



**Transition Recommendations Summary for Department of Interior and Department of Agriculture
Wild and Scenic Rivers
January 4, 2021**

The Wild and Scenic Rivers Coalition appreciates the opportunity to share priorities with the Biden-Harris transition team. The Wild and Scenic Rivers Coalition (Coalition hereinafter) represents numerous local, state, and national organizations from across the country that support Wild and Scenic River protection and stewardship. Formed during the planning for the 2018 50th anniversary of the Wild and Scenic Rivers Act, the Coalition is building greater capacity for effective river advocacy, protecting and defending existing and potential Wild and Scenic Rivers, and broadening the movement for their conservation by raising awareness about their value. Together, river organizations, large and small, represent a more effective and powerful voice for the conservation of free-flowing, healthy rivers nationwide.

The National Wild and Scenic Rivers System protects certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. These rivers are bestowed with the highest level of conservation protection available by law for America's waterways. As of March 2019, the system protects 13,413 miles of 226 rivers in 41 states and the Commonwealth of Puerto Rico (see rivers.gov for more information). The Department of the Interior through the Bureau of Land Management, Fish and Wildlife Service, and National Park Service manages 62% of Wild and Scenic Rivers, while the Department of Agriculture's Forest Service manages the remaining 38%.

We urge the new administration's transition team, during its first months, to consider the following important requests to improve stewardship of the National Wild and Scenic River System created by the Wild and Scenic Rivers Act of 1968. In the following pages, we also outline longer-term focal points for the new administration.

During the first 100 days, we request:

- An Executive Order calling for protection of rivers and riverside lands by doubling the size of the National Wild and Scenic Rivers System as a part of protecting 30% of Earth's natural areas by 2030 (30 x 30) and as a climate resilience strategy.
 - Early progress can be made on this goal by working with relevant members of Congress interested in designating federal Wild and Scenic Rivers and conducting feasibility studies for rivers under the National Park Service's Partnership Rivers Program.
- An Executive Order that directs each federal agency, as part of its normal planning and environmental review processes, to emphasize the importance of identifying rivers with Wild and Scenic potential and to avoid or mitigate adverse effects on rivers identified as eligible for Wild and Scenic River designation under land management plans or the Nationwide Rivers Inventory, until Congress has acted on their consideration.
- Support an allocation of Land and Water Conservation Fund resources to support stewardship of designated Wild and Scenic Rivers as envisioned under section 11 of the Wild and Scenic Rivers Act.
- Support direction of Great American Outdoors Act funds for maintenance, infrastructure, and water quality improvements along existing Wild and Scenic Rivers that support vibrant local outdoor recreation economies.

As longer-term stewardship focal points for the new administration, we request:

- Mitigating increasing river recreation impacts through agency management
- Ensuring justice, equity, diversity and inclusion in river conservation, recreation, and management
- Adapting to climate change for resilient riverine ecosystems
- Improving water quality on Wild and Scenic Rivers
- Creating consistency within Wild and Scenic River eligibility inventories
- Separating suitability from planning processes
- Promulgating regulations
- Providing budget capacity and achieving transparency

The Coalition looks forward to continued dialogue and partnership with the transition team and federal agencies to forge creative solutions to the issues and interests we have outlined. Finally, we extend an invitation for members of the Biden-Harris Administration to participate in the annual **Wild and Scenic Rivers Hill Week--an opportunity, held virtually this year March 8-12, 2021**, to engage with Coalition members on these and other topics. Please contact [Lisa Ronald](#), Wild and Scenic Rivers Coalition Coordinator, with questions and to schedule a followup conversation.

Sincerely,

Lisa Ronald, Coordinator
On behalf of the Wild and Scenic Rivers Coalition

Members include:

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Detailed Recommendations for Department of Interior and Department of Agriculture Wild and Scenic Rivers

In addition to shorter-term recommendations outlined in the summary above, this document includes information, suggestions, and recommendations regarding river management challenges and highlights rivers ripe for future designations. We provide these as suggested focal points in the new administration's consideration of the nation's rivers.

