

**PROPOSED PROTECTED AREAS
CHANGES: 1992 RULEMAKING**

92-09



NORTHWEST POWER PLANNING COUNCIL
March 10, 1992

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March 9, 1992

To Interested Parties:

In August, 1988, the Council incorporated into its Columbia River Basin Fish and Wildlife Program and its Power Plan "protected areas" measures to protect critical fish and wildlife habitat from new hydropower development. The protected areas provisions provided processes for amending protected areas on various grounds. In November, 1991, in response to an announcement by the Council, the Council received a number of petitions to amend protected areas. On the basis of these petitions, at its February 11-12, 1992 meeting, the Council voted to initiate rulemaking pursuant to section 4(d)(1) of the Northwest Power Act to consider amending certain protected areas provisions of the program and the power plan. The attached document is a summary of the proposed changes.

All written comments must be received in the Council's central office, 851 S.W. Sixth Avenue, Suite 1100, Portland, Oregon, 97204, by 5 p.m. Pacific time on Friday, May 1, 1992. Comments should be submitted to Steve Crow, Director of Public Affairs, at this address. Comments should be clearly marked "Protected Areas Comments."

After the close of written comment, the Council may hold consultations with interested parties to clarify points made in written comment, and will supply notice of such consultations to persons requesting such notice. Consultations may be held up to the time of the Council's final action in this rulemaking.

Public hearings will be held in Idaho, Montana, Oregon, and Washington, in March and April, 1992. If you wish to obtain a schedule of the hearings, more information about this process or reserve a time period for presenting oral comments at a hearing, contact the Council's Public Affairs Division, 851 S.W. Sixth Avenue, Suite 1100, Portland, Oregon 97204 or (503) 222-5161, toll free 1-800-222-3355 in Idaho, Montana, Oregon and Washington. Requests to reserve a time period for oral comments must be received no later than two work days before the hearing. Persons without a scheduled time period will be accommodated as the schedule permits.

The Council expects to take final action on the proposed protected areas amendments at its May or June 1992 meeting. The actual date on which the

Council will make its final decision will be announced in accordance with applicable law and the Council's practice of providing notice of its meeting agendas.

Thirteen petitions have been received. Eight of the petitions seek removal of protected status so that hydro projects can proceed. Five petitions would add protected status to various reaches or subbasins. No petitions have been received for protected areas in Montana or Oregon.

One of the petitions proposes protected area status based on a decision of the Idaho Legislature that the reach should be protected. On its own motion, the Council has also included other Idaho river reaches with a similar status.

Sincerely,



Edward Sheets
Executive Director

Enclosure

March 10, 1992

PROPOSED PROTECTED AREAS CHANGES

1992 RULEMAKING

This list summarizes by state all of the changes proposed for the 1992 Protected Areas Rulemaking. In those cases where the Council is aware that the proposed designation will affect a pending hydroelectric project, the project is noted. Since the information available to the Council on proposed projects is not always accurate, it is possible that hydroelectric projects other than those noted may also be affected by these proposed changes.

In the listings below, the name of the river or stream is in bold letters. The name is followed by the number assigned to the reach by the Environmental Protection Agency's reach identification system (Reach No.) and the number assigned to the reach in the Council's protected areas data base (ID No.). While we try to assure that the reach and i.d. numbers are accurate, we ask that commentators rely first on the name of the reach, then on the numbers, to avoid being misled by a typographical error. Further information about the resources present on specific reaches can be obtained by calling or writing the Council's Public Affairs Division.

One of the original purposes for the Council's adoption of the protected areas was to provide a "clear signal" to utilities and other hydro developers about potential sites for projects. In addition to comments about the specific changes listed below, the Council is also interested in receiving comments about the usefulness to developers of the protected areas designations in selecting potential sites for hydro projects.

In this rulemaking, no changes are proposed for protected areas in Montana or Oregon.

Washington:

1. **Teanaway River, Middle Fork** (Kittitas County), from mouth to headwaters. Reach No. 1703000103000.00; ID No. 11953. Currently protected for anadromous fish (summer steelhead), resident fish, and wildlife from river mile 0 to river mile 7.5; unprotected above river mile 7.5. Petition would add protection for resident wildlife from river mile 7.5 to headwaters, a distance of approximately 7.5 miles. Submitted by Alpine Lakes Protection Society. No pending hydro projects. (No agency position at this time.)

2. **Teanaway River, West Fork** (Kittitas County), from mouth to headwaters. Reach No. 1703000103100.00; ID No. 11954. Currently protected for anadromous fish (summer steelhead), resident fish, and wildlife from river mile 0 to river mile 5.8; unprotected above river mile 5.8. Petition would add protection for resident wildlife from river mile 5.8 to headwaters, a distance of approximately 9 miles. Submitted by Alpine Lakes Protection Society. No pending hydro projects. (No agency position at this time.)

