

List of Commonly Used Acronyms

CFR Code of Federal Regulations
FSH Forest Service Handbook
NF national forest
ORV outstandingly remarkable value
WSRA Wild and Scenic Rivers Act

Wild and Scenic Rivers Act Background

The National Wild and Scenic Rivers System was enacted by Congress in 1968 (Public Law 90-542) to preserve the free-flowing condition of certain selected rivers with outstandingly remarkable values for the enjoyment of present and future generations. Designated Wild and Scenic Rivers “must be administered in such a way as to protect and enhance the values that made [them] eligible for the National System, but not to limit other uses that do not substantially interfere with public use and enjoyment of these values.” (IWSRCC 1998, p 3). To be designated under the national Wild and Scenic Rivers Act (WSRA) a river segment must meet two fundamental requirements: the river segment must be “free-flowing” as defined by Section 16(b) of the WSRA, and the river segment must have one or more outstandingly remarkable values (Section 1(b)).

Rivers may be designated by Congress or, if certain requirements are met, the Secretaries of the Interior or Agriculture, as appropriate. Once designated under the WSRA, rivers receive special management direction that ensures the maintenance of the free-flowing nature and the outstanding natural, cultural, and recreational values of the river segment. Under the WSRA, river segments are required to be classified as wild, scenic, or recreational:

Wild river areas – Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.

Scenic river areas – Those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.

Recreational river areas – Those rivers or sections of rivers 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. (sec. 2(b))

The Wild and Scenic Rivers Act Section 5(d)(1) requires that “*consideration shall be given by all Federal agencies involved to potential national wild, scenic and recreational river areas*” during land management planning. To meet this requirement the Carson NF is conducting a systematic evaluation of all river segments to determine if they are eligible for designation under the WSRA. Prior to being recommended to Congress as potential additions to the Wild and Scenic system of rivers eligible rivers must also be found to be suitable for designation. Both eligible and suitable segments are managed to maintain their free-flowing nature and outstandingly remarkable values until such time as they are designated under the WSRA or released from consideration.

Eligibility Evaluation Process

Wild and Scenic River eligibility is being conducted as part of forest plan revision consistent with the 2012 planning rule final directives:

Unless a systematic inventory of study rivers has been completed and eligible rivers identified, the Interdisciplinary Team shall develop and conduct a comprehensive inventory and evaluation to determine which rivers are eligible for inclusion in the National System...The rivers to be studied for eligibility include all rivers named on a standard U.S. Geological Survey 7.5 minute USGS quadrangle map. (USDA FS 2012, sec. 82.2)

A total of 194 rivers on the Carson NF are being evaluated for eligibility. There are 179 rivers that are required to be included for evaluation since they are named on a quadrangle map. Of those, 119 were evaluated for eligibility by the forest between 1994 and 2001. In 2002 the 1986 forest plan was amended to include language for managing the eligible rivers and no eligibility determinations have been made since. The previous eligibility evaluation processes did not fulfill the evaluation requirements under the 2012 planning rule as described in the Forest Service Land Management Planning Handbook (USDA FS 2012). For example, the previous evaluation did not involve the public, the region of comparison was not explicitly defined, ORVs and eligibility were identified on private lands, and State water rights were not considered. Since not all rivers have been evaluated, and previous evaluations were insufficient under the new planning rule, the Carson NF is reevaluating all 179 named rivers for eligibility during the current forest plan revision.

The previous Carson eligibility evaluations considered an additional 39 rivers that are unnamed, and therefore are not required to be reconsidered. Of those, 23 were previously determined to be eligible. 15 of the 23 are perennial according to the Carson NF Assessment Report and are being reevaluated under this process. The 8 remaining streams that were previously determined to be eligible, but are not named and are not perennial were excluded from this evaluation¹. The 16 unnamed, intermittent streams that were previously evaluated and found not eligible were also not reevaluated. The current evaluation includes 179 named streams and 15 unnamed, perennial streams that were previously eligible, for a total of 194.

The determination of eligibility is based on the river's "free-flowing" character and outstandingly remarkable values (ORVs) that are regionally or nationally conspicuous examples that are among the best representatives of a feature (USDA FS 2012).