River Management Suggestions

Mitigating Increasing River Recreation Impacts through Agency Management

In 2020, across our public lands recreation increased and there is no indication that the increased use will subside following the COVID-19 pandemic. Increased river recreation impacts include the sheer quantity and improper disposal of human waste in river corridors and the inordinate wildfires of 2020. Both the degradation of water quality due to wildfires and increased non-compliance with fire bans in river corridors are of significant concern to the river community. As we grapple with possible courses of action, we strongly encourage the agencies to resist simply adopting use restrictions as an initial solution. We instead stress the need for increased "Leave No Trace" education at river recreation sites that uses more accessible common language. If/when use capacity limits are warranted, we see a need for increased consistency in how user capacity is defined in agency planning.

Ensuring Justice, Equity, Diversity and Inclusion (JEDI) in River Conservation, Recreation, and Management

Throughout the country, organizations and agencies are looking for ways to honestly include JEDI in all aspects of organizational culture and function. We look forward to having input into conversations and collaborative actions that will apply diversity measures broadly throughout the river conservation, management, and recreation sectors.

Adapting to Climate Change for Resilient Riverine Ecosystems

As the IUCN World Conservation Congress did in 2020 with a motion (#009) to protect rivers and their associated ecosystems as corridors in a changing climate, we encourage the new administration to employ the Wild and Scenic Rivers Act as a climate adaptation and resilience policy. Some climate change impacts already apparent on the nation's rivers include flooding and increased erosion, habitat and property loss, drought, and invasive species that threaten native species. Through Wild and Scenic designation, a river's Outstandingly Remarkable Values (i.e. ecosystem services) are set to be protected and enhanced in perpetuity. Due to the policy's ability to adapt to new conservation priorities over time, Outstandingly Remarkable Values can include connectivity for fish and wildlife migration corridors, climate refugia for cold water fisheries, and natural infrastructure for flood and drought mitigation. Further, we note that many Comprehensive River Management Plans have not been revised since their initial development (some older than 40 years). Whether old or new, all Comprehensive River Management Plans need to be updated to include adaptive management strategies that account for current and projected climate change impacts on

the river, adjacent lands, and the ecosystem services these riverine ecosystems provide. There is a clear opportunity for these Comprehensive River Management Plans to articulate management strategies that engender ecosystem service resilience. To that end, we recommend that the Interagency Wild and Scenic Rivers Coordinating Council, along with the federal land management agencies responsible for stewarding and growing our national river conservation system, receive funding to support the research as well as the Comprehensive River Management Plan development and implementation necessary to address this critical need.

Improving Water Quality on Wild and Scenic Rivers

The Wild and Scenic Rivers Act requires each administering agency to coordinate with the Environmental Protection Agency and with state pollution control agencies to reduce and eliminate pollution on designated rivers. However, because the Wild and Scenic Rivers Act pre-dated the Clean Water Act, there is no direct incorporation of Wild and Scenic Rivers with federal and state water quality policies. The Interagency Wild and Scenic Rivers Coordinating Council conducted a report that indicated “Of the assessed Wild and Scenic Rivers and assessed rivers nationwide, 71% were found to be impaired compared to 53% impaired nationwide.” Further, non-point source pollution impacts about 44% of designated Wild and Scenic Rivers and nearly 1/3 are lacking water quality assessment. Impairments in descending order include: temperature changes, mercury, metals, sediment, PCBs, and pathogens. Many impairments can impact recreational usages, such as fish consumption, primary contact recreation (e.g. swimming), and secondary contact recreation (e.g. rafting), and can complicate river management that includes promotion of recreational usage. Sadly, many impairments occurred following Wild and Scenic River designation, indicating a failure of federal and state agencies to effectively coordinate to reduce and eliminate pollution on designated segments. Against that backdrop, we request that: 1) the Environmental Protection Agency provide guidance and conduct outreach to the states on using the Outstanding National Resource Water standard to protect Wild and Scenic Rivers from degradation (as has been done in at least 25 states), and that 2) for states with delegated Clean Water Act authority, the Environmental Protection Agency request each state to designate a coordinator for water quality planning and permitting on Wild and Scenic Rivers to enable coordination between federal and state agencies in fulfillment of Section 12(c) of the Wild and Scenic Rivers Act.

