



Interagency Wild & Scenic Rivers Coordinating Council



The Wild and Scenic Rivers Act





Wild and Scenic Rivers Act Background



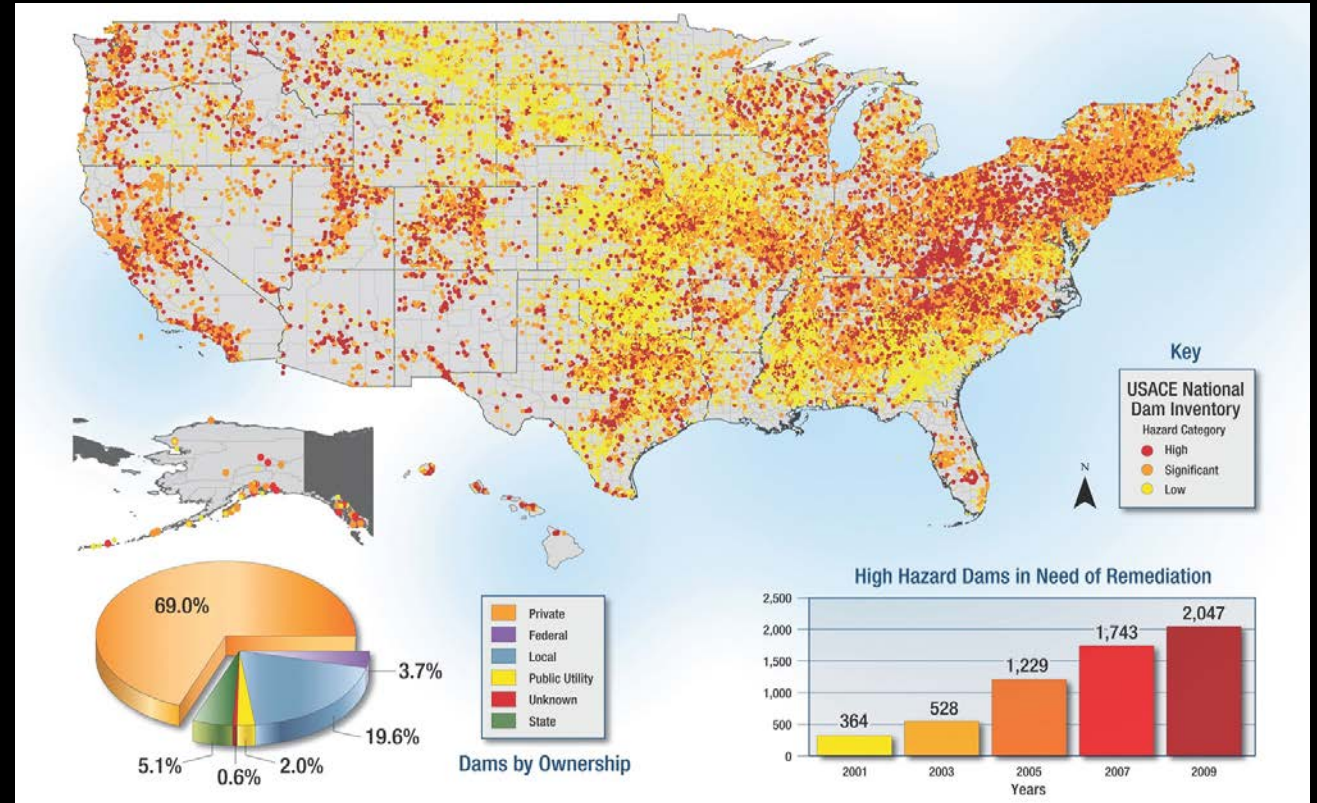
860,000 river miles dammed, dredged or channelized

- Water supply / irrigation
- Flood control
- Power generation
- Recreation opportunities

24% of rivers affected

75,000 large dams; 600,000 miles

Need to compliment the national policy of dam and other construction



Source: US Army Corps of Engineers National Inventory of Dams



The Growing Environmental Movement of the 1960s



Legislation that Built Support for Wild and Scenic Rivers Act:

Wilderness Act of 1964

Water Quality Act of 1965

Land And Water Conservation Fund Act of 1965

National Historic Preservation Act of 1965

Endangered Species Preservation Act of 1966

Clean Water Restoration Act of 1966

“ . . . the time has also come to identify and preserve free-flowing stretches of our great scenic rivers before growth and development make the beauty of the unspoiled waterway a memory.”

President Lyndon B. Johnson, February 8, 1965





Wild and Scenic Rivers Act of 1968



“...we are establishing a National Wild and Scenic Rivers System which will complement our river development with a policy to preserve sections of selected rivers in their free-flowing conditions and to protect their water quality and other vital conservation values.”

- President Lyndon B. Johnson,
October 2, 1968



President Lyndon B. Johnson with
Congressman Saylor (PA) at the signing
of the WSRA on October 2, 1968



Wild and Scenic Rivers Act of 1968



Protect and enhance the free-flow, outstandingly remarkable values (ORVs) and water quality of selected rivers



Establish process whereby additional rivers are considered for inclusion in the National Wild and Scenic Rivers System



The WSRA: Key Concepts



Concept 1: Maintain free-flowing rivers

Concept 2: River-related values need to be protected and enhanced

Concept 3: Rivers occupy only a small portion of the landscape, but have enormous importance (social, environmental)

Concept 4: Protected rivers provide sustainable sources of recreation and income

Concept 5: A coordinated approach is needed; rivers cross multiple ownership and jurisdictional boundaries.

