

Friends of the Crooked River have always acknowledged and supported the park's importance in providing watershed protection to the 33,000 acres of land in its boundaries. We paddle the river within the park's boundaries to assess the conditions of the river and for our paddling enjoyment. We have long advocated that the park take a more proactive stance in recreational use of our river. We are delighted that park is finally reviewing recreational use as an alternative in its current trail planning initiative.

We believe that establishing a water trail which includes the entire length of the Cuyahoga River through the park is essential in accomplishing any of the stated goals of the trail plan. We believe that the following rationale presents our reasoning.

Enabling Legislation

Since the park's inception, the park's planning and policies have undervalued the recreational use of the Cuyahoga River. We believe that the framers of the park's mission envisioned a more robust role for the river in the park's process and operations. PUBLIC LAW 93-555, the enabling legislation for the creation of the park clearly states the preeminence of the river in the park's mission:

93RD CONGRESS, H.R. 7077
DECEMBER 27, 1974

SECTION 1. For the purpose of preserving and protecting for public use and enjoyment, the historic, scenic, natural, and recreational values of the Cuyahoga River and the adjacent lands of the Cuyahoga Valley and for the purpose of providing for the maintenance of needed recreational open space necessary to the urban environment, the Cuyahoga Valley National Recreation Area, hereafter referred to as the "recreation area", shall be established within six months after the date of enactment of this Act. In the management of the recreation area, the Secretary of the Interior (hereafter referred to as the "Secretary") shall utilize the recreation area resources in a manner which will preserve its scenic, natural, and historic setting while providing for the recreational and educational needs of the visiting public.

Water Quality Concerns Vastly Reduced

Water quality concerns have been identified as being the key reason for the park's prior hands-off approach to water-based recreation. In the past, we have always concurred with the park's view that water quality concerns had inherent health risks to the public. While these concerns still exist, two historic events have occurred which make these concerns more manageable.

- First, in 2006, the City of Akron constructed the Rack 40 overflow basin which has removed over 40% of the volume of combined sewer overflow, the primary cause of bacteria and pathogen contamination, from the city's system. In addition, the City of Akron's Long Term Abatement Strategy for the Combined Sewer Overflows in the system is currently being negotiated in federal court. This plan will be finalized this month. The consent decree for the \$400 million project will include engineering and calendar requirements. Implementation of individual jobs will come on line according this calendar. All jobs in the program must be completed within the next 17 years.

Simultaneously, The City of Akron will be implementing requirements of two other consent decrees issued through federal court on upgrading its operations and maintenance practices (the so called CMOM program) and upgrades to its primary and secondary treatment at its sewage treatment plant. In addition, the City of Cuyahoga Falls is correcting remaining SSO's within its system. While the volume of the overflows from Cuyahoga Falls is much less than overflows from Akron, they impact recreational use in the gorge area. Their correction will be a boon to kayakers who enjoy the gorge downstream of the Ohio Edison Dam.

These programs will result in a huge reduction of the amount and frequency of bacteria and pathogen contamination.

- Second, the park's work with USGS has established a predictive indicator of exceedences of primary contact bacteria standards. We applaud the park's leadership in this important research and wish to be an active partner, assisting the park according to its wishes and our capacity. This program allows the park to publish real-time water quality advisories to recreational canoeist and kayakers.

Water Quality, an Issue on Many Urban Rivers

If all urban rivers which had problematic bacteria exceedences were prima facie excluded from recreational use, almost none of our urban rives would be accessible to primary contact activities, even those who have no CSO or SSO overflows.

Water quality concerns exist on other rivers where recreation is encouraged, even in the federal system. On these rivers, paddlers are informed of health and safety risks through water quality testing, partnerships with the paddling community and educational programs. As with bicycling and other recreation within public parks that pose risks to user health and safety, reasonable people are expected to assume risks where such risks can be known and assessed. Real or implied liability is always based on this standard.