Creating Consistency within Wild and Scenic River Eligibility Inventories

The Nationwide Rivers Inventory was mandated in 1973 under the Wild and Scenic Rivers Act. This inventory of rivers with Wild and Scenic characteristics represent a key mechanism by which rivers yet to be designated retain their free-flowing character and the integrity of the Outstandingly Remarkable Values of regional and national significance for which they were found eligible. While the last official inventory was updated in 1993, subsequent inventories conducted by federal agencies during resource management plan updates have compiled lists of hundreds of eligible streams. However, there is a need for increased consistency in intra- and inter-agency Wild and Scenic eligibility inventory standards as they currently vary greatly by agency and unit, and their results are not compiled in a single location. We ask that the land management agencies be required to update a centralized, publicly available National Rivers Inventory after each eligibility inventory is completed. Access to these data will ensure that federal and state agencies can comply with Section 7 of the Wild and Scenic Rivers Act in their actions related to river resource management and/or development.

Separating Suitability from Planning Processes

The 2012 Planning Rule directs National Forests to identify eligible rivers and protect them for possible future inclusion in the Wild and Scenic River System. But the rule does not direct planners to conduct “suitability” analyses, nor does it allow rivers to be removed from eligibility through such analyses. Agency directives that suggest conducting suitability determinations during planning conflict with the superseding 2012 Planning Rule. We request that the Forest Service amends directives to conform with the requirements of the 2012 Planning Rule.

Promulgating Regulations

The National Park Service drafted Director's Order #46 to regularize the implementation and management of the Wild and Scenic Rivers it manages, including the equity of Partnership Wild and Scenic Rivers with National Park Service Units. However, the Order is an internal memorandum that can be changed by each Administration. Moreover, while helpful to provide guidance, it ultimately lacks the legal standing of a rule compliant with the Administrative Procedures Act. Further, uneven administration of the Wild and Scenic Rivers Act can result in differing bases for management decisions, making agency decisions vulnerable to legal challenge due to inconsistencies. We request that the administration review Director's Order #46 and consider formalizing it with the promulgation of a regulation for the National Park Service, and consider similar rule promulgations (or a comprehensive regulation) for all federal agencies managing Wild and Scenic Rivers.

Providing Budget Capacity and Achieving Transparency

The management of most Wild and Scenic Rivers is incorporated into the administration of federal entities such as National Park Service Units, National Forests, National Wildlife Refuges, and Bureau of Land Management National Conservation Lands. Front line river managers tell us they wear many hats and work on a shoe-string budget, and that even at their individual unit, forest, or refuge level, they lack clarity on the budgetary resources available for Wild and Scenic River management. Moreover, the number of staff dedicated to Wild and Scenic Rivers at all levels (especially the field level) has declined dramatically over the past 20 years, and according to a Forest Service analysis, $\frac{2}{3}$ of primary river managers spend 25% or less of their time focused on responsibilities related to river management. Especially at the field level, rivers continue to be lumped with trails, wilderness, recreation, and other directorates and are increasingly a collateral duty--to the detriment of all these public lands and uses. This lack of capacity places the responsibility for the protection of resources with varying and disparate legal mandates on fewer people, without sufficient expertise, training, and time to adequately manage them all. In general, one river manager for every two rivers represents an adequate staffing level. In the context of planning specifically, a planning team requires the commitment of time and expertise not just from those tasked with river management responsibilities, but also from hydrologists, biologists, recreation staff, and others on a given unit. The lack of capacity within these necessary river-related but ancillary disciplines is often the reason for plan completion delays.

For example, in early 2019, Congress passed the John D. Dingell, Jr. Conservation, Management, and Recreation Act that included nearly 620 miles of new Wild and Scenic Rivers in seven states demonstrating the broad support for permanent river protection from local communities. This was a fitting move at the culmination of the 50th anniversary of the Wild and Scenic Rivers Act, yet creates new responsibilities for managing agencies. Each of these nationally-significant rivers will require the implementation of a Comprehensive River Management Plan to guide its management and conservation, along with seven other rivers designated in 2009 and Montana's East Rosebud Wild and Scenic River designated in 2018 that all still lack Comprehensive River Management Plans.

The upcoming planning processes, especially across Forest Service and Bureau of Land Management planning areas, offer an opportunity for agencies to comply with planning requirements, but adequate resources, staff, and rivers training must be provided.