Free-Flowing Determination

The overarching intent of the Wild and Scenic Rivers Act is to preserve free-flowing rivers in their natural condition. To be eligible, a river must be free-flowing as defined in the WSRA:

"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.... (sec. 16(b))

Impoundment is defined as "A body of water formed by any manmade structure." 947 FR 39456 (Sept 7, 1982) Modification of the waterway may include any project that involves "a measurable alteration of the bed and banks of the river" (*Sierra Club North Star Chapter v. Pena*, 1 F. Supp. 2d 971 (D. Minn. 1998)), however, there is no clear threshold for when a project may adversely affect a river's free-flowing characteristics (WSRA sec. 7, p 37) and Congress has "implicitly delegated the task of deciding what constitutes a 'water resources project' to the [agency]" (*Sierra Club North Star Chapter v. Pena*, 1 F. Supp. 2d 971 (D. Minn. 1998)).

For this evaluation any damming, diversion, channelization, or other confinement or rerouting of the channel was considered in the context of the river system as a whole. To be considered free-flowing a river needed to maintain its natural stream functions including a natural flood regime, natural sinuosity and channel shifting, natural bank erosion, and natural bed load and debris movement. There is no requirement for a minimum flow, or for temporal or spatial continuity of

¹ Warm Springs, Tierra Amarilla Canyon, Long Canyon, Jiron Canyon, Carracas Canyon, Bancos Canyon, Cabresto Canyon, Vaqueros Canyon

flow. Flow must only be sufficient to sustain or compliment the ORVs for which the river would be recommended.

Outstandingly Remarkable Value Determination

According to the WSRA, for a river to be eligible, the river and its adjacent land area must have one or more outstandingly remarkable scenic, recreational, geologic, fish, wildlife, historic, cultural, or other similar value (ORV).

To be identified as outstandingly remarkable, a river-related value must be a unique, rare, or exemplary feature that is significant when compared with similar values from other rivers at a regional or national scale. Unique, rare, or exemplary features are those that are conspicuous examples of these values, among the best representatives of these features, within a region or the nation.

While the spectrum of resources that may be considered is broad, all features considered should be directly river-related [and] should meet at least one of the following criteria:

1. Be located in the river or its corridor,
2. Contribute substantially to the functioning of the river ecosystem, or
3. Be river dependent and owe their location and existence to the presence of the river. (USDA FS 2012, sec. 82.73)

The determination that a river area does or does not contain one or more ORVs is a professional judgement on the part of the Responsible Official, as informed by the Interdisciplinary Team, best available scientific information, and public participation

Because a feature is rare or unique does not alone make it outstandingly remarkable. It must also be conspicuously dissimilar from the class of feature to which it belongs. For example, river-based recreation opportunities are rare in the arid southwest. To be outstandingly remarkable, the recreational opportunity must be an unusually exemplary example among arid rivers. Every archeological site is inherently unique and irreplaceable. To be outstandingly remarkable an archeological site must be of a quality or extent such that it is among the best examples of a historical resource.

River values must be judged in comparison with the characteristics of other similar regional rivers. These similar regional rivers define the “region of comparison”. The region of comparison may vary for different categories of outstandingly remarkable values and thus, multiple regions of comparison may be used to evaluate a single river. The appropriate region of comparison is determined by the Interdisciplinary Team with input from the public and ultimately approved by the Deciding Official.

The region of comparison was not explicitly defined for previous Carson NF eligibility determinations, therefore when those determinations are used as reference for this evaluation the ORVs must be reinterpreted in light of the region of comparison defined here. The Carson NF proposes using two regions of comparison, depending on ORV category:

Scenery – Public lands in northern NM and southern Colorado

The proposed region of comparison for scenery includes all federal and state public lands in New Mexico and Colorado within 100 miles of the Carson NF¹. Rivers within the proposed region of comparison have similar landscape elements of landform, vegetation, water, color, and related factors. Public lands also provide similar access for the public.

Recreation – Public lands in northern NM and southern Colorado

Rivers within the proposed region of comparison have similar recreational user groups and uses. Recreational uses primarily include hiking, fishing, camping, hunting, wildlife viewing, nature study, and boating. The similarity of recreational uses of rivers in the region of comparison is due to similarities in landscape setting, flow regimes, stream sizes, biological characteristics, vegetation types, and accessibility of rivers and their corridors.

Geology – The Four Corners states (AZ, NM, CO, UT)

The geology within the proposed region of comparison has similar origin and physiography. The majority of the Carson NF is in the Southern Rocky Mountains or Colorado Plateaus physiographic provinces, which are almost entirely within the Four Corners states. The far eastern portion of the Valle Vidal is in the Great Plains physiographic province which extends from Mexico to Canada but includes the eastern plains of New Mexico and Colorado.