3. **Upper Cowlitz River Basin** above Mayfield Dam (primarily in Lewis County, although some affected reaches are in Skamania County). Currently, some of these reaches are unprotected, some are protected for resident fish and wildlife, and some for wildlife only. Petition would add protection for anadromous fish to all reaches accessible to anadromous fish if they were reintroduced in the upper basin. A reintroduction of anadromous fish has been proposed and is now under study. The petition includes all reaches on the **Cowlitz, Cispus, and Tilton Rivers and all of their tributaries** above Mayfield Dam which would be accessible to anadromous fish. Submitted by National Marine Fisheries Service. These changes are supported by the Washington Department of Fisheries.

There are a number of pending hydro projects in the Upper Cowlitz Basin. As discussed at the end of this document, the Council is proposing that these changes have prospective application only, so that the pending projects which have received preliminary permits prior to February 12, 1992 would not be precluded by these changes..

The current protected area status of each reach is shown in parentheses. The petition would add protection to each of these reaches for anadromous fish. The petition has also requested protection for anadromous fish on a number of additional reaches which, due to the scale used in the Council's protected areas data base, are not now included in the data base. It is likely that the Council will revise the protected areas data base to a larger scale during the next year. At that time, a decision will be made about protected status for the reaches not now included in the data base.

Descriptions terminating at a particular river mile should be understood as terminating at the existing barrier to anadromous fish passage, which is estimated to be located approximately the distance indicated from the mouth of the reach. Because of the size of this list, reach and ID numbers have not been included. They are available from the Council upon request.

The reaches proposed for protection for anadromous fish are:

Cowlitz River and Tributaries

- (38)
- ✓ **Cowlitz R. from Mayfield Res. to Riffe L. (unprotected)**
 - ✓ **Cowlitz R. from Riffe L. to Cispus R. (unprotected)**
 - ✓ **Cowlitz R. from Cispus R. to Kiona Cr. (wildlife)**
 - ✓ **Cowlitz R. from Kiona Cr. to Silver Cr. (wildlife)**
 - ✓ **Cowlitz R. from Silver Cr. to Davis Cr. (wildlife)**
 - ✓ **Cowlitz R. from Davis Cr. to Burton Cr. (wildlife)**
 - ✓ **Cowlitz R. from Burton Cr. to Willame Cr. (wildlife)**
 - ✓ **Cowlitz R. from Willame Cr. to Smith Cr. (wildlife)**
 - ✓ **Cowlitz R. from Smith Cr. to Johnson Cr. (wildlife)**
 - ✓ **Cowlitz R. from Johnson Cr. to Skate Cr. (wildlife)**
 - ✓ **Cowlitz R. from Skate Cr. to Butter Cr. (wildlife)**
 - ✓ **Cowlitz R. from Butter Cr. to Lake Cr. (wildlife)**
 - ✓ **Cowlitz R. from Lake Cr. to Coal Cr. (wildlife)**
 - ✓ **Cowlitz R. from Coal Cr. to Cowlitz R., Muddy Fork (wildlife)**
 - ✓ **Cowlitz R. from Cowlitz R., Muddy Fork to Purcell Cr. (wildlife)**
 - ✓ **Cowlitz R. from Purcell Cr. to Cowlitz R., Clear Fork (wildlife)**
 - ✓ **Kiona Cr. from mouth to river mile 4.0 (unprotected)**
 - ✓ **Silver Cr. from mouth to river mile 2.7 (unprotected)**
 - ✓ **Davis Cr. from mouth to river mile 2.0 (unprotected)**
 - ✓ **Burton Cr. from mouth to river mile 1.3 (unprotected)**
 - ✓ **Johnson Cr. from mouth to river mile 4.3 (resident fish and wildlife)**
 - ✓ **Skate Cr. from mouth to river mile 1.75 (resident fish and wildlife)**
 - ✓ **Butter Cr. from mouth to river mile 0.75 (resident fish and wildlife)**
 - ✓ **Lake Cr. from mouth to river mile 0.25 (wildlife)**
 - ✓ **Cowlitz R., Muddy Fork from mouth to river mile 3.5 (wildlife)**
 - ✓ **Purcell Cr. from mouth to river mile 0.33 (unprotected)**
 - ✓ **Cowlitz R., Clear Fork from mouth to river mile 1.5 (resident fish and wildlife)**
 - ✓ **Ohanapecosh R. from mouth to Mt. Rainier National Park (wildlife)**
 - ✓ **Summit Cr. from mouth to Carlton Cr (wildlife)**
 - ✓ **Summit Cr. from Carlton Cr. to unnamed tributary (resident fish and wildlife)**
 - ✓ **Summit Cr. from unnamed tributary to headwaters (wildlife)**
 - ✓ **Mill Cr. from mouth to river mile 0.5 (anadromous fish to river mile 1.1)**
 - ✓ **Willame Cr. from mouth to river mile 0.47 (resident fish and wildlife)**
 - ✓ **Smith Cr. from mouth to river mile 1.0 (resident fish and wildlife)**
 - ✓ **Coal Cr. from mouth to river mile 0.75 (wildlife)**
 - ✓ **Winston Cr. from mouth to headwaters (unprotected)**
 - ✓ **Landers Cr. from Riffe L. to river mile 2.90 (unprotected)**
 - ✓ **Rainy Cr. from Riffe L. to headwaters (unprotected)**