The areas of largest need to meet statutory and administrative requirements are:

- Increased field presence to assure management of designated and eligible rivers consistent with the Wild and Scenic Rivers Act
- Increased field presence to assure proper Resource Management Planning as required by the Wild and Scenic Rivers Act and under planning guidelines
- Wild and Scenic Rivers management and planning training for agency staff
- Development of active public-private partnerships for Wild and Scenic Rivers
- Increased scientific field-level data collection capacity to inform decision-making and ensure statutory compliance
- Support for participation in the federal Interagency Wild and Scenic Rivers Coordinating Council

We request that this administration ensure the appropriation of adequate funds (including a full funding request for FY22 for Partnership Wild and Scenic Rivers administered by the National Park Service at \$3.925 million), staffing, and training for staff to meet each agency's obligations for river management. The agencies' responsibilities under the Wild and Scenic Rivers Act are numerous including:

- Meeting statutory conservation requirements despite a lack of staff training at the Regional, Forest, District, National Park or Refuge levels
- Meeting planning requirements for rivers including a detailed description of Outstandingly Remarkable Values, establishing classification and boundaries, and preparing a Comprehensive River management Plan
- Actively managing each Wild and Scenic Rivers or National Rivers Inventory river reach including conducting Wild and Scenic Rivers Act Section 7 reviews; monitoring, protecting, and enhancing Outstandingly Remarkable Values including water quality, fish and wildlife; managing recreation; and working with cooperating agencies and partners
- Conducting thorough river eligibility studies during resource plan revision processes
- Maintaining partnerships with local and national organizations on management and public involvement
- Working on and collaborating with the Interagency Wild and Scenic Rivers Coordinating Council
- Working with leadership from Washington offices
- Protecting and enhancing water quality

Additionally, as advocates of Wild and Scenic Rivers, we are frequently frustrated that federal Administration Budget Appendices do not indicate the budget or account in which Wild and Scenic Rivers management is included, nor do these budgets explicitly mention Wild and Scenic Rivers. We note that some agencies, like the National Park Service, do provide partial information - for Partnership Wild and Scenic Rivers that receive funds directly appropriated by Congress but not for federally-managed rivers - in their Green Book. We request that for each federal agency managing Wild and Scenic Rivers (i.e. Bureau of Land Management, Fish and Wildlife Service, Forest Service, National Park Service), the Office of Management and Budget include in the agency's budget narrative the language "including Wild and Scenic River management" in the proper category. Such language would improve transparency to enable advocates and Congress to understand what agency budgets are explicitly for the stewardship and expansion of the nation's river conservation system. We look forward to a dialogue on how best to achieve this critical, procedural element of providing adequate funding and staffing for Wild and Scenic Rivers.

Future Wild and Scenic River Designations

Lastly, the Coalition is working with Congressional members to secure designation for additional rivers that we hope to see protected under this administration's tenure. These bills include:

Washington

- **Wild Olympics Wilderness and Wild and Scenic Rivers Act** - Washington state's Olympic Peninsula includes free-flowing rivers that babble through ancient forests. Such stunning scenery not only provides world-class recreational opportunities for whitewater boaters and hikers, it protects critical salmon and steelhead habitat and safeguards clean drinking water sources. With a history of more than ten years of grassroots support, this bill designates 19 new Wild and Scenic rivers, plus their tributaries, and more than 125,000 acres of Wilderness.

Oregon

- **Oregon Recreation Enhancement Act.** This bill boosts river and outdoor recreation opportunities in Southwestern Oregon through recreation and wilderness designations that allow current forest management, promote forest health, and increase wildfire resiliency. It establishes two recreation areas on the banks of the Molalla and Rogue Rivers, adjacent to existing wilderness areas, expands the Wild Rogue Wilderness by 60,000 acres, and permanently prevents mining on more

than 100,000 acres of Forest Service located at the headwaters of several National Wild and Scenic Rivers near the Kalmiopsis Wilderness.

- **Malheur Community Empowerment for the Owyhee Act.** Southeastern Oregon's remote high desert Owyhee Canyonlands remain a stronghold for the Greater sage-grouse, protect more than 500 known archeological sites, and are home to living cultural richness for the indigenous Northern Paiute, Bannock and Shoshone tribes. This bill designates 14.7 new miles of the Owyhee Wild and Scenic River in Oregon and 1.1 million acres as wilderness.
- **Smith River National Recreation Area Expansion Act.** The Smith River remains one of the west coast's last free-flowing rivers. This bill would expand the Smith River National Recreation Area by 58,000 acres protecting the diverse ecosystems of this watershed and providing consistent management for recreational opportunities. It would extend Wild and Scenic designation to 74 miles of the upper watershed of the North Fork of the Smith River and including its major tributaries.