Cuyahoga River Water Trail System Initiated

Over the last five months, trail planners and recreational experts from throughout the Cuyahoga Watershed have been discussing the possibility of creating a linked organization of water trails along the length of the river. Naturally, a separate trail planned and managed by CVNP, is hoped to be one of these linkages. Indeed without a trail in CVNP, one of the most beautiful sections of the river, a full 20% of its length would be excluded from this system of managed segments.

For these reasons, we believe the current trail plan must include recreational use of the Cuyahoga River in some form and should be included in all alternatives with the exception of the do the nothing alternative. In light of the park's legislatively dictated mission, to think of recreational use of the river as a new use is somewhat incorrect in our view. We think a more accurate definition is a defined use that has been previously excluded due to unmanageable risks to human health.

Water Trail Planning

We believe that water trail planning requires information acquired by skilled paddlers who have frequent experience with the river. There are multiple issues that must be considered. River flow,

hydrology, fluvial morphology, skill level and equipment are all factors that influence trail design. These factors can interact with each other in ways only appreciated by experienced Cuyahoga River paddlers.

Access Places Along the River

In Alternative 4, the first access listed is Peninsula, 10 miles downstream of Bath Rd. where the park begins. If a CVNP water trail is to be interconnected with a regional system of Cuyahoga River water trails, access points must be established to include the park’s southern and northern boundaries. In our review of other water trails, access spacing range up to ten miles, with most common distances being 7 – 10 miles. With that in mind, the southern most river access should be Bath Rd. or Ira Rd.

Generally, Friends of the Crooked River use the following access points in the park: Bolanz Rd., Boston Rd., Vaughn Rd., Hillside Rd., Rockside Road. Portages around dams is discussed below. We have attached a sample of our trip descriptions through the park.

The follow table shows the access points that Friends of the Crooked River has used and our estimate of the current condition of that access including parking. This estimate is not the full evaluation required by ODNR. It is simply our overall impression about the current utility of the access for our purposes and whether additional development is needed.

Approximate mileage between the noted points is included.

Access/ Road	River Mile	Park Mile	Miles from previous upstream park access	Access/Parking	Issues	Current Utility of Access Location
Bath Rd.	36.0	22.7	0	Access river right downstream of bridge. Parking at Indian Mound	Very Steep. Overgrown. Bath Rd. is slated to be hardened. This access would likely be affected. Long walk to parking	Additional development is required. FOCR does not routinely use this access.
Ira	34.5	21.2	1.5	Access on river left downstream of bridge. Parking at Ira Rd. trail head	Steep There is no place to pull off and unload	Additional development is required. FOCR does not use this access.
Bolanz Rd.	32.3	19	2.2	Access river right downstream of bridge. Carry on riprap to road. Parking at Hunt Farm trailhead.	Riprap and rebar under bridge causes tripping hazard.	FOCR uses this access routinely. A more even path to the river would greatly improve this access

Access/ Road	River Mile	Park Mile	Miles from previous upstream park access	Access/Parking	Issues	Current Utility of Access Location
Peninsula Dam/ SR 303	28.4	15.1	3.9	Portage dam on river left just upstream of dam on old slab from mill race when flow is less than 200 cubic feet per second (cfs) When flow is above 200 cfs, portage upstream of 303 bridge; cross 303; use trail to parking lot to river. Access from parking lot in eddy on the upstream edge of the parking lot.	Very close to dam; slab can have debris caught on it making exit tricky. Crossing 303 hazardous; riprap and rebar at put-in causes tripping hazard; long carry.	We believe this area needs special study. See notes below.
Boston Mills Rd.	26.1	12.7	2.5	Access river right upstream of bridge. Trail up to parking lot		FOCR routinely uses this access. It is one the best in the park.
Vaughn Rd.	23.4	10.5	2.4	Access river right under bridge. Parking at Red Lock parking lot.	Concrete slab to the water is very slippery. Little traction in all conditions	FOCR routinely uses this access. The slippery slab issue should be addressed.
Brecksville Dam/Station Rd.	21.2	8.3	2.2	Put-in, using railroad tracks on river left to just below the Brecksville dam (812 feet carry; very long carry; steep bank)) Take-out at Chippewa Creek confluence (375 feet carry; steep bank) Portage dam below Station Rd. bridge on river right. Carry 350 feet using short distance on towpath trail to riprap between bridge arch.	Long carry Trains Steep bank Steep bank Portage is unmarked. Footing on large riprap at put-in is uneven and slippery when wet. Rebar sticking up through riprap is hazard.	Special study area. See notes below.