Cispus River and Tributaries

- ✓ **Cispus R. from mouth to Quartz Cr. (unprotected)**
- ✓ **Cispus R. from Quartz Cr. to Crystal Cr. (unprotected)**
- ✓ **Cispus R. from Crystal Cr. to Iron Cr. (unprotected)**
- ✓ **Cispus R. from Iron Cr. to Greenhorn Cr. (resident fish and wildlife)**
- ✓ **Cispus R. from Greenhorn Cr. to Yellowjacket Cr. (resident fish and wildlife)**
- ✓ **Cispus R. from Yellowjacket Cr. to Cispus R. N. Fk. (resident fish and wildlife)**
- ✓ **Cispus R. from Cispus R, N. Fk. to E. Canyon Cr. (resident fish and wildlife)**
- ✓ **Cispus R. from E. Canyon Cr. to Adams Cr. (resident fish and wildlife)**
- ✓ **Cispus R. from Adams Cr. to Cat Cr. (resident fish and wildlife)**
- ✓ **Cispus R. from Cat Cr. to Cispus R., Muddy Fk. (resident fish and wildlife)**
- ✓ **Cispus R. from Cispus R., Muddy Fk. to Walput Cr. (resident fish and wildlife)**
- ✓ **Cispus R. from Walput Cr. to Nannie Cr. (unprotected)**
- ✓ **Cispus R. from Nannie Cr. to Goat Cr. (unprotected)**
- ✓ **Cispus R. from Goat Cr. to headwaters (unprotected)**
- ✓ **Yellowjacket Cr. from mouth to McCoy Cr. (resident fish and wildlife)**
- ✓ **Yellowjacket Cr. from McCoy Cr. to river mile 5.25 (resident fish and wildlife)**
- ✓ **Cispus R. N. Fk. from mouth to river mile 6.0 (resident fish and wildlife)**
- ✓ **E. Canyon Cr. from mouth to river mile 0.17 (resident fish and wildlife)**
- ✓ **Adams Cr. from mouth to river mile 0.20 (wildlife)**
- ✓ **Iron Cr. from mouth to river mile 2.70 (resident fish and wildlife)**
- ✓ **Greenhorn Cr. from mouth to river mile 2.00 (wildlife)**
- ✓ **Quartz Cr. from mouth to river mile 2.75 (wildlife)**
- ✓ **Goat Cr. from mouth to river mile 0.28 (unprotected)**

Tilton River and Tributaries

- ✓ **Tilton R. from Mayfield Res. to Lake Interior Reach (unprotected)**
- ✓ **Tilton R. from Mayfield Res. to Cinnabar Cr. (resident fish and wildlife)**
- ✓ **Tilton R. from Cinnabar Cr. to Tilton R., N. Fk. (unprotected)**
- ✓ **Tilton R., N. Fk. from mouth to Wallanding Cr. (resident fish and wildlife)**
- ✓ **Wallanding Cr. from mouth to river mile 0.75 (unprotected)**
- ✓ **Tilton R., N. Fk from Wallanding Cr. to Little Cr. (resident fish and wildlife)**
- ✓ **Tilton R. from Tilton R., N. Fk. to Lake Cr. (unprotected)**
- ✓ **Tilton R. from Lake Cr. to Conelly Cr. (unprotected)**
- ✓ **Tilton R. from Conelly Cr. to Tilton R., E. Fk. (unprotected)**
- ✓ **Tilton R., E. Fk. from mouth to Tilton R., E. Fk., S. Fk. (unprotected)**
- ✓ **Tilton R., E. Fk., S. Fk. from mouth to river mile 4.5 (unprotected)**

- Tilton R., E. Fk., from Tilton R., E. Fk., S. Fk. to headwaters (unprotected)**
- ~~**Tilton R. from Tilton R., E. Fk to Tilton R., W. Fk. (unprotected)**~~
- ~~**Tilton R. , W. Fk from mouth to river mile 5.0 (unprotected)**~~
- ~~**Tilton R. from Tilton R., W. Fk. to headwaters (unprotected)**~~

4. **Little Mashel River** (Pierce County) from mouth to headwaters. Reach No. 1711001503400.00; ID No. 24407. Currently protected for anadromous fish and resident fish and wildlife over entire 7.6 mile reach. Petition would change that portion of the reach from river mile 0.7 to river mile 1.2 to unprotected, and that portion of the reach above river mile 1.2 would be protected for resident fish and wildlife. Petition based on developer studies showing no anadromous fish passage above river mile 0.7, and low habitat value for resident fish and wildlife from river mile 0.7 to river mile 1.2. Submitted by Harza Northwest for Ohop Mutual Light Company. If approved, this change would allow construction of run-of-the-river hydro project. Washington Department of Fisheries supports the petition.