Fish – The Four Corners states (AZ, NM, CO, UT)

The 4 drainage subregions (HUC 4) that intersect the Carson NF are contained within the Four Corners states. Fish populations within this proposed region of comparison are similar in terms of species composition and aquatic habitat characteristics.

Wildlife – The Four Corners states (AZ, NM, CO, UT)

The four ecoregional provinces that intersect the Carson NF are contained within the Four Corners states with the exception of some of the Steppe-open woodland-coniferous forest-alpine meadow province that extends into southern Wyoming. The wildlife within this proposed region of comparison are similar in terms of species composition and habitat characteristics.

Historic, Cultural – The Four Corners states (AZ, NM, CO, UT)

The proposed region of comparison has similar history and cultural influences, encompassing ancestral Puebloan, Spanish, and American settlement influences. The prehistoric archeological record has strong ties to the Four Corners region, as well as the plains in eastern New Mexico and Colorado, and beyond. Spanish influence is most evident throughout New Mexico and into southern Colorado. Trapping, mining, railroad expansion and American settlement were influences throughout the region.

Other Values – The Four Corners states (AZ, NM, CO, UT)

Based on the regions of comparison for the values listed above the Four Corners states provide a broad enough region of comparison for other values that may be considered for their outstanding remarkableness.

¹ This includes National Parks, National Forests, National Grasslands, Bureau of Land Management lands, State Parks, and State Wildlife Areas

