
APPENDIX E. WILD AND SCENIC RIVERS

Background

Wild and Scenic Rivers Act

Congress enacted the Wild and Scenic Rivers Act (WSRA) in 1968 to preserve select rivers' free-flowing condition, water quality and outstandingly remarkable values. The most important provision of the WSRA is protecting rivers from the harmful effects of water resources projects. The WSRA also directs that each river in the National Wild and Scenic Rivers System (National System) be administered in a manner to protect and enhance a river's outstanding natural and cultural values. It allows existing uses of a river to continue and future uses to be considered, so long as existing or proposed use does not conflict with protecting river values. The WSRA also directs building partnerships among landowners, river users, tribal nations, and all levels of government.

Beyond the immediate protection afforded to the eight rivers in the enabling legislation, the WSRA established a process for building a legacy of protected rivers. Rivers may be identified for study by an act of Congress under Section 5(a), or through federal agency-initiated study under Section 5(d)(1). By the end of 2002, Congress had authorized 138 rivers for study. Section 5(d)(1) directs federal agencies to consider the potential of WSRs in their planning processes, and its application has resulted in numerous individual river designations, and state and area-specific legislation.

Both Sections 5(a) and 5(d)(1) studies require determinations to be made regarding a river's eligibility, classification, and suitability. Eligibility and classification represent an inventory of existing conditions. Eligibility is an evaluation of whether a river is free-flowing and possesses one or more outstandingly remarkable values (ORVs). If found eligible, a river is analyzed as to its current level of development (water resources projects, shoreline development, and accessibility) and a recommendation is made that it be placed into one or more of three classes—wild, scenic, or recreational.

The final procedural step, suitability, provides the basis for determining whether to recommend a river as part of the National System

Rivers are added to the National System by act of Congress or by the Secretary of the Interior. Secretarial designation requires that a river be a part of a state river protection system and the state governor to make application to the Secretary. Currently 163 rivers are protected, consisting of over 11,000 total river miles.

Planning History

In 1975, Congress authorized the study of twenty-nine rivers, including 466 miles of the Upper Mississippi River (Public Law 93-621). The Bureau of Outdoor Recreation recommended congressional designation in its study report transmitted to the Congress August 25, 1977. In 1980 the National Park Service released a Draft Conceptual Master Plan for the Upper Mississippi River as a proposed National Wild and Scenic River. Affected counties and legislators were opposed to any federal designations. In response, the Department of the Interior held the NPS Conceptual Plan "in abeyance," providing for State and local control of the Mississippi River corridor.

The Mississippi Headwaters Board Management Plan was implemented and included State legislation to maintain the Board, and therefore to provide management direction for the Upper Mississippi River corridor.

The initial Forest Plan for the Chippewa National Forest (1986) did not address potential wild and scenic rivers. The Superior National Forest did address wild and scenic rivers in their 1986 Forest Plan, although eligibility studies were not completed.

In 1988, in response to an appeal of the 1986 Forest Plans by American Rivers, both the Chippewa and Superior National Forests agreed to complete eligibility studies for the Nationwide Rivers Inventory areas and any other rivers the Forests may identify as potentially eligible, meeting the criteria of the WSRA.

On the Chippewa National Forest, the Bigfork River was determined to be eligible. On the Superior National Forest, six rivers were determined eligible, including: the Brule, Cloquet, Pigeon, St. Louis, Temperance, and Vermilion Rivers. Each of these rivers is currently being managed to protect or enhance those values that made them eligible for the National System. The Mississippi River was not included in the appeal and, therefore, was not further evaluated.

Table E-1 lists the Chippewa and Superior NF eligible rivers and their location, outstandingly remarkable values, and classification on National Forest System land.

River	Location within NF Boundary		Outstandingly Remarkable Values	Classification
	Beginning	End		
Chippewa NF				
Big Fork	T61N, R27W, Section 36	T60N, R25W, Section 1	Scenery, history, wildlife	Scenic
Superior NF				
Brule	T64N, R1W, Section 24	T62N, R3E, Section 6	Scenery, geology	Wild, Scenic, Recreational
Cloquet	T57N, R9W, Section 9	T56N, R12W, Section 25	None	Recreational
Pigeon	T64N, R3E, Section 13	T64N, R4E, Section 35	Scenery, geology, history	Wild
St. Louis	T58N, R12W, Section 22	T58N, R14W, Section 30	None	Recreational
Temperance	T63N, R4W, Section 12	T59N, R4W, Section 31	Scenery, geology	Wild, Scenic, Recreational
Vermilion	T63N, R17W, Section 2	T67N, R17W, Section 22	Scenery, geology, history	Scenic, Recreational
Source: Project files				

2003 Forest Plan Revision

The forest plan revision provided the opportunity to review the 1986 Forest Plans and their Wild and Scenic River Amendments. No changes were proposed in the rivers listed as eligible on the Chippewa NF (Big Fork), and Superior NF (Brule, Cloquet, Pigeon, St. Louis, Temperance, and Vermilion Rivers).

The intent of the 1988 Management Area direction for the seven rivers was incorporated into the format of the revised Forest Plans. The revised Forest Plans' desired conditions, objectives, standards, and guidelines protect the free-flowing condition, outstandingly remarkable values and classification of the seven eligible rivers.

The Upper Mississippi River was previously studied for Wild and Scenic River designation in 1977 and is currently administered by the Upper Mississippi Headwaters Board. In the revised Forest Plan the Upper Mississippi River is allocated to the Unique Biological, Aquatic, Geological, or Historical Area MA. This allocation complements State and local management intent.

The 1986 Forest Plan amendments considered the potential of rivers within the Forests for inclusion in the WSRA. Since that time there has been no significant changes in land ownership or riparian area management to indicate a changed condition necessitating consideration of additional rivers.

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