Access/ Road	River Mile	Park Mile	Miles from previous upstream park access	Access/Parking	Issues	Current Utility of Access Location
Fitzwater Rd.	17.2	4.3	4.0	Unknown since there is a new bridge here	Unknown	As a new bridge has just been constructed we have no experience with this access.
Hillside Rd.	15.5	2.6	1.7	Access river right just upstream of pedestrian bridge on rocks. Very steep, eroded bank. Parking at Canal Visitors Center 400 feet carry	Very steep, eroded bank Long carry to parking lot	FOCR uses this access occasionally. An unload area would greatly help this access.
Rockside Rd.	12.9	0	2.6	Access river right on natural beach. Unofficial trail leads up the parking lot. Short carry.		FOCR routinely uses this access. It is one of the best in the park.

General Comments on Access Locations

Our general thoughts on the topic of access locations follow:

- Public access is considered to be at road bridges. Generally, there is sufficient public property in road and bridge easements to allow access. Banks at bridges are generally steep. Concrete slabs and/or riprap under bridges make footing unsure, especially while carrying heavy loads. One of the most dangerous accidents that boaters can have is falling while carrying a boat. When developing access locations, the issue of concrete slabs and riprap should be addressed. A number of interesting techniques, including constructed shoots with stairs have been used to help paddlers and their boats get down and up these steep slopes.
- The river's flow goes up and down making some accesses difficult or unsafe at certain levels. Generally speaking, Friends of the Crooked River paddle the river in the park up to 350 cubic feet per second (cfs) when we lead trips. Above that level, we feel the river gets pushy for the skill level of those who normally paddle with us. Therefore, access points should accommodate safe entry at least up to 350 cfs. (Safe entry is one that provides enough flat surface on land and enough quiet water in order to step from the land into the boat. It should be noted that some people paddle at higher water.)
- Boats are heavy and awkward to carry. Generally speaking, paddlers pull off the road in close proximity to the bridge or access point, carry their boats and gear down to the water's edge and then move their car to a safe, legal parking place. Therefore, any good access must have a safe place to pull off the road close to the access. If paddlers are expected to carry long distances, many will risk their own safety by using unsafe pull offs rather than carry farther than they think is reasonable.

- Most boaters do not mind walking to a safe, legal parking place, so long as the distance is not unreasonably far.
- Since much of the river parallels the towpath planning for peddle/paddle options should be accommodated.
- Canoe liveries generally rent equipment for 3 to 5 mile trips. These paddlers tend to be beginners to novices. More experienced people who own their own equipment generally go longer distances. An average trip for Friends of the Crooked River is 10 miles. Therefore, there should be a minimum of four access points to accommodate the intermediate paddlers. To accommodate paddlers who desire less distance, a few shorter trips should be planned.
- Parking for paddlers should accommodate a few slots for larger vehicles and trailers.
- Access points need to be clearly marked on the river upstream of take-outs so boaters have ample opportunity to paddle to safe access points especially during higher flows.

Dams and the Trail Plan

The trail plan notes access locations in Peninsula and at Station Rd. Both of these sites are problematic as access locations given the issues of the dams. Both of these sites require study as access points. We believe it would be better to note other access locations and define portages at the dams.