Concept 6: Rivers should be inventoried to identify unique values, considered for eligibility, and managed to protect river-related values

Concept 7: Decisions by federal land management agencies must consider effects on unique values for ALL rivers



Key Sections of the WSRA

1. Policy/purpose
2. System
3. Components
4. Additions (by agencies)
5. Additions (by Congress)
6. Land acquisition
7. Restrictions on water resources projects
8. Withdrawal of public lands
9. Federal mining & mineral leasing laws
10. Administration
11. Assistance to state/local projects
12. Management policies
13. Existing state jurisdiction and responsibilities
14. Charitable deduction & lease of federal lands
15. Alaska-specific
16. Definitions
17. Appropriations



Designated Rivers



Congressionally Designated Rivers: Section 3

- 3(a) Provides a list of congressionally designated rivers
- 3(d) Requires development of comprehensive river management plans

Secretarial Designated Rivers: Section 2(a)(ii)

- 2(a)(ii) Provides for designation by Secretary of the Interior upon gubernatorial application
- 17 rivers (not listed in WSRA); comprehensive river management plans are not required





Study Rivers



Section 5 Study Process

- 5(a) List of Congressionally authorized studies
- 5(b) Study timeframe
- 5(c) Cooperation with state and political subdivisions
- 5(d)(1) Potential WSR additions in federal planning process / NRI

Section 2(a)(ii) Study Process

- 2(a)(ii) by the Secretary of the Interior upon application of the governor(s) of a state(s)





Classifications



Three classifications based on level of human development and river access

Wild



Scenic



Recreational





WSR Boundaries



Each WSR has legally established boundaries

- $\frac{1}{4}$ mile from the ordinary high water mark (OHWM) on each side of the river, ≤ 320 acres per river mile (unless specified by Congress); $\frac{1}{2}$ mile boundary for Alaska rivers located outside national parks
- State administered rivers and Partnership WSRs may or may not have boundaries
- To figure out the river boundaries, contact the river administering agency





River Values: Free-Flowing



“...existing or flowing in a natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway...”

- WSRA, Section 16(b)



River Values: Water Quality



...a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality...

- WSRA, Section 1(b)





River Values: ORVs



Outstandingly Remarkable Values (ORVs)

- Scenic
- Recreational
- Geologic
- Fish and Wildlife
- Historic
- Cultural
- Other Similar Values





Federal Administering Agency Role



- Protect and enhance WSR values by developing a comprehensive river management plan
- Establish detailed boundaries for the wild and scenic river corridor
- Identify potential additions to the national system through land use planning processes
- Implement protective management actions for rivers found “eligible” or “suitable” for inclusion
- Review proposed water resource projects under Section 7 of the Act



Nationwide Rivers Inventory (NRI)



List of 3,200 free-flowing river segments in the United States that are believed to possess one or more "outstandingly remarkable" natural or cultural values judged to be at least regionally significant, and are therefore potential candidates for inclusion in the National Wild and Scenic River System.



NRI Compliance



All federal agencies must “take care to avoid or mitigate adverse effects” to rivers identified in the Nationwide Rivers Inventory.

The National Park Service can assist other federal agencies in carrying out this process; however, it is the role of the federal permitting agency to ensure compliance



Genesee River, NY



Breitenbush River, OR

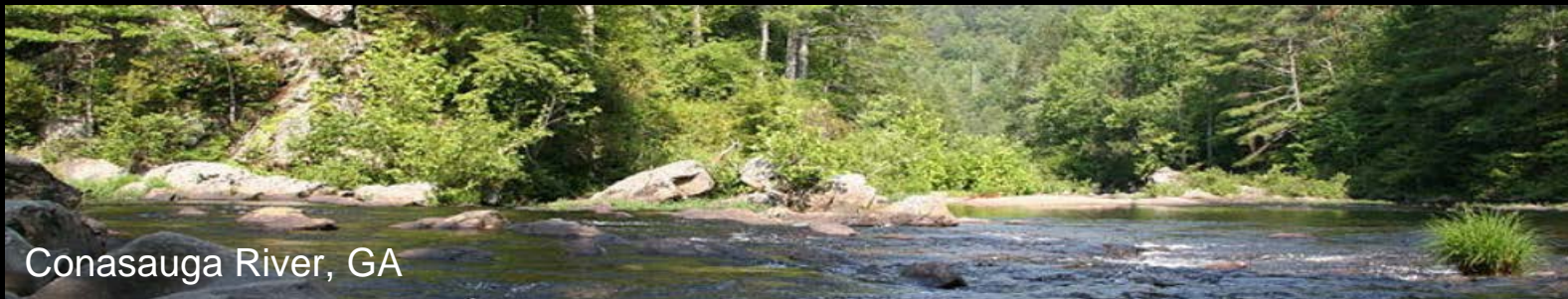


NRI Compliance



Consulting with the National Park Service regarding NRI Compliance

1. Determine whether the proposed action could affect an NRI river
2. Determine whether the proposed action could adversely affect the natural, cultural, and recreational values of the NRI segment. These values are listed as “outstandingly remarkable values” (ORVs) on the state NRI list
3. Determine whether the proposed action could foreclose options to classify any portion of the NRI segment as wild, scenic, or recreational river areas
4. Incorporate mitigation/avoidance measures in the proposed action to the maximum extent feasible within the agency’s authority



Conasauga River, GA



Eligible and Suitable Rivers



Federal Administering Agency Role

Implement protective management actions to rivers that are found “eligible” or “suitable” for inclusion into the system

Protect the ORVs, free-flow, preliminary classification of eligible and suitable rivers to give Congress the opportunity to designate.

For projects on federal lands, check with the local land manager to verify if the segment is considered ‘eligible and/or suitable’ in their most recent land or resource management