California

- **Northwest California Wilderness, Recreation, and Working Forests Act** - From fog-shrouded redwood forests to crystalline turquoise pools, Northern California is home to some of the most stunning landscapes. This bill proposes protection of 312,549 acres of Wilderness and Wilderness additions and 480 miles of Wild and Scenic rivers. The bill also establishes a 729,000-acre restoration area in the South Fork Trinity and Mad River watersheds, facilitates two visitor centers in Trinity and Del Norte Counties and authorizes studies for nearly 600 miles of non-motorized trails throughout Northwest California, including the proposed Bigfoot National Recreation Trail.
- **Central Coast Heritage Protection Act** - The product of years of discussion and negotiation between business leaders, conservationists, elected officials, ranchers, mountain bikers and other stakeholders, this bill will ensure clean water for thriving communities, protect critical wildlife habitat and stimulate a vibrant local economy. This bill protects 246,418 acres of public lands in the Central Coast Region as Wilderness and Wilderness additions and 159 miles of Wild and Scenic rivers. It also establishes 34,882 of scenic areas and authorizes the study of the 400-mile-long Condor National Scenic Trail.
- **San Gabriel Mountains Foothills and Rivers Protection Act** - Despite nearby gorgeous rivers, forests and mountains just to the north, Los Angeles residents are some of the most park-poor in the country. This bill spurs outdoor recreation by connecting park-poor areas, especially communities of color, to open space. This bill protects 30,659 acres of public lands as Wilderness and Wilderness additions, 40.5 miles of Wild and Scenic rivers, adds 109,167 acres to the existing San Gabriel Mountains National Monument, and establishes the 49,387-acre San Gabriel National Recreation Area.

Montana

- **Montana Headwaters Legacy Act.** The product of more than a decade of local coalition-building, this bill supports the state's flourishing \$7.1 billion outdoor recreation economy, secures drinking water for cities and towns, and provides clean water for agriculture. It protects 336 river miles on 17 streams in the Greater Yellowstone and Missouri River headwaters areas.

New Mexico

- **The M.H. Dutch Salmon Greater Gila Wild and Scenic River Act.** New Mexico is home to the largest remaining, free-flowing river system in Southwestern U.S. that emanates from our nation's first wilderness, championed by Aldo Leopold in 1924. This bill safeguards critical habitat for threatened Gila trout; protects the source of clean water for agriculture, recreation and wildlife; and supports the state's \$2.3 billion outdoor recreation economy. It protects roughly 450 miles of 31 river segments and 144,000 acres of riverside lands.

Maine

- **York River Wild and Scenic Rivers Act of 2019 (partnership river).** The York River watershed sustains a rich tapestry of natural areas, fish and wildlife habitat, drinking water supplies, and numerous archaeological sites. The rivers in the watershed provide quality habitat for one of the largest smelt spawning migrations in southern Maine and support an active commercial fishing industry important to the area's economy, character, and history. This bill is supported by the York

River Study Committee, a diverse group of local stakeholders that have been engaged in studying the river for designation for over three years.

Florida

- **Kissimmee River Wild and Scenic River Study Act (partnership river).** This bill would protect the source of the Everglades and Lake Okeechobee and the heart of water supplies for central Florida. After decades of restoration and spending nearly \$1 billion, over 63,000 acres of wetlands has been re-established within the watershed for fish, wildlife, and flora. This bill protects that investment by authorizing a study to assess inclusion of the river in the Wild and Scenic Rivers System. The same bill was passed by the U.S. House on suspension in April 2018.

Overall, investing in Wild and Scenic Rivers management pays back in multiple ways--tourism, hunting, fishing, other outdoor recreation, healthier riverine ecosystems, abundant water resources, climate resilience. Moreover, management leverages local investments that strengthen local economies as well as the public's use and enjoyment of our country's natural resources. We appreciate your consideration of these important topics as you assist with the transition to the new administration.