



WILD AND SCENIC RIVERS ACT - Section 1(b)

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, recreational, 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.

Section 1(b) con't.

The Congress declares that the established national policy of dam and other construction . . . needs to be complemented by a policy that would preserve other selected rivers . . . in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes.

SECTION 5(d)(1)

In all planning for the use and development of water and related land resources, consideration shall be given by all federal agencies involved to potential national wild, scenic and recreational river areas, and all river basin and project plan reports submitted to the Congress shall consider and discuss any such potential. The Secretary of the Interior and the Secretary of Agriculture shall make specific studies and investigations to determine which additional wild, scenic and recreational river areas within the United States shall be evaluated in planning reports by all federal agencies as potential alternative uses of the water and related land resources involved.

NRI

- The Nationwide Rivers Inventory – NPS maintains and updates the NRI list
- From 1976-1980, 1524 segments were evaluated and published in 1982
- Additional segments added pursuant to special resource studies, and NPS Special Directive 90-4

Special Directive 90-4

- Issued 6/90, re-issued 11/95
- “To comply with this requirement, the NPS in all future GMPs, DCPs, RMPs, and any other plans potentially affecting river resources will propose no actions which could affect adversely the values which qualify an eligible river . . .”
- “In order to acquire the necessary data for planning, NPS will compile a complete listing of all rivers in the National Park System which we consider eligible . . .”

NPS Management Policies

2.3.1.10 Wild and Scenic Rivers

Potential national wild and scenic rivers will be considered in planning for the use and development of water and related land resources. The Service will compile a complete listing of all rivers and river segments in the national park system that it considers eligible for the national wild and scenic rivers system. GMPs and other plans potentially affecting river resources will propose no actions that could adversely affect the values that qualify a river for the national wild and scenic rivers system. A determination of eligibility will not necessarily mean that the Service will seek designation, which requires legislation. A decision concerning whether or not to seek designation will be made through a GMP, or an amendment to an existing GMP, and the legislative review process.

5(d)(1) PLANNING AT OTHER FEDERAL AGENCIES IN AK

- USFS lists eligible rivers in Chugach and Tongass FPs
- BLM consideration of eligible rivers in NPR-A EIS
- FWS conducting eligibility studies during preparation of Comprehensive Refuge Management Plans

WILD AND SCENIC RIVER 5(d)(1) STUDY PROCESS

CONSISTS OF THREE PHASES

1. Eligibility
2. Classification
3. Suitability

FINAL STEP

- Recommendation To Congress

ELIGIBILITY

River Must Meet Two Criteria:

1. It Must Be Free-flowing
2. It Must Have At Least One “Outstandingly Remarkable” Value

“FREE-FLOWING”

- A river need not be “boatable or floatable” if the volume of flow is sufficient to maintain the ORV.
- Rivers with intermittent flows should be considered.

RIVER RELATED VALUES EVALUATED

- A. SCENIC
- B. RECREATIONAL
- C. GEOLOGIC
- D. WILDLIFE
- E. FISH
- F. CULTURAL-(Prehistoric/historic)
- G. BOTANIC/ECOLOGIC
- H. HYDROLOGIC/WATER QUALITY

Outstandingly Remarkable Values



OUTSTANDINGLY REMARKABLE VALUES - ORVs

- The determination that a river area contains ORVs is a professional judgment on the part of the interdisciplinary team, based on objective, scientific analysis.
- Input from agencies, organizations and individuals who are familiar with the resource should be sought and documented.

“ORVs” ASSESSED

River-related values must be unique, rare or exemplary at a regional or national scale.

River-related means the values:

- Contribute substantially to the functioning of the river ecosystem; or
- Owe their location or existence to the presence of the river.

PRELIMINARY CLASSIFICATION

- WILD
- SCENIC
- RECREATIONAL

Based on degree of human presence in the corridor, e.g. structures, roads, bridges

BOUNDARY IDENTIFICATION

- River study area extends the length of the identified river segment and includes the river area, its immediate environment, and an average of no more than 320 acres per mile (640 acres per mile in Alaska) from the ordinary high water mark on both sides of the river.
- Planning team should outline a preliminary boundary, usually 1/4 mile (1/2 mile in Alaska) on either side of the river.

SUITABILITY

- Provides the basis for determining whether or not to recommend a river as part of the National Wild and Scenic River System.

SUITABILITY DETERMINATION

Needs to answer:

1. Should the river's free-flowing character, water quality, and ORVs be protected, or are there more important uses to warrant doing otherwise?
2. Will the river's free-flowing character, water quality, and ORVs be protected through designation? Is it the best method for protecting the river corridor?

SUITABILITY DETERMINATION (con't.)

3. Is there a demonstrated commitment to protect the river by any non-federal entities who may be partially responsible for implementing protective management?

In answering these questions, the benefits and impacts of WSR designation must be evaluated and alternative protection methods considered.

RECOMMENDATION

Section 5 (d)(1)

- The decision whether or not to recommend designation of a Section 5(d)(1) study river is made through the decision document (ROD) for an EIS for the land use plan or separate study.
- Once a draft bill for a recommended 5(d)(1) river(s) is completed, the study report, including bill language, is transmitted by the Secretary of Interior to Congress. Congress may or may not act upon the river designation bill.

PROTECTION FOR ELIGIBLE RIVERS

- Agency must do nothing that would interfere with eligible river's free-flow or that would adversely affect ORVs
- Area within preliminary boundary ($\frac{1}{4}$ to $\frac{1}{2}$ mile) is focus for protection
- Protection continues unless/until river deemed unsuitable

Alaska's National Wild and Scenic Rivers System

	Bureau of Land Management Wild & Scenic Rivers
	US Fish & Wildlife Service Wild & Scenic Rivers
	National Park Service Wild & Scenic Rivers



ALASKAN WSRs ADMINISTERED BY NPS

- 13 rivers designated by ANILCA
- all located within park units except portion of Alagnak
- all classified "wild"

MANAGEMENT PLANS

- for Alagnak, a "stand alone" comprehensive river management plan was required within three years of designation
- for other 12 NPS rivers designated under ANILCA, CRMPs were to be coordinated with unit GMPs
- 1986 amendments to WSRA required review of earlier CRMPs for conformity with new management plan requirements

CRMPs

Purpose:

- to provide for protection of river values (ORVs, free flow, water quality)
- to address resource protection, development of land and facilities, and user capacities
- to address other management practices to achieve purposes of WSRA
- prepared in consultation with State and local governments and interested public

Management Direction

Section 10(a): *Each component of the national wild and scenic rivers system shall be administered in such manner as to **protect and enhance** the values which caused it to be included . . . without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of said values. In such administration primary emphasis shall be given to protecting its aesthetic, scenic, historic, archaeologic, and scientific features. Management plans for any such component may establish varying degrees of intensity for its protection and development, based on the special attributes of the area.*

WSR Management

- Nondegradation and enhancement policy
- Baseline data on water quality and ORVs needed in order to "protect and enhance"
- for WSRs in designated Wilderness, more stringent of either Act's provisions apply