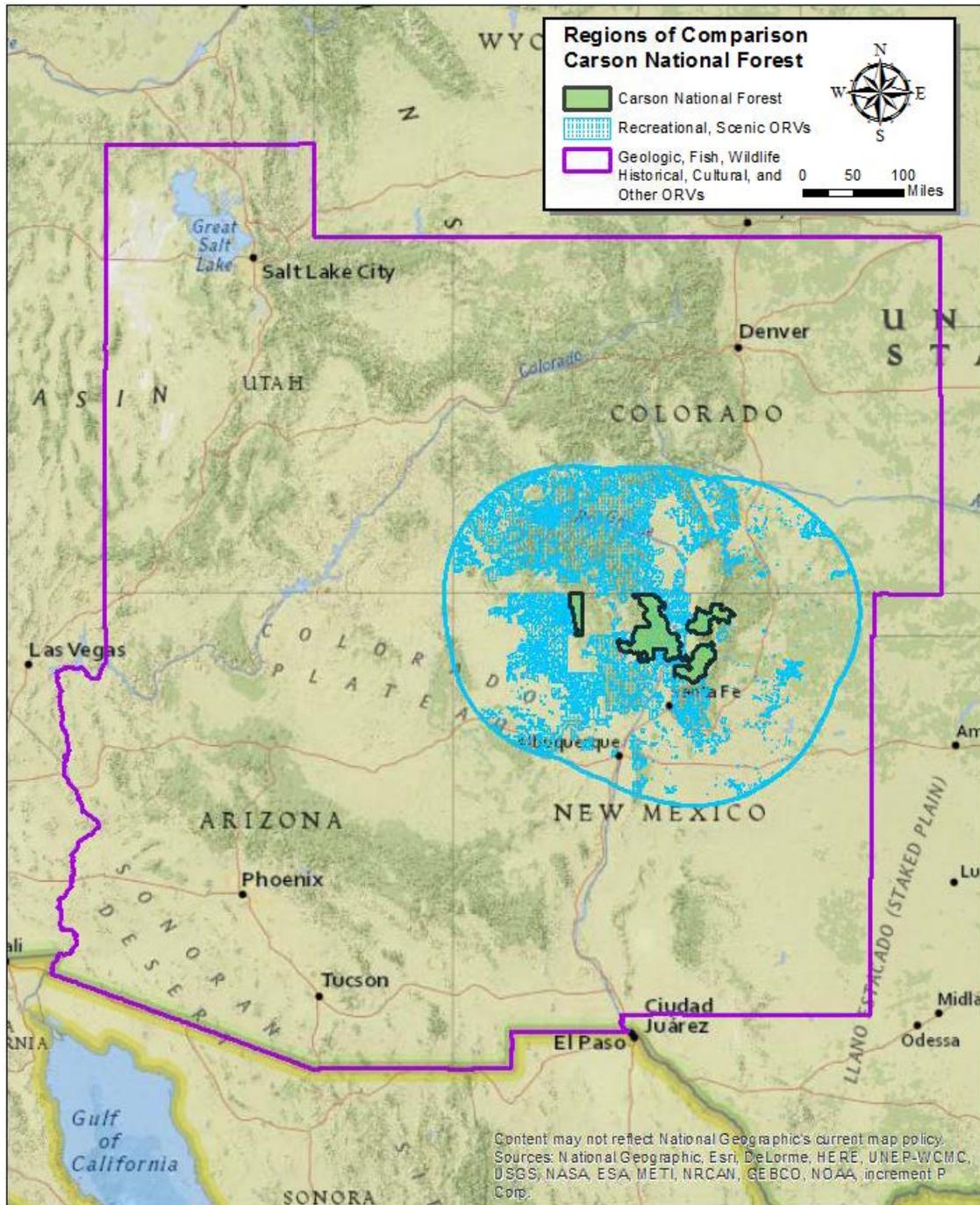


Figure 1. Carson NF regions of comparison for each outstandingly remarkable value.

Outstandingly Remarkable Value Criteria

The Forest Service Handbook establishes a baseline set of criteria as minimum thresholds to establish ORVs (USDA FS 2012, sec. 82.73a). The Carson NF has made some minor adjustments to the baseline criteria in order to clarify their application and make them more meaningful in the specific circumstances encountered in Northern New Mexico.

Table 1. Outstandingly remarkable value evaluation criteria

Resource	FSH 1909.12 & Inter-Agency Wild and Scenic River Council recommendations for Eligibility Evaluation Criteria	Draft Carson NF Wild and Scenic River Eligibility Evaluation Criteria
Scenic	<p>The landscape elements of landform, vegetation, water, color, and related factors result in notable or exemplary visual features and/or attractions. When analyzing scenic values, 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 the majority of the river or river segment.</p>	<p>The landscape elements of landform, vegetation, water, color, and related factors result in extraordinary or exemplary visual features and attractions, that provide river users with scenery that is spectacular and not common to other rivers in the region. Consider the following:</p> <ul style="list-style-type: none"> ▪ Additional factors such as seasonal variations in vegetation, scale of cultural modifications, and the length of time negative intrusions are viewed. ▪ Scenery and visual attractions may be highly diverse over the majority of the river or river segment.
Recreation	<p>Recreational opportunities are, or have the potential to be, popular enough to attract visitors from throughout or beyond the region of comparison or are unique or rare within the region. River-related 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 usage or competitive events.</p>	<p>Unique, rare, or exemplary recreation opportunities are available in the river corridor. These features include the following:</p> <ul style="list-style-type: none"> ▪ exceptional fishing opportunities; ▪ exceptional opportunities for solitude and to experience unaltered aquatic and riparian habitats; ▪ exceptional wildlife viewing (e.g. birding) or areas of extraordinarily high biodiversity; ▪ exceptional opportunities for rafting or kayaking (even if on only a seasonal basis).
Geologic	<p>The river, or the area within the river corridor, contains one or more examples of a geologic feature, process, or phenomenon that is unique or rare within the region of comparison. The feature(s) may be in an unusually active stage of development, represent a “textbook” example, and/or represent a unique or rare combination of geologic features (erosional, volcanic, glacial, or other geologic structures).</p>	<p>The river, or the area within the river corridor, contains one or more examples of a geologic feature, process, or phenomenon that is unique or exceedingly rare 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 or rare combination of geologic features (erosional, volcanic, glacial, or other geologic structures).</p>
Fisheries	<p>Fish values may be judged on the relative merits of either fish populations or habitat, or a combination of these river-related conditions. Populations. The river is nationally or regionally an important producer of resident and/or anadromous fish species. 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 are of particular significance. Habitat. The river provides uniquely diverse or high quality habitat for fish species indigenous to the region of comparison. Exemplary habitat for wild stocks and/or Federal or State listed or candidate threatened, endangered, or species of conservation concern is of particular significance.</p>	<p>Fish values may be judged on the relative merits of either fish populations or habitat, or a combination of these river-related conditions. Populations. The river is nationally or regionally an important producer of resident fish species. Diversity of native fish species or the presence of genetically pure Rio Grande cutthroat trout and absence of non-native hybridizing species¹. Habitat. The river provides uniquely diverse or high quality habitat for fish species indigenous to the region of comparison. Exemplary habitat for Rio Grande cutthroat trout is of particular significance.</p>