Brecksville Dam

We believe that the park should address portages at the dams whether or not they develop other access locations. Regardless of the park's position on water trails, we note that more and more people are using the river. Dams pose a very real threat to paddlers. The Brecksville dam has claimed lives. While alternatives to that dam are under consideration, the process may take years. The park should implement a temporary portage around that dam. In our view, using the trail from the parking lot, crossing the bridge, continuing down the towpath to the bridge arch is way too far to go. Paddlers will not use that route. In addition, it is too long a carry to be in harm's way from and to bicycles. The temporary portage landing should be developed a safe distance upstream of the dam (say half to 2/3 the distance between the bridge and the dam) and a simple footpath should connect that take out to the towpath trail.

Peninsula Dam

The issues in Peninsula are more complex. Since the dam is nearly washed out, substantial current exits upstream of the dam. On river left that current is quite substantial quite a ways upstream of route 303, at least a quarter of a mile. On river right, there is enough of an eddy to take out upstream of the Rt 303 bridge. The carry across 303 is dangerous but there is no access downstream of the bridge. The portage continues along the trail west of the railroad tracks. The put in is at the upstream end of the parking lot next to the culvert. There is a large eddy there and access is quite easy.

At lower water, we take out just upstream of the dam on an old slab washed out from the old mill-race. But this is tricky and requires pretty advanced skills. Admittedly, many people run the dam. However, we believe this is not at all wise. The remainder of sections of the dam, create hydraulic waves across most of the berth of the river. Also, there are underwater slabs from the deteriorating dam with exposed and protruding rebar. This situation is potentially deadly. A special study group should be convened to recommend the best portage or access at this site.

Maps and Signage

A map of the river with access points, hazards, shuttle routes and safety information should be developed sooner than developed access locations. ODNR has really good examples of these maps. A safe paddling experience is as much about information as it is access. Inexperienced paddlers or those new to the park may find the shuttle process mystifying. Mapping and signage will help demystify the process. Map and signage should also include rescue telephone numbers.

Education

We believe that the park is in the business of water trails whether or not they designate water trails. The river is there. People use it - more and more every year. There are hazards and safety issues. We believe that it is in the best interest of both the park and the public to address these issues through an educational program. We believe the public is entitled to that education and we would be willing to help. A recreational educational program would icing on the cake and we would be willing to help with that as well.

Sustainable River and Water Trail Issues

It seems to us that our river is often at the bottom of the list compared to most other interests in the park. The river takes a back seat to roads and bridges and railroads and trails and historic interests and farmers interests. We would like to see more consideration of the river and paddlers given in infrastructure conflicts. We would like to see the park establish policies that more pro-actively protect the river.

We appalled the park for implementing several green practices like the constructed wetland to accommodate stormwater at the Rockside Road railroad parking lot and new Boston wetland septic system. We hope that these projects represent a trend in watershed protection and will replace previous practices like building parking lots adjacent to the river with little or no vegetated buffer. Also, we believe that green techniques in reinforcing riverbanks are preferable to gabion baskets and riprap. However, we would like to see more practices that facilitate a free-flowing, unmodified riverbank.

The river is girdled by roads and the railroad and the towpath. If the river is hardened at every conflict with these infrastructures, there will be no natural river left along the length through the park. Wherever possible, when the river erodes infrastructure, the first consideration should be to the feasibility of moving the infrastructure, especially where that infrastructure is trails. The river as a resource has more inherent value than the historical alignment of a canal towpath. In addition, hardening begets hardening, requiring an ever-increasing upstream creep of hardening requirements.

In addition to the habitat issues of hardening, the practices greatly reduce the aesthetics of the paddling experience. Also, there are safety issues related to bank hardening. Gabion baskets and

riprap create navigation hazards, especially when they are placed on the outside corner of river bends. These obstructions, especially when they contain rebar can make self rescue very hazardous and can cause entrapment and potential drowning or impalement .

We will deal with several of these issues separately.

Debris as Infrastructure Reinforcement

The practice of using infrastructure debris as ballast to bridges and reinforcement to roads along the riverbank should stop and places where this debris exists should be remediated. Highway projects should not be permitted to use our river as a disposal system for their debris. We believe the park should take whatever measures are within its power, including memorandums of understanding and project negotiations with relevant agencies, to prevent this practice in all future bridge and highway projects. The reasons are many.

