be authorized on all river segments. Use would be allowed 7 days/week.</p> <p>South Fork Commercial Boating - Boating would not be authorized on any river segment.</p>	South Fork Private and Commercial Boating - Boating would be authorized on all river segments. Use would be allowed 7 days/week.
Recreation Trails	<p>"Wild" river segments within Wildernesses - Trailheads would not be allowed within the corridor. Motorized/mechanized use would not be allowed.</p> <p>"Wild" river segments outside Wildernesses - Motorized use would normally be prohibited. Mechanized use would be allowed.</p> <p>"Scenic" and "Recreation" river segments - Motorized use would continue to be allowed within specific locations and on designated trails.</p>	<p>"Wild" river segments within Wildernesses - Same conditions as Alternative 1.</p> <p>"Wild" river segments outside Wildernesses - Same conditions as Alternative 1, except trailheads would not be allowed within the corridor and motorized/mechanized equipment use would be prohibited.</p> <p>"Scenic" river segment - "Recreation" river segments - Trail management objectives would emphasize foot travel and equestrian use. Special emphasis would be given to develop additional trails accessible to individuals with disabilities.</p>	<p>"Wild" river segments within Wildernesses - Same conditions as Alternative 1.</p> <p>"Wild" river segments outside Wildernesses - Same conditions as Alternative 1, except motorized equipment use would be prohibited.</p> <p>"Scenic" river segments - "Recreation" river segments - Same conditions as Alternative 2, except trail management objectives would emphasize mechanized modes of travel also.</p>	<p>"Wild" river segments within Wildernesses - Same conditions as Alternative 1.</p> <p>"Wild" river segments outside Wildernesses - Same conditions as Alternative 1, except motorized use for recreational purposes would be allowed within selected areas of the corridor.</p> <p>"Scenic" and "Recreation" river segments - Management objectives would emphasize motorized/mechanized use over foot travel and equestrian modes of travel. Special emphasis would be given to develop additional trails and associated facilities accessible to individuals with disabilities.</p>

Table 1. COMPARISON OF ALTERNATIVES (continued)

ISSUES	ALTERNATIVE 1 (No Action)	ALTERNATIVE 2 (Amenity Alternative)	ALTERNATIVE 3 (Blend of Alts. 2 & 4)	ALTERNATIVE 4 (Commodity Alternative)
<p>Recreation Other Than Boating & Trails</p>	<p>"Wild" river segments within Wilderness - Activities allowed would be those generally compatible with ROS classes Primitive through Semi-Primitive Non-Motorized. Campsite distance from river's edge would continue to vary based on location.</p> <p>"Wild" river segments outside Wildernesses - On North Fork, Segment 3, campsites may be located adjacent to river. On South Fork, Segment 5A, campsites would not be allowed within 100 feet of river's edge.</p> <p>"Scenic" river segment - Recreational activities allowed would be those generally compatible with ROS classes Primitive through Semi-Primitive Motorized. Campsites would not be allowed within 100 feet of river's edge.</p> <p>"Recreation" river segments - Activities allowed would be those generally compatible with ROS classes Primitive through Rural. On the Sequoia, campsites would continue to be allowed adjacent to river's edge. The Inyo would allow camping at designated sites only.</p>	<p>"Wild" river segments within and outside Wildernesses - Recreational activities allowed would be those compatible with ROS classes Primitive through Semi-Primitive Non-motorized. Campsites/campfires would not be allowed within 100 feet of the river's edge, tributaries, system trails.</p> <p>"Scenic" river segment - Same as Alternative 1, except dispersed campsites and campfires must be adequately screened from view. No developed recreation sites such as campgrounds and group camps would be allowed.</p> <p>"Recreation" river segments - Activities allowed would be those which are compatible with ROS classes Primitive through Roded Natural. Campsites/campfires would not be allowed within 25 feet of the river's edge, tributaries, system trails, and meadows within the corridor. Dispersed recreation use adjacent to selected developed recreation sites would be eliminated.</p>	<p>"Wild" river segments within and outside Wildernesses - Same conditions as Alternative 2 except where terrain does not permit the 100 foot setback, camping/campfires would not be allowed closer than 25 feet of the river's edge, tributaries, system trails, and meadows.</p> <p>"Scenic" river segment - Same as Alternative 1.</p> <p>"Recreation" river segments - Recreational activities allowed would be those which are compatible with ROS classes Primitive through Rural. Campsites/campfires would not be allowed closer than 25 feet of the river's edge, tributaries, system trails, and meadows. Opportunities for developing group campsites would be encouraged on North Fork, Segment 4.</p>	<p>"Wild" river segments within and outside Wildernesses - Same conditions as Alternative 2, except campsites/campfires would not be allowed within 25 feet of the river's edge, tributaries, system trails, and meadows.</p> <p>"Scenic" river segments - Recreational activities allowed would be those which are compatible with ROS classes Primitive through Roded Natural. Campsites/campfires would be allowed adjacent to the edge of the river, associated tributaries, system trails, and meadows.</p> <p>"Recreation" river segments - Same conditions as Alternative 3, except campsites/campfires would be allowed adjacent to the edge of the river, associated tributaries, system trails, and meadows.</p>

