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What are Wild and Scenic Rivers? *Questions & Answers*

What is the purpose of the Wild and Scenic Rivers Act?

Enacted in 1968, the Act provides a national policy and program to preserve and protect selected rivers, or segments of rivers, in their free-flowing condition in the National System.

Section

1(b) of the Act states:

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.

Why was the Wild and Scenic Rivers Act passed?

Due to the dams, diversions and water resource development projects which occurred from the 1930's to the 1960's, the need for a national system of river protection was recognized by conservationists (notably Frank and John Craighead), congressional representatives such as Frank Church, and federal agencies. The Act concluded that selected rivers be preserved in a free-flowing condition and be protected for the benefit and enjoyment of present and future generations.

What qualifies a river for inclusion in the national system?

To be eligible for designation, a river must be free-flowing and contain at least one "outstandingly remarkable value," i.e., scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar value.

Can a river be considered free-flowing when the flow is dependent on releases from a dam?

Yes. Congress and the Secretary of the Interior have designated many river segments that are above or below dams.

How many miles of river have been protected under the national system?

As of 2008, the 40th anniversary of the Act, the National System protects more than 11,000 miles of 166 rivers in 38 states and the Commonwealth of Puerto Rico; this is a little more than one-quarter of one percent of the nation's rivers. By contrast, approximately 600,000 miles of once free-flowing rivers (approximately 17% of the America's rivers) have been altered by 60,000 dams.

What are the primary effects of WSR designation?

WSR designation seeks to maintain and enhance a river's current natural condition and provide for public use consistent with retaining those values. Designation affords certain legal protection from adverse development, e.g., no new dams can be constructed, nor

federally assisted water resource development projects allowed, which might adversely affect designated river values. Where private lands are involved, the federal managing agency will work with local governments and owners to develop protective measures, thereby avoiding land acquisition where possible.

How are rivers designated?

There are two ways rivers are designated into the National System:

- *By Act of Congress.* Rivers designated by Congress are listed in Section 3(a) of the Act.
- *By the Secretary of the Interior.* The Secretary may designate a river; however, it must first be designated into a valid state river protective system by or pursuant to state law(s), and the appropriate governor(s) must apply.

Is there a way for the public to be involved in WSR study and management planning?

Yes. Under Section 5(a) of the Act, the public is involved in the study of rivers authorized by Congress. The report associated with a congressionally authorized study will address subjects such as: current status of land ownership and use in the area; reasonably foreseeable potential uses of land and water which would be affected by designation; the appropriate federal agency to administer the river if designated; and the ability of, and estimated costs to, state and local agencies to participate in the administration of such rivers. The public and state, local and tribal governments are also essential participants in developing an acceptable plan that both protects and enhances the values for which the river was added to the National System.

Why should one support WSR designation?

To protect and enhance the values for which a river may be designated. Many free-flowing rivers have been degraded, compromised by development, or require substantial restoration. The intent of the Act is to help focus management efforts to protect selected rivers and their associated values.

How many rivers are eligible for WSR designation?

Through the various federal agencies' land management planning processes, and initiatives by the public, a significant number of rivers have been identified for study as potential additions to the National System. For example, the Nationwide Rivers Inventory (NRI), maintained by the National Park Service, has identified over 2,600 river segments as potential candidates for study and/or inclusion into the National System.

Can intermittent rivers be considered eligible?

Yes. For purposes of eligibility evaluation, the volume of flow is sufficient if it is enough to sustain or complement the ORVs identified within the segment. The river segment does not have to be "floatable or boatable" to be considered.



GET INVOLVED!

For information on AWC's work on Fossil Creek's Wild & Scenic Comprehensive River Management Plan and our proposal to designate the Upper Verde as a Wild & Scenic River, please contact:

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