5. **Methow Basin tributaries** (Okanogan County) Currently, some of these reaches are unprotected, and some are protected for wildlife only. Petition would add protection for anadromous fish to all reaches accessible to anadromous fish. In the absence of information about the existing barriers to anadromous fish passage, the full extent of each reach would be designated as protected for anadromous fish. Submitted by Okanogan Wilderness League, based on observations of anadromous fish redds (steelhead and spring chinook) in the area and the historical use of these streams by anadromous fish. The Council is not aware of pending hydroelectric projects on these reaches. There is no agency position at this time.

The current protected area status of each reach is shown in parentheses. The petition would add protection to each of these reaches for anadromous fish. The petition has also requested protection for anadromous fish on additional reaches which, due to the scale used in the Council's protected areas data base, are not now included in the data base. It is likely that the Council will revise the protected areas data base to a larger scale during the next year. At that time, a decision will be made about protected status for the reaches not now included in the data base.

Because of the size of this list, reach and ID numbers have not been included. They are available from the Council upon request. The reaches proposed for protection for anadromous fish are:

- Beaver Cr. from mouth to headwaters (unprotected)**
- Little Bridge Cr. from mouth to headwaters (unprotected)**
- Eightmile Cr. from mouth to headwaters (unprotected)**

Twentymile Cr. from mouth to headwaters (unprotected)
Andrews Cr. from mouth to headwaters (unprotected)
Libby Cr. from mouth to headwaters (unprotected)
Wolf Cr. from mouth to Wolf Cr., N. Fk. (wildlife)
Gold Cr. from mouth to Gold Cr., N. Fk. (unprotected)
Gold Cr., N. Fk. from mouth to headwaters (unprotected)
Gold Cr., S. Fk. from mouth to headwaters (unprotected)

The petition also requested anadromous fish protection for Early Winters Cr. and Bear Cr. Early Winters Cr. is currently protected for anadromous fish, resident fish, and wildlife from mouth to river mile 1.5. Bear Cr. is currently protected for anadromous fish from mouth to river mile 1.2. The Council is therefore not proposing to change the protected areas designations for Early Winters and Bear Creeks.

6. Clearwater Creek. (Whatcom County) Reach No. 1711000408800.00; ID No. 25756. Currently protected for resident fish and wildlife from mouth to Rocky Cr., a reach of 7.7 miles. Petition would change entire reach to unprotected. Petition based on studies showing low habitat values for resident fish and wildlife in reach. Submitted by Nooksack River Hydro. If approved, this change would allow construction of Clearwater Creek hydro project. No agency position at this time.

7. Park Creek. (Whatcom County) Reach No. 1711000516601.00; ID No. 25352. Currently protected for resident fish and wildlife from Baker Lake to headwaters. Petition would change river mile 0 to river mile 1.4 to protected for anadromous fish, with the remaining portion of the reach (river mile 1.4 to river mile 6.1) designated as unprotected. Petition based on studies showing natural barrier to anadromous fish at river mile 1.4, and low habitat values for resident fish and wildlife in remainder of reach. Submitted by Washington Hydro Development Company. If approved, this change would allow construction of Park Creek hydro project. No agency position at this time.

8. Canyon Creek. (Whatcom County) Reach No. 1711000405400.00; ID No. 25783. Currently protected for anadromous fish, resident fish, and wildlife. Petition would leave current protection in place from mouth to approximately river mile 1.1, change to unprotected the high gradient portion of the reach (approximately river mile 1.1 to river mile 5) and change to protected for resident fish and wildlife above approximately river mile 5. Petition based on applicant's continuing studies since 1981 showing low habitat values of steep gradient reach (approximately river mile .9 to river mile 5), minimal resident fish use, no impact to wildlife and anadromous fish usage and productivity between barrier at river mile 1.3 and .9 minimal to nonexistent. Submitted by Glacier Energy Company. If approved, this change would allow construction of Canyon Creek hydro project. No agency position at this time.

9. Racehorse Creek. (Whatcom County) Reach No. 1711000403400.00, ID No. 25775. Currently protected for anadromous and resident fish or wildlife from mouth to river mile 1.2, protected for wildlife only from river mile 1.2 to headwaters at river mile 7.7. Petition would leave current protection in place from mouth to approximately river mile 1.2, change the designation to unprotected in the project area (approximately river mile 1.2 to river mile 4), and leave current protection in place above the project area. Petition based on studies showing no adverse impact on wildlife of concern (bald eagles). Submitted by Glacier Energy Company. If approved this change would allow construction of Racehorse Creek hydro project. No agency position at this time.