¹ Rio Grande Cutthroat Trout (RGCT) are native only to the Rio Grande, Pecos, and Canadian River drainages and thus are considered rare regionally and nationally. However, they occur in many streams in these areas of Northern New Mexico and southern Colorado. Most of these streams also contain non-native trout species (i.e., Brown and Rainbow

Resource	FSH 1909.12 & Inter-Agency Wild and Scenic River Council recommendations for Eligibility Evaluation Criteria	Draft Carson NF Wild and Scenic River Eligibility Evaluation Criteria
Wildlife	<p>Wildlife values may be judged on the relative merits of either terrestrial or aquatic wildlife populations or habitat, or a combination of these conditions.</p> <p>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, endangered species, or species of conservation concern. Contiguous habitat conditions are such that the biological needs of the species are met.</p> <p>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.</p>	<p>Wildlife values may be judged on the relative merits of either terrestrial or aquatic wildlife populations or habitat, or a combination of these conditions.</p> <p>Habitat- The river or river corridor provides uniquely diverse or uniquely high quality habitat for wildlife of national or regional significance (e.g. federal or state listed or candidate threatened or endangered species or species of conservation concern), particularly where such habitats meet the year-round or important seasonal biological needs of the species.</p> <p>Populations. The river or river corridor contains nationally or regionally important metapopulations necessary for providing diversity, resiliency, or redundancy. Consider the following species:</p> <ul style="list-style-type: none"> ▪ At risk riparian-dependent species ▪ Other indigenous wildlife species, particularly federal or state listed or candidate threatened or endangered species, or species of conservation concern.
Historical	<p>The river, or area within the river corridor, contains important evidence of occupation or use by humans. Sites may have national or regional importance for interpreting history or prehistory.</p> <p>History. Site(s) or feature(s) associated with a significant event, an important person, or a cultural activity of the past that was rare or one-of-a-kind in the region. A historic site or feature, in most cases, is 50 years old or older.</p> <p>Pre-history. Sites may have unique or rare characteristics or exemplary human interest value; represent an area where a culture or cultural period was first identified and described; may have been used concurrently by two or more cultural groups, or may have been used for rare sacred purposes.</p>	<p>The river, or area within the river corridor, contains important evidence of historic or pre-historic occupation or use by humans. Sites may have regional or national importance for interpreting history or prehistory and are exemplary or unusually intact. Many such sites are listed on the National Register of Historic Places.</p> <p>History. Site(s) or feature(s) 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. Historic sites or features date to AD 1539 or later, and in most cases, are 50 years old or older.</p> <p>Prehistory. Site(s) or feature(s) associated with 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 dating prior to contact with European cultures (AD 1539).</p>
Cultural	<p>Cultural values are combined with historical values in the recommended criteria.</p>	<p>As opposed to historical values, cultural values have current, ongoing religious, spiritual, or community importance, including traditional uses. Outstandingly remarkable cultural values in this context are those that are widely held in the local area, are uniquely tied to a particular river, and depend on the river's free-flowing, unaltered condition.</p>

Trout) that interbreed and compete with RGCT. On the Carson, RGCT populations are only considered an ORV where non-native species are not present, a full barrier is in place, and RGCT genetics are unaltered (no more than 10% introgression) or are suspected to be unaltered according to NM State Department of Game & Fish data.

Resource	FSH 1909.12 & Inter-Agency Wild and Scenic River Council recommendations for Eligibility Evaluation Criteria	Draft Carson NF Wild and Scenic River Eligibility Evaluation Criteria
Other Similar Values	-	<p>Botanical The river or river corridor contains nationally or regionally important botanical metapopulations as defined necessary for providing diversity, resiliency, or redundancy. Consider the following species:</p> <ul style="list-style-type: none"> ▪ At risk riparian-dependent species ▪ Other indigenous botanical species, particularly federal or state listed or candidate threatened or endangered species or species of conservation concern.

Classification of Eligible Rivers

Wild and Scenic Rivers are classified as either wild, scenic, or recreational. (WSRA sec. 2(b)) River segments may have differing classifications when levels of human use and activity create different degrees of development given that each segment is of sufficient length to warrant unique management. The preliminary classification of eligible rivers is based on the existing level of development in the river and surrounding area.

Each river found to be eligible must be assigned a preliminary classification. The preliminary classification of a river found to be eligible is based on the condition of the river and the development level of adjacent lands as they exist at the time of the study. (USDA FS 2012, sec. 82.73)

Wild and scenic rivers are free of impoundments. Roads are absent in wild river corridors, rare in scenic river corridors, and acceptable in recreational river corridors. Wild rivers have a primitive character. Scenic rivers are undeveloped. Recreational rivers may have some development. Water quality in wild rivers must be high, but may be poor under the other two classifications.

