

Wild and Scenic River Definitions:

Eligible River:

A river segment that has been evaluated, and found to be free-flowing and, in combination with its adjacent land area, possesses one or more outstandingly remarkable values.

There are no specific requirements for minimum flows or for temporal or spatical continuity of flows.

Free Flowing:

“Free flowing” as applied to any river or section of a river means existing or flowing in a natural condition without impoundment, diversion, straightening, riprapping, or other modification of the waterway. The existence, however, of low dams, diversion works, or other minor structures at the time any river is proposed for inclusion in the [National System] shall not automatically bar its consideration for such inclusion: Provided, that this shall not be construed to authorize, intend, or encourage future construction of such structures within components of the [National System]. (Section 16(b)).

FSM 2350 gives guidance on management of WSR's.

2354.42.c

6. Permit the construction of water bars, drainage ditches, flow measurement devices, and other minor structures or management practices when necessary for protection, conservation, rehabilitation, or enhancement of the river area resources. They must be compatible with the classification of the river area and harmonize with the surrounding environment. They must not pose a direct and adverse impact on the river values.

7. Address the need for retaining and maintaining existing water divisions, ditches, and water management devices. If retention is part of a valid existing right or in the interest of good river management, prescribe maintenance standards in the management plan.

When an existing structure is not retained, return the area to a more natural condition in a manner that does not have an adverse effect on the river and its immediate environment.

82.73a – Criteria for Establishing Outstandingly Remarkable Values

Section 1(b) of the Wild and Scenic Rivers Act establishes categories of outstandingly remarkable values. For each of these categories, criteria are identified in this section to establish a baseline that fosters greater consistency within the Agency and with other Federal river-administering agencies in evaluating eligibility.

The criteria set minimum thresholds to establish outstandingly remarkable values. The criteria within the category may be modified and additional criteria may be included to make them more meaningful in the region of comparison. Additional criteria are not intended to create any subcategories within the value categories established in the Act.

1. Scenery. Landscape elements of landform, vegetation, water, color, and related factors result in notable or exemplary visual features or attractions. Additional factors, such as seasonal variations in vegetation, scale of cultural modifications, and the length of time negative intrusions are viewed, may be considered. Scenery and visual attractions may be highly diverse over different parts of the river or river segment. Outstandingly remarkable scenic features may occupy only a small portion of a river corridor.

2. Recreation. Recreational opportunities are high quality and attract, or have the potential to attract, visitors from throughout or beyond the region of comparison; or the recreational opportunities are unique or rare within the region. River-related recreational opportunities include, but are not limited to, sightseeing, interpretation, wildlife observation, camping, photography, hiking, fishing, hunting, and boating. The river may provide settings for national or regional use or competitive events.

3. Geology. The river corridor contains one or more examples of a geologic feature, process, or phenomenon that is unique, rare or exemplary within the region of comparison. The feature(s) may be in an unusually active stage of development, represent a “textbook” example, or represent a unique, rare or exemplary combination of geologic features (erosional, volcanic, glacial, or other geologic structures).

4. Fish. Fish values may be judged on the relative merits of either fish populations or habitat, or a combination of these river-related conditions.

a. Populations. The river is nationally or regionally an important producer of resident and/or anadromous fish species. Of particular significance are a diversity of fish species or the presence of wild stocks and/or Federal or State-listed or candidate threatened, endangered, or species of conservation concern.

b. Habitat. The river provides uniquely diverse or high quality habitat for fish species indigenous to the region of comparison. Of particular significance is exemplary habitat for wild stocks and/or Federal or State-listed or candidate threatened or endangered species, or species of conservation concern. Consider also rare and unique habitats within the corridor.

5. Wildlife. Wildlife values may be judged on the relative merits of either terrestrial or aquatic wildlife populations or habitat, or a combination of these conditions.

a. Populations. The river, or area within the river corridor, contains nationally or regionally important populations of indigenous wildlife species. Of particular significance are species diversity, species considered to be unique, and/or populations of Federal or State-listed or candidate threatened or endangered species, or species of conservation concern.

b. Habitat. The river, or area within the river corridor, provides uniquely diverse or high quality habitat for wildlife of national or regional significance, and/or may provide unique habitat or a critical link in habitat conditions for Federal or State-listed or candidate threatened or endangered species, or species of conservation concern. Contiguous habitat conditions are such that the biological needs of the species are met.

6. Historic and Cultural Values. The river, or area within the river corridor, contains important evidence of historic or pre-historic occupation or use by humans. Sites may have national or regional importance for interpreting history or prehistory.

a. History. Sites or features are associated with a significant event, an important person, or a cultural activity of the past that is now rare or unique in the region. A historic site or feature, in most cases, is 50 years old or older.

b. Prehistory. Sites of prehistoric human use or occupation may have unique or rare characteristics or exemplary anthropological value such as evidence of prehistoric human practices and modes of living. Areas within the river corridor may have been used for rare sacred purposes, or represent the origin or conflict of cultures.

7. Other Similar River-related Values. While no specific national evaluation guidelines have been developed for this category, determinations consistent with the preceding guidance and section 82.73 of this Handbook may be developed for other values that may be outstandingly remarkable, including but not limited to botanic, hydrologic, paleontologic, scientific, and heritage values.