ENVIRONMENTALLY PREFERRED ALTERNATIVE

Based on physical and biological factors, Alternative 2 is the environmentally preferred Alternative, since it emphasizes amenity values over commodity values. Alternative 2 proposes a reduction in recreation activities which would decrease the potential for human-caused adverse effects to the environment. It would also decrease the potential for human disturbance to natural and heritage resources and to wildlife. This Alternative was not selected for implementation because, in our judgement, it does not provide for a balanced program that meets the recreation needs. We believe it doesn't respond to the Forest Service Multiple-Use mission.

IMPLEMENTATION

Implementation of Alternative 3 will not occur sooner than 30 days after the Notice of Availability of the FEIS appears in the *Federal Register* or seven days after publication of legal notices in the *Porterville Recorder* and the *Inyo Register*, whichever occurs later. The time needed to implement all activities described in the Plan will vary depending on the type of action, and the amount of further planning needed for projects. The Plan lists implementation dates for each action.

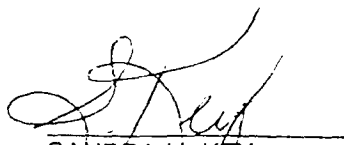
ADMINISTRATIVE REVIEW AND APPEAL OPPORTUNITIES

This decision is subject to appeal pursuant to Forest Service Regulations in 36 CFR 217. To initiate an appeal, two copies of a written notice of appeal must be filed in accordance with procedures specified in 36 CFR 217.14, "Content of a Notice of Appeal", including the reasons for appeal and must be filed within 45 days of the publication of the legal notices in the *Porterville Recorder* and the *Inyo Register* with:

G. Lynn Sprague
Regional Forester
Attn: Appeals
US Forest Service
630 Sansome Street
San Francisco, CA. 94111

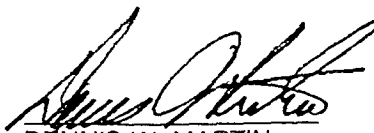
If you would like more information on the Kern W&SR FEIS please contact:

Beverly Bauges
Cannell Meadow Ranger District
P.O. Box 6
Kernville, CA 3238
619-376-3781



SANDRA H. KEY
Forest Supervisor
Sequoia National Forest
900 West Grand Avenue
Porterville, California 93257-2035

9/30/94
Date



DENNIS W. MARTIN
Forest Supervisor
Inyo National Forest
873 N. Main Street
Bishop, California 93514

9/7/94
Date

APPENDIX A

APPENDIX A

SUMMARY OF MITIGATION MEASURES FOR THE SELECTED ALTERNATIVE

General Mitigation Measures

- Information, education, and interpretive services will be used as a management tool in the development of public and in-service understanding of identified outstandingly remarkable values, opportunities, and protection needs within the W&SR corridor.
- Interpretive programs will be implemented that help solve user conflicts and to increase visitor understanding and appreciation of natural and cultural history within the corridor.
- Programs such as "River Etiquette" and "Leave no Trace" will continue to be promoted to educate recreation users to respect the rights of others and to minimize impacts to natural resources.
- A water quality monitoring plan will be developed to establish baseline data for water quality levels and to determine if/when management actions are necessary to keep water quality at acceptable standards.

Mitigation Measures To Protect Resources From Access/Easement Impacts

- The Forest Service will work cooperatively with Tulare County to establish compatible zoning within the W&SR corridor
- The Forest Service will work cooperatively with property owners, prior to development, to avoid the need for acquiring scenic/access easements.
- Signs will be installed to help prevent trespass onto private property

Mitigation Measures To Protect Resources From Livestock Grazing Impacts

- The allotment management planning process will be utilized to modify programs and management policy, as needed to protect the river's outstandingly remarkable values, resources, and to reduce conflicts between livestock grazing and other uses.
- No livestock grazing will occur during the primary recreation season within the corridor of North Fork, Segment 4 (on the east side of the river), to reduce potential conflicts between cattle and recreation activities.
- Adverse effects of cattle grazing on fisheries and wildlife habitat (bank trampling, water pollution, young willow browsing, forage competition, etc.) will be brought to minimal levels through application of Riparian Standards and Guidelines, BMPs, and by carrying out directions in grazing allotment management plans.

