

# Wild and Scenic River Eligibility Study

During the land management planning process, the agency must review all streams for their potential eligibility for designation in the National Wild and Scenic Rivers System as directed under section 5(d)(1) the National Wild and Scenic Rivers Act of 1968 (PL 90-542:16 USC 1271-1287, as amended).

River and stream segments can be designated as Wild and Scenic Rivers by Congress based on recommendation from the federal land management agency after completing an eligibility study, a suitability study, and decision document. Alternatively, the Secretary of the Interior can designate additions to the National Wild and Scenic Rivers System if supported by an act of legislature by the State(s) that the river flows through and application by the Governor of the State(s).



Figure 1. Photo of St. Joe River. Credit: River.gov, Tim Palmer.

## Steps to support completing this eligibility study

### Step 1: Identify named, free-flowing rivers

We created a preliminary inventory of all named rivers and stream segments shown on USGS 7.5-minute quadrangle map or within the National Hydrological Dataset (GNIS) on the Lolo National

Forest. As information was available, we noted locations of dams, diversions, or past and historic uses that may impact the free-flowing condition of the river. This initial inventory includes 665 rivers and streams to evaluate for eligibility or review changed conditions.

### Step 2: Establish framework to evaluate outstandingly remarkable value criteria

As an interdisciplinary team, we reviewed other evaluation processes used across the region and the minimum criteria established under section 1(b) of the Wild and Scenic Rivers Act. Generally, our preliminary outstandingly remarkable values criteria closely follows the minimum criteria. We included additional language for scenery criteria examples, more explicitly captured consideration of aquatic and semi-aquatic species under wildlife criteria and ensured appropriate terminology regarding Native American cultural resources criteria. Outside of these modifications, we felt the established criteria for each outstandingly remarkable value was general enough to capture the variety of features we may find across the Forest, yet specific enough to ensure a clear understanding of values that fit within that category.

Due to similar ecology, geology, scenery, recreation opportunities, fish and wildlife populations and habitat, and historic and cultural resources, the interdisciplinary team chose to focus our region of comparison within western Montana. This area covers from the Continental Divide to the Idaho-Montana state line. The western Montana region of comparison supports a meaningful evaluation of potential eligibility because 1) it extends beyond the Lolo National Forest boundary where similar values may be present, which will ensure an accurate representation of truly unique, rare, and exemplary river values, and 2) it is regionally appropriate due to ecological and economical contributions to local communities and the state. As rivers and streams are evaluated, documentation for nearby eligible, suitable, and designated Wild and Scenic Rivers can inform the relative importance of ORVs.

### **Step 3: Evaluate Rivers and streams for outstandingly remarkable values**

The interdisciplinary team will evaluate each of the rivers and streams inventoried in Step 1 to determine if they possess at least one outstandingly remarkable value as described in the evaluation framework established in Step 2. The determination that a river area does or does not contain one or more outstandingly remarkable values is a professional judgment on the part of the forest supervisor as informed by the interdisciplinary team, best available scientific information, and public participation.

### **Step 4: Determine potential classification: wild, scenic, and/or recreational**

Each river and stream found to be eligible must be assigned a preliminary classification. The preliminary classification is based on the condition of the river or stream and the development level of adjacent lands as they exist at the time of the study. Section 2(b) of the Wild and Scenic Rivers Act specifies and defines three classification categories for eligible rivers: wild, scenic, and recreational rivers. If the river is designated by Congress, a final classification may be assigned in the legislation or will be assigned during the comprehensive river management planning process required by the Act.

### **Step 5: Document findings and interim protections for eligible rivers and streams**

Location descriptions, maps, potential segment classifications, and narratives of ORVs will be developed for each eligible river and stream. Rivers determined to be eligible must have certain interim protection measures. These protection measures apply until a decision is made on the future use of the river and the adjacent lands through an act of Congress or a determination that the river is not suitable.



Figure 2. Photo of Flathead River. Credit: River.gov, Tim Palmer.

### **What makes a river eligible for potential designation under the Wild and Scenic River System?**

To be eligible for potential inclusion in the National Wild and Scenic Rivers System, a river or stream must be “free-flowing” and have at least one outstandingly remarkable river value.

For the purpose of this eligibility study, free flowing rivers and streams are those that exist or flow in a natural condition without impoundment, diversion, straightening, riprapping, or other modification of the waterway. The existence of low water dams, diversion works, or other minor structure doesn’t bar its consideration, but future construction of these structures is not complimentary to the intentions of the Wild and Scenic River Act.

Outstandingly remarkable values are those significant river-dependent features that are unique, rare, or exemplary on a regional or national scale. These river values owe their existence to the presence of the river, are located in the river or within a quarter mile and contribute substantially to the functioning of the river ecosystem.

Categories of outstandingly remarkable values include recreational, scenic, geological, fisheries and terrestrial wildlife, historical, cultural, and other similar river values.

## Are there currently any designated Wild and Scenic Rivers on the Lolo National Forest?

There are currently no designated National Wild and Scenic Rivers on the Lolo National Forest; however, several river and stream segments were found eligible or suitable in previous studies.

## Are there any eligible and/or suitable Wild and Scenic Rivers on the Lolo National Forest?

A wild and scenic eligibility study was completed in 1991 and integrated into the Lolo National Forest Plan as amendment 12. This study found several rivers eligible for wild classification including:

- Cache Creek, from its confluence with Montana Creek to its headwaters.
- North Fork Blackfoot River, from the main trailhead to its headwaters.
- South Fork Lolo River, from section 12 to its headwaters.
- West Fork Fish Creek, from Clearwater Crossing to its headwaters.

Rivers found eligible for either scenic or recreational classification include:

- Cache Creek, from its confluence with Montana Creek to its mouth.
- Rock Creek, from its mouth to the forest boundary.
- Morrell Creek, from its mouth to its headwaters.
- Rattlesnake Creek, from its headwaters to the forest boundary.
- Clearwater River, from Seeley Lake inlet to its headwaters.
- Clark Fork (Slowey and Cutoff segments), from its junction with the Flathead and Clark Fork Rivers to its confluence with Tamarack Creek and from one mile south of St. Regis Montana, to half-mile east of the Slowey Campground.

## How will the revision process consider previously studied rivers and streams?

Given updated evaluation requirements in 2015, and to ensure consistent consideration and documentation, this study will review rivers and streams found ineligible in the previous evaluation. Eligible rivers from past studies will be reviewed to confirm no change of circumstances for their eligibility and preliminary classifications since their evaluation.

## What does management along rivers and streams found eligible look like in the future under the revision land management plan?

Site-specific projects and activities on National Forest System lands within eligible corridors may be authorized only where the project and activities are consistent with the following:

- 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.
- Outstandingly remarkable values of the identified river are protected.
- Classification of an eligible river or stream on National Forest System lands must be maintained as inventoried (eligible) unless a suitability study is completed that recommends management other than the preliminary classification.
- Agency identified study river protection continues unless a river is determined not suitable for designation.