The intent of the Act, to protect a river’s free-flowing condition and protect and enhance the river’s ORVs, applies equally to all Wild and Scenic Rivers regardless of classification. Management of an eligible river must maintain the river’s classification as evaluated, unless a suitability study recommends management at a less restrictive classification. Otherwise, all eligible rivers are managed with the same intent, regardless of classification.

Table 1. Criteria for wild, scenic, and recreational classifications

Attribute	Wild	Scenic	Recreational
Water Resource Development	Free of impoundment.	Free of impoundment.	Some existing impoundment or diversion. The existence of low dams, diversions, or other modifications of the waterway is acceptable, provided the waterway remains generally natural and riverine in appearance.

Attribute	Wild	Scenic	Recreational
Shoreline Development	<p>Essentially primitive. Little or no evidence of human activity.</p> <p>The presence of a few inconspicuous structures, particularly those of historic or cultural value, is acceptable.</p> <p>A limited amount of domestic livestock grazing or hay production is acceptable.</p> <p>Little or no evidence of past timber harvest. No ongoing timber harvest.</p>	<p>Largely primitive and undeveloped. No substantial evidence of human activity.</p> <p>The presence of small communities or dispersed dwellings or farm structures is acceptable.</p> <p>The presence of grazing, hay production, or row crops is acceptable.</p> <p>Evidence of past or ongoing timber harvest is acceptable, provided the forest appears natural from the riverbank.</p>	<p>Some development. Substantial evidence of human activity.</p> <p>The presence of extensive residential development and a few commercial structures is acceptable.</p> <p>Lands may have been developed for the full range of agricultural and forestry uses.</p> <p>May show evidence of past and ongoing timber harvest.</p>
Accessibility	<p>Generally inaccessible except by trail.</p> <p>No roads, railroads, or other provision for vehicular travel within the river area. A few existing roads leading to the boundary of the area are acceptable.</p>	<p>Accessible in places by road.</p> <p>Roads may occasionally reach or bridge the river. The existence of short stretches of conspicuous or longer stretches of inconspicuous roads or railroads is acceptable.</p>	<p>Readily accessible by road or railroad.</p> <p>The existence of parallel roads or railroads on one or both banks as well as bridge crossings and other river access points is acceptable.</p>
Water Quality	<p>Meets, or exceeds criteria, or federally approved State standards for aesthetics, for propagation of fish, and wildlife normally adapted to the habitat of the river, and for primary contact recreation (swimming) except where exceeded by natural conditions.</p>	<p>No criteria are prescribed by the Wild and Scenic Rivers Act. The Federal Water Pollution Control Act Amendments of 1972 have made it a national goal that all waters of the United States are made fishable and swimmable. Therefore, rivers will not be precluded from scenic or recreational classification because of poor water quality at the time of their study, provided a water quality improvement plan exists, or is being developed in compliance with applicable Federal and State laws.</p>	<p>No criteria are prescribed by the Wild and Scenic Rivers Act. The Federal Water Pollution Control Act Amendments of 1972 have made it a national goal that all waters of the United States are made fishable and swimmable. Therefore, rivers will not be precluded from scenic or recreational classification because of poor water quality at the time of their study, provided a water quality improvement plan exists, or is being developed in compliance with applicable Federal and State laws.</p>

Interim Management of Eligible Rivers

Certain protections are applied to eligible rivers until a decision is made on the future use of the river and adjacent lands through an Act of Congress or a change in eligibility or suitability status from a future study. (USDA FS 2012, sec. 84.3)

The Responsible Official may authorize site-specific projects and activities on National Forest System lands within eligible or suitable river corridors only where the project and activities are consistent with all of the following:

1. The free-flowing character of the identified river is not adversely modified by the construction or development of stream impoundments, diversions, or other water resources projects.
2. Outstandingly remarkable values of the identified river area are protected.
3. For all Forest Service-identified study rivers, classification of an eligible river must be maintained as inventoried unless a suitability study is completed that recommends management at a less restrictive classification (such as from wild to scenic or scenic to recreational). (USDA FS 2012, sec. 84.2)

Forest plan components must be developed to protect the values for which a river is eligible or suitable. Plan components developed for various resource sections of the plan may provide for outcomes consistent with these required protections. Collectively, plan components must ensure that projects and activities are consistent with the following interim protection measures:

1. **Water Resources Projects.** A water resources projects is defined in 36 Code of Federal Regulations (CFR) part 297 as the construction or development of water supply dams, diversions, flood control works, and other water resources projects that affect the river's free-flowing characteristics.

