

**Ashley National Forest
Wild and Scenic River Eligibility Study and Report
Frequently Asked Questions**

Question: What is the Wild and Scenic Rivers Act?

Answer: Congress created the National Wild and Scenic Rivers System (NWSRS) in 1968 through the Wild and Scenic Rivers Act (WSR Act; Public Law 90-542; 16 USC, Section 1271 et seq.). Its intent is to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. The WSR Act is notable for safeguarding the special character of these rivers, while recognizing the potential for their appropriate use and development. It encourages river management that crosses political boundaries and promotes public participation in developing goals for river protection.

Question: Why is the Forest Service undertaking this process?

Answer: Section 5(d)(1) of the WSR Act directs agencies to study rivers during the land management planning process. The Forest Service's handbook for wild and scenic rivers (Forest Service Handbook 1909.12, Chapter 80), in accordance with the Forest Service's 2012 planning rule, requires a comprehensive inventory of rivers and their evaluation for eligibility during forest plan revision. According to the rule, all named rivers on a standard US Geological Survey (USGS) 7.5-minute quadrangle must be included.

Question: What about rivers that are already designated under the WSR Act or rivers that have been previously studied?

Answer: Any river that Congress has already designated for inclusion in the NWSRS is excluded from this eligibility study. Also excluded are any rivers that were previously studied as a part of a systematic and documented eligibility review; however, changed circumstances may necessitate a new eligibility review for certain rivers in limited circumstances. In 2005, the Ashley National Forest completed a systematic eligibility study for certain rivers in the Forest. The study was primarily done at the 1:100,000 scale, which is a coarser scale than that required by the 2012 planning rule; therefore, the current eligibility study will consider only those named rivers on a USGS 7.5-minute quadrangle map that were not included in the 2005 eligibility study. In 2008, a suitability study of eligible rivers in Utah was completed. This study will not affect the suitability determination of rivers unless there is a changed circumstance.

Question: Which other forests are evaluating WSR eligibility?

Answer: Ten of the twelve National Forests and the one National Grassland in Region 4 are developing eligibility studies and reports, as follows:

- Ashley National Forest
- Bridger-Teton National Forest
- Caribou-Targhee National Forest
- Dixie National Forest

- Fishlake National Forest
- Humboldt-Toiyabe National Forest
- Manti-La Sal National Forest
- Salmon-Challis National Forest
- Sawtooth National Forest
- Uinta-Wasatch-Cache National Forest
- Curlew National Grassland

Question: What is considered a “river” under the WSR Act?

Answer: “A flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, rills, and small lakes” (Section 16[a] of the WSR Act).

The dictionary defines these terms as follows:

- Run—A stream carrying outflow from a spring; a very small stream; a creek
- Kill—Another word for creek
- Rill—A shallow channel cut into soil by flowing water; a small brook; a rivulet

Small lakes are not defined by the WSR Act. For the purposes of the Region 4 eligibility studies, any lakes named on the USGS 7.5-minute quadrangle map with a natural outflow will be considered. In addition, unnamed headwater ponds that flow into named rivers will be considered as part of the named river. Lakes with impediments, such as dams, will be determined to be not free flowing and will not be carried forward for analysis of outstandingly remarkable values (ORVs).

For the purposes of the Region 4 eligibility studies and reports, these are collectively referred to as “rivers.”

Question: What is the process by which the Forest Service studies rivers under the WSR Act?

Answer: The Forest Service follows a three-step process, as follows:

1. Evaluate eligibility—Develop a comprehensive inventory of rivers to be studied for their potential eligibility, develop a systematic approach to identifying ORVs, and evaluate eligibility based on free-flowing characteristics and the presence of ORVs
2. Preliminary classification—Classify eligible rivers as wild, scenic, or recreational, based on the level of development of the shoreline and the watercourse, the level of access at the time the river is found eligible, and water quality
3. Determine suitability—Assess the eligible river’s potential for inclusion in the NWSRS

In general, suitability asks whether designation under the WSR Act is the best method for managing the river. To answer this question, the Forest Service will evaluate the potential physical, biological, economic, and social impacts of adding the river to the NWSRS, its landownership status, and public

support. The suitability study provides the basis for determining which eligible rivers the Forest Service should recommend to Congress for inclusion in NWSRS. While the Forest Service may recommend certain rivers, only Congress can designate them for inclusion in the NWSRS.

Question: Where is the Ashley National Forest in the three-step process?

Answer: The Ashley National Forest has completed an inventory of rivers to be studied under Step 1. It will finish Step 1 and Step 2 as a part of this effort. The Forest will consider Step 3 (suitability) as an amendment to its Forest plan. The National Forests participating in these studies will begin evaluating the eligibility of their rivers on a rolling basis across the region. Region 4 has developed a common regional process for each forest or grassland to follow when conducting its eligibility study.

See flowchart for how the WSR study process fits in with the forest plan revision process.

Question: What is an eligible river?

Answer: A river is eligible if it is free-flowing and possesses one or more ORV. It can be permanent, perennial, or intermittent; there is no criterion for how much flow is necessary for a river to be considered eligible.

Question: What is an ORV?

Answer: In order to be assessed as outstandingly remarkable, a river-related value must be a unique, rare, or exemplary feature that is significant at a comparative regional or national scale. Types of ORVs may include scenic, recreational, geologic, historic, cultural, fish, wildlife, or other related values. An ORV must be river dependent and owe its existence to the presence of the river.

Question: What characteristics warrant a classification of wild?

Answer: The rivers classified as wild are those that are free of impoundments and generally inaccessible except by trail; their watercourses or shorelines are essentially primitive and their waters are not polluted. Such rivers represent vestiges of primitive America.

Question: What characteristics warrant a classification of scenic?

Answer: The rivers classified as scenic are those that are free of impoundments, with shorelines or watercourses still largely primitive and shorelines largely undeveloped but accessible in places by roads.

Question: What characteristics warrant a classification of recreational?

Answer: The rivers classified as recreational are those that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.

Question: Why did Region 4 develop a regional process for conducting eligibility studies?

Answer: The purpose of the regional process is to develop a standardized approach for evaluating the eligibility of rivers in Region 4. This approach will ensure that eligibility evaluations are made in a consistent manner across the region. The use of a regional process also aids public engagement in the eligibility studies; this is because the public has to be familiar with only a single approach.

Question: How does the regional process influence what is done in the Ashley National Forest?

Answer: The regional process serves as the template for conducting the eligibility study in the Ashley National Forest. The regional process may be modified to the minimum extent necessary to meet the unique needs of each National Forest or Grassland.

Question: What are the possible outcomes of the study?

Answer: At the end of the process, the Ashley National Forest will have completed a comprehensive and systematic eligibility study of its rivers. The results of that study will be captured in a report and a preliminary classification will be assigned to any eligible rivers. Those rivers found to be ineligible will also be disclosed in the report.

Question: How will these outcomes influence activities in the Ashley National Forest?

Answer: Eligible rivers must be managed to protect the following:

- Their free-flowing character
- The ORVs for which they were found eligible
- Their preliminary classification, until a subsequent suitability study is completed

Ineligible rivers are managed according to the existing land use plan.

Question: How can the public engage in the eligibility process?

Answer: The Ashley National Forest will be making all documents available on the Forest website as they are developed. Comments are accepted at any time. When a draft report documenting the summary of eligibility findings is completed, the Forest will hold a public meeting and solicit feedback on the findings. The public will be notified of this opportunity in advance.

FOREST SERVICE

PLAN REVISION AND WILD AND SCENIC RIVERS STUDY PROCESSES