Mitigation Measures To Protect Resources From Livestock Grazing Impacts (continued)

- At the end of the grazing season, channel configuration transects (General Aquatic Wildlife Survey) and associated bank trampling transects (USFS 1990) within respective channel reaches will be established. Grazing allotments will be monitored for change and adherence to the Forest Livestock Management Handbook and the FLRMPs.
- Potential competition between domestic livestock, recreation pack and saddle stock, and wildlife will be addressed by controlling seasons of use, livestock distribution, and utilization standards that provide at least the minimum of reserve forage even under maximum livestock management scenarios.
- The public will be educated how cattle grazing can be used as a management tool to improve fishery and wildlife habitat under certain circumstances (See FEIS, Appendix D - references 17-19).

Mitigation Measures To Protect Resources From Boating Impacts

- New launch and takeout sites will be constructed at key locations on the *Upper Kern Run* to help prevent congestion.
- The size of existing launch and takeout sites and parking areas located on the *Upper Kern Run* will be expanded for safety purposes. These projects will be completed in harmony with existing physical conditions of terrain and vegetation.
- Additional toilets and garbage bins will be provided at areas where the public congregates, such as parking areas, boat launch and takeout locations, etc.
- Traffic control techniques, such as signing, parking lot expansion, one-way traffic, etc. will be provided at the Johnsondale Bridge to help relieve congestion.
- The time when boating groups can launch each morning will be restricted to allow anglers and other shore-based users to experience a portion of their outing without the presence of boats on the river.
- Boating will be restricted to daylight hours only (no moonlight trips) to reduce impacts from boating related noise and to ensure boating safety is not compromised.
- "Quiet zones" (no water fights, boating takeouts, etc.) will be established where the river crosses private property, Wilderness areas, developed campgrounds, and other appropriate locations.
- The use of Temporary SUPs for group boating activities will be monitored for two to three years. If it appears that there is not a need for as many as 30 user days for special groups, the number could be lowered. For example, the number of Temporary SUPs could be lowered to 15 a day, and the other 15 user days could be allocated to an additional term permit.

Mitigation Measures To Protect Resources From Boating Impacts (continued)

- Signs at launch and takeout sites will be added to help control congestion and avoid conflicts.
- Partnership agreements with commercial boating outfitter/guide permittees will be established to provide a seasonal River Ranger(s) with citing authority to assist in reducing conflicts between recreation users, to monitor boating activities, to eliminate "pirate" boating activities (unauthorized commercial boating operations), and other duties that would compliment the boating program on the North Fork.
- Partnership agreements with commercial boating outfitter/guide permittees and other organizations will be established to provide additional garbage bins and portable toilets, on a cost-share basis, at selected launch and takeout sites.
- The possibility of adding sanitation facilities at the *Forks Run* launch site will be analyzed.

Mitigation Measures To Protect Resources From Trail Impacts

- New trail construction will be designed to reduce user conflicts.
- Where acceptable, Wilderness boundaries will be marked.
- Existing trails will be re-routed and new trails constructed that will direct users away from private land. Trail right-of-way easements across private property, will be acquired when and where necessary.
- Existing trails will be re-routed and new trails constructed that will direct users away from heritage resources, sensitive vegetation, critical wildlife habitat, small streams, and steep slopes where soil erosion is more likely.

Mitigation Measures To Protect Resources From Camping Impacts

- Partnership(s) will be developed, on a cost-share basis, to provide additional garbage bins and portable toilets within the corridor of North Fork, Segment 4 and South Fork, Segment 3.
- The feasibility of a partnership(s) with recreation user groups, the Kern River Valley Visitor's Council, and local Chambers of Commerce to provide shuttle service from the Kern River Valley to the Johnsondale Bridge to help minimize traffic and parking congestion along North Fork, Segment 4 will be investigated.
- Locations where additional portable toilets and garbage bins need to be provided to mitigate the impacts from recreation users will be identified.
- Research projects to analyze the impacts to natural resources within the corridor from recreation activities will be initiated, when possible.
- The possibility of developing new group camps (for up to 25 people each) on North Fork Segment 4 to replace undeveloped camping areas displaced by the 25 foot camping setback will be analyzed.