Wild, Scenic, and Recreational Rivers. For Forest Service-identified (sec. 5(d)(1)) eligible or suitable rivers, water resources projects proposed on these segments are not subject to section 7(b) of the Act; however, these projects shall be analyzed as to their effect on a river's free-flow, water quality, and outstandingly remarkable values, with adverse effects to be prevented to the extent of existing agency authorities (such as special-use authority).

2. **Hydroelectric Power Facilities.**

Wild, Scenic, and Recreational Rivers. Forest Service-identified eligible rivers are to be protected pending a suitability determination. Forest Service-identified suitable rivers are to be protected for their free-flowing condition, water quality, and outstandingly remarkable values pending a designation by Congress.

3. **Minerals.**

- a. Wild Rivers.

1. **Locatable Minerals.** Existing or new mining activity on a Forest Service-identified eligible or suitable river are subject to regulations in 36 CFR part 228 and must be conducted in a manner that minimizes surface disturbance, sedimentation, pollution, and visual impairment.
2. **Leasable Minerals.** For all eligible or suitable rivers, leases, licenses, and permits under mineral leasing laws must include conditions necessary to protect the values of the river corridor that make it eligible or suitable for inclusion in the National System.

3. Saleable Minerals. For all eligible or suitable rivers, disposal of saleable mineral material is prohibited.
- b. Scenic and Recreational Rivers.
1. Locatable Minerals. Existing or new mining activity on a Forest Service-identified eligible or suitable river are subject to regulations in 36 CFR part 228 and must be conducted in a manner that minimizes surface disturbance, sedimentation, pollution, and visual impairment.
 2. Leasable Minerals. For all eligible or suitable rivers, leases, licenses, and permits under mineral leasing laws must include conditions necessary to protect the values of the river corridor that make it eligible or suitable for inclusion in the National System.
 3. Saleable Minerals. For all eligible or suitable rivers, saleable mineral material disposal is allowed if the values for which the river may be included in the National System are protected.

4. Transportation System.

- a. Wild Rivers. Roads and railroads are generally not compatible with a wild river classification. Prevent actions related to the road system that would preclude protection of the river as wild. Do not plan roads outside of the corridor that would adversely affect the wild classification. New trail construction should generally be designed for non-motorized uses. However, limited motorized uses that are compatible with identified values and unobtrusive trail bridges may be allowed. New airfields may not be developed.
- b. Scenic Rivers. New roads and railroads are permitted to parallel the river for short segments or bridge the river if such construction fully protects river values (including the river's free-flowing character). Bridge crossings and river access are allowed. New trail construction or airfields must be compatible with and fully protect identified values.
- c. Recreational Rivers. New roads and railroads are permitted to parallel the river if such construction fully protects river values (including the river's free-flowing character). Bridge crossings and river access are allowed. New trail construction or airfields must be compatible with and fully protect identified values.

5. Utility Proposals.

Wild, Scenic, and Recreational Rivers. New transmission lines such as gas lines, water lines, and similar linear facilities are not compatible and are discouraged. Where no reasonable alternative exists, additional or new facilities should be restricted to existing rights-of-way. Where new rights-of-way would be necessary for a utility line, the proposed project must be evaluated as to its effect on the river's outstandingly remarkable values and classification. Any portion of a utility proposal that has the potential to affect the river's free-flowing character must be evaluated as a water resources project.

6. Recreation Development.

- a. Wild Rivers. As stated in the USDA-USDI Guidelines, major public-use areas such as large campgrounds, interpretive centers, or administrative headquarters must be located

- outside the river corridor. Minimum facilities, such as toilets and refuse containers, may be provided if necessary to protect and enhance water quality and other identified river values, while also providing for public recreation uses that do not adversely impact or degrade those values. All facilities must be located and designed to harmonize with the primitive character, natural, and cultural settings of the river corridor. The facilities must protect identified river values including water quality and be screened from view from the river to the extent possible.
- b. **Scenic Rivers.** Public-use facilities such as moderate-size campgrounds, simple sanitation and convenience facilities, public information centers, administrative sites, or river access developments, and so forth are allowed within the river corridor. All facilities must be located and designed to harmonize with their natural and cultural settings, protect identified river values including water quality, and be screened from view from the river to the extent possible.
 - c. **Recreational Rivers.** Recreation, administrative, and river access facilities may be located in close proximity to the river. However, recreational classification does not require extensive recreation development. All facilities must be located and designed to harmonize with their natural and cultural settings, protect identified river values including water quality, and be screened from view from the river to the extent possible.