- In first place as noted above, the rebar, a potential for both entrapment and impalement, is a safety hazard.
- The riprap creates an unsafe situation for navigation and self-rescue. Riprap is very difficult to walk on under the best of circumstances. When you add steep slopes, wet conditions and carrying heavy equipment, riprap creates a serious hazard for boaters. In the park, many access locations and necessary portages are over riprap.
- Riprap is considered hydro-modification, a leading cause of non-attainment of aquatic uses on the Cuyahoga River.
- Construction debris is unnatural and ugly and not befitting the character of a national park.

River Access at Bridges

As noted above, bridges are convenient places to unload boats and access the river. It would be great if the park could plan ahead and require all bridge projects to accommodate river access. It is far cheaper to build the access into the design than it is to redesign and remodel. Redesign and remodel are currently required at many bridges in order for paddlers to make safe and efficient use of them as river access.

Riparian/Wetland Set-Backs

We are very pleased that the park has established a goal to create sustainable trail practices. We assume these practices will include protection of the river and its tributaries. For many years, stream ecologists have advocated requiring set-backs for development in order to protect streams. Research has set these set-back requirements for soils in the middle Cuyahoga River. In fact, Summit County has drafted its own ordinance based on this research. A summary of the ordinance follows:

This 2002 ordinance provides the guidelines for riparian and wetland setbacks. We believe the park should evaluate this document and use its requirements as a basis for establishing its own riparian guidelines. We have attached a copy of this ordinance. Riparian setback required by this ordinance follows:

- A minimum of 300 feet on each side of all streams draining an area greater than 300 square miles.
- A minimum of 100 feet on each side of all streams draining an area greater than 20 square miles and up to 300 square miles.
- A minimum of 75 feet on each side off all streams draining an area greater than 0.5 square mile (320 acres) and up to 20 square miles.
- A minimum of 50 feet on each side of all streams draining an area greater than 0.05 square mile (32 acres) and up to 0.5 square mile (320 acres).
- A minimum of 30 feet on each side of all streams draining an area less than 0.05 square mile (32 acres).
- There are additional considerations for steep slopes, 100-year floodplains and wetlands.

While some trail uses and other park uses may be allowed within these setbacks, the park should ensure sufficient vegetated buffers and overall watershed protection to prevent erosion and ensure the trail infrastructure is protected from the deteriorating effects of inundation. No new trails should be constructed which may require stream hardening at some future time. When existing trails are impacted by inundation, relocation should be considered as preferable to stream hardening.

Trails as Sources of Erosion and Run-off

Trails can be a source of erosion and accelerated run-off. Trail design and use should prevent this nonpoint source pollution. Where trails have become streams, they should be relocated.

Camping and Other Facilities

As the water trail system along the 100 mile Cuyahoga River is developed, there will be an increasing demand for through paddling requiring overnight accommodations. Therefore, the park trail plan should include such facilities for paddlers.

Creating the Blue-Green Transportation Connection

Sustainable communities are all about creating linkages within an interconnected system of recreation and transportation. Sustainable communities, communities where skilled, educated people wish to locate their families provide interconnected opportunities for trails close to where people live, work and play.

We look forward to the day when the Cuyahoga River becomes an iconic water trail in an iconic park. The Cuyahoga River is already a national icon for importance of protecting and restoring our water resources. By creating a system of water trails, we have the opportunity to showcase how we can use our river systems for more than a transportation mechanism for our waste. We can become the fishable, swimmable river that once burned.

We can have a system that has everything - from the wilderness of the upper-watershed to the wetlands and forests of its scenic river section to the exemplary restorations in the middle river to the world-class white water of its expert section to the emblem of the Cuyahoga Valley National Park to the industrial, working river at its mouth. The Cuyahoga water trail system will have something for paddlers of every skill level and river interest. It will attract paddlers from around the river bend and around the world.

Please refer to our previous comments for additional information. We appreciate the opportunity to comment and hope the park will consider us and other skilled members of the paddling community as resources as this process continues.

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