10. Diobsud Creek. (Whatcom County) Reach No. 1711000511200.00; ID No. 25549. Currently protected for anadromous fish, resident fish, and wildlife from mouth to the natural barrier to anadromous fish at approximately river mile 1.8, protected for resident fish and wildlife from river mile 1.8 to headwaters at river mile 10.7. Petition would leave current protection in place from mouth to anadromous fish barrier, change project area (from anadromous fish barrier at approximately river mile 1.8 to approximately river mile 3.5) from protected for resident fish and wildlife to unprotected, and leave current protection in place above the project area. Petition based on applicant's studies showing low habitat value in steep gradient reach, low use of habitat by resident fish and no adverse impact on wildlife. Submitted by Glacier Energy Company. If approved, this change would allow construction of Diobsud Creek hydro project. No agency position at this time.

Idaho:

11. Twentymile Creek (Idaho County) Reach No. 1706030502800.00; ID No. 6709. Currently protected for resident fish and wildlife from mouth to headwaters at river mile 9.9. Petition would change that portion of the reach from the mouth to river mile 1.8 to unprotected, and leave current protection in place above river mile 1.8. Petition based on applicant's studies, including new facts since 1990 rulemaking, showing low habitat value for fish and wildlife in that portion of the reach for which change is requested. Submitted by Baldwin Hydro Corporation. If approved, this change would allow construction of Twentymile Creek hydro project. No agency position at this time.

12. Snake River (Shelley area in Bingham County) Reach No. 1704020604300.00; ID No. 11368. Currently protected for wildlife (bald eagle). Petition would change from protected for wildlife (bald eagles) to unprotected in project area only, approximately a 4 mile portion of the reach. Petition based on applicant's studies, including new facts since 1990 rulemaking, showing minimal impacts on bald eagles, potential for exceptional benefits by enhancing the limited existing forage food base by the introduction of winter-spawning fisheries. In

addition, petition seeks exemption based on protected areas transition language and project licensing status prior to 1988. Submitted by City of Idaho Falls. If approved, this change would allow construction of the Shelley hydro project. (Agency opposes change.)

13. Idaho Natural and Recreational Rivers. In 1988, when the Council adopted its initial protected areas designations, it received comments from states regarding the relationship between the Council's designations and those adopted by states. At that time, no state designations had been adopted, but processes were contemplated or underway in Washington and Idaho. In response, the Council committed to "promptly initiate amendment proceedings and carefully consider revising protected areas if any of the states or tribes completes a comprehensive plan, river basin plan, or watershed plan". The Council at that time recognized that state or tribal plans may include environmental values other than fish and wildlife, such as scenic, recreational, or archaeological values.

In this rulemaking, the Council is considering the such state-designated protected areas for the first time. Under Section 42-1734A of the Idaho Code, a process is established for the designation of natural and recreational rivers. Pursuant to this and following sections, the Idaho Board of Water Resources is required to prepare a comprehensive state water plan. As part of the plan, the board may designate selected waterways as protected rivers. A protected river does not become part of the state comprehensive water plan until the designation is approved by the Idaho Legislature.

For rivers designated as natural rivers, the activities listed in Idaho Code section 42-1734A(5) are prohibited. The prohibited activities include construction of hydroelectric projects. For recreational rivers, the Board determines which of the activities listed in 42-1734(5) should be prohibited, and lists the terms and conditions under which those activities not prohibited may be carried on.

The river reaches described below are the results of the first river basin plans to be completed by the Idaho Water Resources Board and approved by the 1991 Idaho Legislature. Because these designations give consideration to values beyond the fish and wildlife values used by the Council in its initial designations, the Council is proposing to create a new category of protected area, Category S, showing that the reach is designated protected by action of a state. Those reaches which are already protected by Council action will retain their current protected status and the listing will show both categories of protection.

The listing of the North Fork of the Payette River was requested by the Friends of the Payette. The other reaches are included upon motion of the Council.

The following reaches are proposed for inclusion in the Council's protected areas as state-designated protected areas. In making its designations, Idaho has used reference points which are occasionally different from those used in the Council's designations. For this reason, the reaches as described by Idaho are listed first, followed by the reaches as described by the Council with the current protected areas status of each reach shown in parentheses.

The Council staff expects to translate the Idaho designations to the Council's reference system in the near future. In the meantime, some of the listings of Council-designated reaches which appear below may be overinclusive, containing reaches or portions of reaches which are not proposed for Category S protected status. Only the reaches in the Idaho Designations list are proposed for Category S protected status. Reach and ID numbers have been omitted in the interest of brevity. They can be obtained upon request from the Council.