7. Motorized Travel.

- a. **Wild Rivers.** Motorized travel on land or water may be permitted, but is generally not compatible with this classification. Where motorized travel options are deemed to be necessary, such uses should be carefully defined and impacts mitigated.
- b. **Scenic and Recreational Rivers.** Motorized travel on land or water may be permitted, prohibited, or restricted to protect the river values.

8. Wildlife and Fish Projects.

- c. **Wild Rivers.** Construction of minor structures and vegetation management to protect and enhance wildlife and fish habitat should harmonize with the area's essentially primitive character and fully protect identified river values. Any portion of a proposed wildlife or fisheries restoration or enhancement project that has the potential to affect the river's free-flowing character must be evaluated as a water resources project.
- d. **Scenic Rivers.** Construction of structures and vegetation management designed to protect and enhance wildlife and fish habitat should harmonize with the area's largely undeveloped character and fully protect identified river values. Any portion of a wildlife or fisheries restoration or enhancement project that has the potential to affect the free-flowing character must be evaluated as a water resources project.
- e. **Recreational Rivers.** Construction of structures and vegetation management to protect and enhance wildlife and fish habitat should fully protect identified river values. Any portion of a wildlife or fisheries restoration or enhancement project that has the potential to affect the river's free-flowing character must be evaluated as a water resources project.

9. Vegetation Management.

- f. **Wild Rivers.** Cutting of trees and other vegetation is not permitted except when needed in association with a primitive recreation experience, to protect users, or to protect

identified outstandingly remarkable values. Examples of such exceptions include activities to maintain trails or suppress wildfires. Prescribed fire and wildfires managed to meet resource objectives may be used to restore or maintain habitat for threatened, endangered, or sensitive species or restore the natural range of variability.

- g. Scenic and Recreational Rivers. A range of vegetation management and timber harvest practices are allowed, if these practices are designed to protect users, or protect, restore, or enhance the river environment, including the long-term scenic character.

10. Domestic Livestock Grazing.

- h. Wild Rivers. Domestic livestock grazing should be managed to protect identified river values. Existing structures may be maintained. New facilities may be developed to facilitate livestock management so long as they maintain the values for which a river was found eligible or suitable, including the area's essentially primitive character.
- i. Scenic Rivers. Domestic livestock grazing should be managed to protect identified river values. Existing structures may be maintained. New facilities may be developed to facilitate livestock management so long as they maintain the values for which a river was found eligible or suitable, including the area's largely undeveloped character.
- j. Recreational Rivers. Domestic livestock grazing should be managed to protect identified river values. Existing structures may be maintained. New facilities may be developed to facilitate livestock management so long as they maintain the values for which a river was found eligible or suitable. (USDA FS 2012, sec. 84.3)

Evaluating Suitability of Eligible Rivers

A suitability study provides the basis for determining which eligible rivers or river segments should be recommended to Congress as potential additions to the National System. Any eligible river may be studied for its suitability for inclusion in the National System at any time. If a proposed project has the potential to adversely affect the free-flow or outstandingly remarkable values of any river that has previously been determined to be eligible, the Responsible Official should study the suitability of that river for inclusion in the National System before approving the project. If the river is found suitable, then the proposed project must maintain free-flow and protect the outstandingly remarkable values.

Suitability studies address these questions:

1. Should the river's free-flowing character, water quality, and outstandingly remarkable values be protected, or are one or more other uses important enough to warrant doing otherwise?
2. Will the river's free-flowing character, water quality, and outstandingly remarkable values be protected through designation?
3. Will the benefits of designation exceed the benefits of non-designation?
4. Is designation the best method for protecting the river corridor?
5. Is there a demonstrated commitment to protect the river by any non-Federal entities that may be partially responsible for implementing protective management? (USDA FS 2012, sec. 83.2)

References

IWSRCC (Interagency Wild and Scenic Rivers Coordinating Council). 1998. An Introduction to Wild and Scenic Rivers. Technical Report. www.rivers.gov/documents/wsr-primer.pdf

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