Payette River - Idaho Designations

Payette River, South Fork from Sawtooth National recreation area boundary to confluence with Deadwood River, designated by Idaho for protection as a recreational river.

Payette River, South Fork from confluence with Deadwood River to confluence of Big Pine Creek designated by Idaho for protection as a natural river.

Payette River, South Fork from confluence of Big Pine Creek to confluence with the Middle Fork of the Payette River designated by Idaho for protection as a recreational river.

Payette River from confluence of South and Middle Forks of the Payette River to confluence of North Fork of the Payette River at Banks designated by Idaho for protection as a recreational river.

Payette River from Banks to the Beehive Bend designated by Idaho for protection as a recreational river.

Payette River, North Fork from Cabarton Bridge to Rainbow Bridge designated by Idaho for protection as a recreational river.

Payette River, North Fork from Rainbow Bridge to Banks designated by Idaho for protection as a recreational river.

Payette River - Council Designations

Note: these designations are for reference only. Proposed protection will be in addition to current status in Council's protected areas.

Payette R From Mouth To Little Willow Cr (resident fish and wildlife)
 Payette R From Little Willow Cr To Big Willow Cr (resident fish and wildlife)
 Payette R From Big Willow Cr To Unnamed (resident fish and wildlife)
 Payette R From Unnamed To Bissel Cr (resident fish and wildlife)
 Payette R From Bissel Cr To Black Canyon Res (resident fish and wildlife)
 Payette R From Black Canyon Res To Unnamed (wildlife)
 Payette R From Unnamed To Shafer Cr (wildlife)
 Payette R From Shafer Cr To Jackass Cr (wildlife)
 Payette R From Jackass Cr To Porter Cr (wildlife)
 Payette R From Porter Cr To Hill Cr (wildlife)
 Payette R From Hill Cr To Payette R, N Fk (wildlife)
 Payette R, N Fk From Mouth To Round Valley Cr (unprotected)
 Payette R, N Fk From Round Valley Cr To Clear Cr (resident fish and wildlife)
 Payette R, N Fk From Clear Cr To Corral Cr (wildlife)
 Payette R, N Fk From Corral Cr To Big Cr (wildlife)
 Payette R, N Fk From Big Cr To Beaver Cr (wildlife)
 Payette R, N Fk From Beaver Cr To Cascade Res (wildlife)
 Payette R, N Fk From Cascade Res To Lake Fk (resident fish and wildlife)
 Payette R, N Fk From Lake Fk To Payette L (resident fish and wildlife)
 Payette R, N Fk From Payette L To Box Cr (resident fish and wildlife)
 Payette R, N Fk From Box Cr To Fisher Cr (resident fish and wildlife)
 Payette R, N Fk From Fisher Cr To Upper Payette L (resident fish)
 Payette R, N Fk From Upper Payette L To Headwaters (unprotected)
 Payette R From Payette R, N Fk To Deer Cr (wildlife)
 Payette R From Deer Cr To Payette R, M Fk (wildlife)
 Payette R, S Fk From Mouth To Wash Cr (resident fish and wildlife)
 Payette R, S Fk From Wash Cr To Big Pine Cr (resident fish and wildlife)
 Payette R, S Fk From Big Pine Cr To Deadwood R (resident fish and wildlife)
 Payette R, S Fk From Deadwood R To Rock Cr (resident fish and wildlife)
 Payette R, S Fk From Rock Cr To Clear Cr (resident fish and wildlife)
 Payette R, S Fk From Clear Cr To Kirkham Cr (resident fish and wildlife)
 Payette R, S Fk From Kirkham Cr To Fivemile Cr (resident fish and wildlife)
 Payette R, S Fk From Fivemile Cr To Eightmile Cr (resident fish and wildlife)
 Payette R, S Fk From Eightmile Cr To Tenmile Cr (resident fish and wildlife)
 Payette R, S Fk From Tenmile Cr To Warm Spring Cr (resident fish and wildlife)
 Payette R, S Fk From Warm Spring Cr To Wolf Cr (resident fish and wildlife)
 Payette R, S Fk From Wolf Cr To Canyon Cr (resident fish and wildlife)
 Payette R, S Fk From Canyon Cr To Bear Cr (resident fish and wildlife)
 Payette R, S Fk From Bear Cr To Wapiti Cr (resident fish and wildlife)
 Payette R, S Fk From Wapiti Cr To Baron Cr (resident fish and wildlife)
 Payette R, S Fk From Baron Cr To Goat Cr (Z)
 Payette R, S Fk From Goat Cr To Pinchot Cr (Z)
 Payette R, S Fk From Pinchot Cr To Headwaters (Z)
 Payette R, M Fk From Mouth To Anderson Cr (resident fish)

Payette R, M Fk From Anderson Cr To Scriver Cr (resident fish and wildlife)
Payette R, M Fk From Scriver Cr To Lightning Cr (resident fish and wildlife)
Payette R, M Fk From Lightning Cr To Big Bulldog Cr (resident fish and wildlife)
Payette R, M Fk From Big Bulldog Cr To Rattlesnake Cr (resident fish)
Payette R, M Fk From Rattlesnake Cr To Silver Cr (resident fish)
Payette R, M Fk From Silver Cr To Bull Cr (resident fish)
Payette R, M Fk From Bull Cr To Headwaters (resident fish)

South Fork Boise River Sub-basin - Idaho Designations

Boise River, South Fork from Anderson Ranch Dam downstream to Black Canyon Creek designated by Idaho as a recreational river.

Boise River, South Fork from the mouth of Black Canyon Creek downstream to a point of 250 yards upstream of Neal Bridge as a natural river.

Lime Creek and Tributaries from its mouth to its confluence with the North and Middle Forks and all tributaries on the north side of Lime Creek including the North and Middle Forks and all their tributaries from their mouth to their headwaters designated by Idaho as natural rivers. All remaining tributaries of Lime Creek, from their mouths to their headwaters designated by Idaho as recreational rivers.

Big Smoky Creek and Tributaries from its confluence with Calf Creek to its headwaters and all tributaries to Big Smoky Creek above and including Calf Creek from their mouth to their headwaters designated by Idaho as natural rivers.

South Fork Boise River - Council Designations

Note: these designations are for reference only. Proposed protection will be in addition to current status in Council's protected areas.

Boise R, S Fk From Arrowrock Res To Smith Cr (resident fish and wildlife)
Boise R, S Fk From Smith Cr To Trail Cr (resident fish and wildlife)
Boise R, S Fk From Trail Cr To Rock Cr (resident fish and wildlife)
Boise R, S Fk From Smith Cr To Bock Cr (resident fish and wildlife)
Boise R, S Fk From Bock Cr To Meneke Cr (resident fish and wildlife)
Boise R, S Fk From Meneke Cr To Anderson Ranch Res (resident fish and wildlife)
Boise R, S Fk From Anderson Ranch Res To Dog Cr (resident fish and wildlife)
Boise R, S Fk From Dog Cr To Green Cr (resident fish and wildlife)
Boise R, S Fk From Green Cr To Grouse Cr (resident fish and wildlife)
Boise R, S Fk From Grouse Cr To Trinity Cr (resident fish and wildlife)
Boise R, S Fk From Trinity Cr To Feather R (resident fish and wildlife)
Boise R, S Fk From Feather R To Shake Cr (resident fish and wildlife)
Boise R, S Fk From Shake Cr To Willow Cr (resident fish and wildlife)
Boise R, S Fk From Willow Cr To Beaver Cr (resident fish and wildlife)

Boise R, S Fk From Beaver Cr To Skeleton Cr (resident fish and wildlife)
Boise R, S Fk From Skeleton Cr To Boardman Cr (resident fish and wildlife)
Boise R, S Fk From Boardman Cr To Little Cr (resident fish and wildlife)
Boise R, S Fk From Little Cr To Op Cr (resident fish and wildlife)
Boise R, S Fk From Op Cr To Bear Cr (resident fish and wildlife)
Boise R, S Fk From Bear Cr To Emma Cr (resident fish and wildlife)
Boise R, S Fk From Emma Cr To Boise R, Ross Fk (resident fish and wildlife)
Lime Cr From Anderson Ranch Res To Lime Cr, S Fk (resident fish)
Lime Cr From Lime Cr, S Fk To Lime Cr, M Fk (resident fish)
Lime Cr, M Fk From Mouth To Headwaters (resident fish)
Lime Cr, S Fk From Mouth To Hunter Cr (resident fish)
Lime Cr, S Fk From Hunter Cr To Headwaters (resident fish)
Hunter Cr From Mouth To Headwaters (resident fish)
Lime Cr, N Fk From Mouth To Headwaters (resident fish)
Big Smokey Cr, N Fk From Mouth To Headwaters (resident fish)
Big Peak Cr, W Fk From Mouth To Headwaters (resident fish)
Big Smokey Cr From Mouth To Paradise Cr (resident fish)
Big Smokey Cr From Paradise Cr To Big Peak Cr (resident fish)
Big Smokey Cr From Big Peak Cr To Big Smokey Cr, N Fk (resident fish)
Big Smokey Cr From Big Smokey Cr, N Fk To Headwaters (resident fish)
Big Peak Cr, E Fk From Mouth To Headwaters (resident fish)
Paradise Cr From Mouth To Headwaters (resident fish)
Big Peak Cr From Mouth To Big Peak Cr, E Fk (resident fish)

Priest River Basin - Idaho Designations

Upper Priest River from the International Boundary to the confluence with Upper Priest Lake, excluding a short reach containing the bridge crossing on USFS road number 1013 in the SW 1/4 of Sec. 2, T63N, R5W, designated by Idaho as a natural river.

Upper Priest River, that reach containing the bridge crossing on USFS road number 1013 in the SW 1/4 of Sec. 2, T63N, R52, and extending 100 feet both upstream and downstream of the bridge designated by Idaho as a recreational river.

Upper Priest Lake designated by Idaho as a natural river.

The Thorofare from its origin at Upper Priest Lake to the beginning of private property along its south bank in Sec. 9, T62N, R4W, designated by Idaho as a natural river.

The Hughes Fork from its headwaters to its confluence with the Upper Priest River designated by Idaho as a recreational river.

Rock Creek from its headwaters to its confluence with the Upper Priest River designated by Idaho as a recreational river.

Lime Creek from its headwaters to its confluence with the Upper Priest River designated by Idaho as a recreational river.

Cedar Creek from its headwaters to its confluence with the Upper Priest River designated by Idaho as a recreational river.

Trapper Creek from its headwaters to its confluence with Upper Priest Lake designated by Idaho as a recreational river.

Granite Creek from the confluence of its North and South Forks in Sec. 30, T62B, R5W, to its mouth designated by Idaho as a recreational river.

Priest River from Priest Lake outlet structure to and including McAbee Falls in the SW 1/4 of Sec. 17, T57N. R4W designated by Idaho as a recreational river.

Priest River Basin - Council Designations

Note: these designations are for reference only. Proposed protection will be in addition to current status in Council's protected areas.

Priest R From Mouth To Priest R, Lower W Br (Wildlife)
Priest R From Priest R, Lower W Br To Quartz Cr (Wildlife)
Priest R From Quartz Cr To Big Cr (Wildlife)
Priest R From Big Cr To East R (Wildlife)
Priest R From East R To Priest R, Upper W Br (Wildlife)
Priest R From Priest R, Upper W Br To Binarch Cr (Wildlife)
Priest R From Binarch Cr To Lamb Cr (Wildlife)
Priest R From Lamb Cr To Priest L (Wildlife)
Priest R From Priest L To Caribou Cr (Resident Fish and Wildlife)
Priest R From Caribou Cr To Upper Priest L (Resident Fish and Wildlife)
Priest R From Upper Priest L To Hughes Fk (Resident Fish and Wildlife)
Priest R From Hughes Fk To Headwaters (Resident Fish and Wildlife)
Hughes Fk From Mouth To Headwaters (Resident Fish and Wildlife)
Trapper Cr From Upper Priest L To Headwaters (Resident Fish and Wildlife)
Granite Cr From Priest L To Granite Cr, S Fk (Resident Fish and Wildlife)
Granite Cr From Granite Cr, S Fk To Orwig Cr (Unprotected)
Granite Cr From Orwig Cr To Headwaters (Unprotected)

In addition to the reaches above, Idaho has requested that the Council make certain other changes in the protected areas designations of the Priest River

Basin. In particular, Idaho has requested that protected status be removed from **Quartz Creek (from its headwaters to its confluence with the Priest River)** and from the **East River, from the confluence of the North and Middle Forks of the East River to its mouth**. Both reaches are currently protected for wildlife. Idaho staff will be providing additional information regarding the basis for these changes. The Council intends to take up these changes in the course of this rulemaking. However, in the event that additional time is required to prepare the information regarding the basis of the changes, the proposed changes will be held over for a later rulemaking.

Idaho has also requested the inclusion into protected areas of seven streams in the Priest River basin which do now appear in the Council's data base, due to the scale of the data base. The Council anticipates changing to a larger scale in the near future, and will consider these streams for inclusion at that time.

14. Effect on pending projects: In the 1990 protected areas rulemaking, the Council adopted transition provisions for pending projects. These provisions remain applicable and will apply to pending hydroelectric projects affected by this rulemaking. The transition provisions state:

(5)(b) (For projects pending at the time that amendments are proposed to protected areas.) The Council recognizes that there may exist preliminary permits or applications for licenses or exemptions for hydroelectric projects at sites which were not previously within protected areas but which may be included within protected areas as a result of amendments approved by the Council. An important purpose of protected areas is to encourage developers to site projects outside protected areas. The Council therefore exempts from the effect of an amendment designating a previously unprotected area as protected any project for which the developer had obtained a preliminary permit or filed an application for a license or exemption prior to the date on which the Council entered rulemaking on the amendment. However, it is the Council's intention that the Federal Energy Regulatory Commission give full consideration to the protection of fish and wildlife resources located at these project sites and provide suitable protection and mitigation for such resources in the event that a license or exemption is approved.

The Council entered rulemaking on these changes on February 11, 1992.