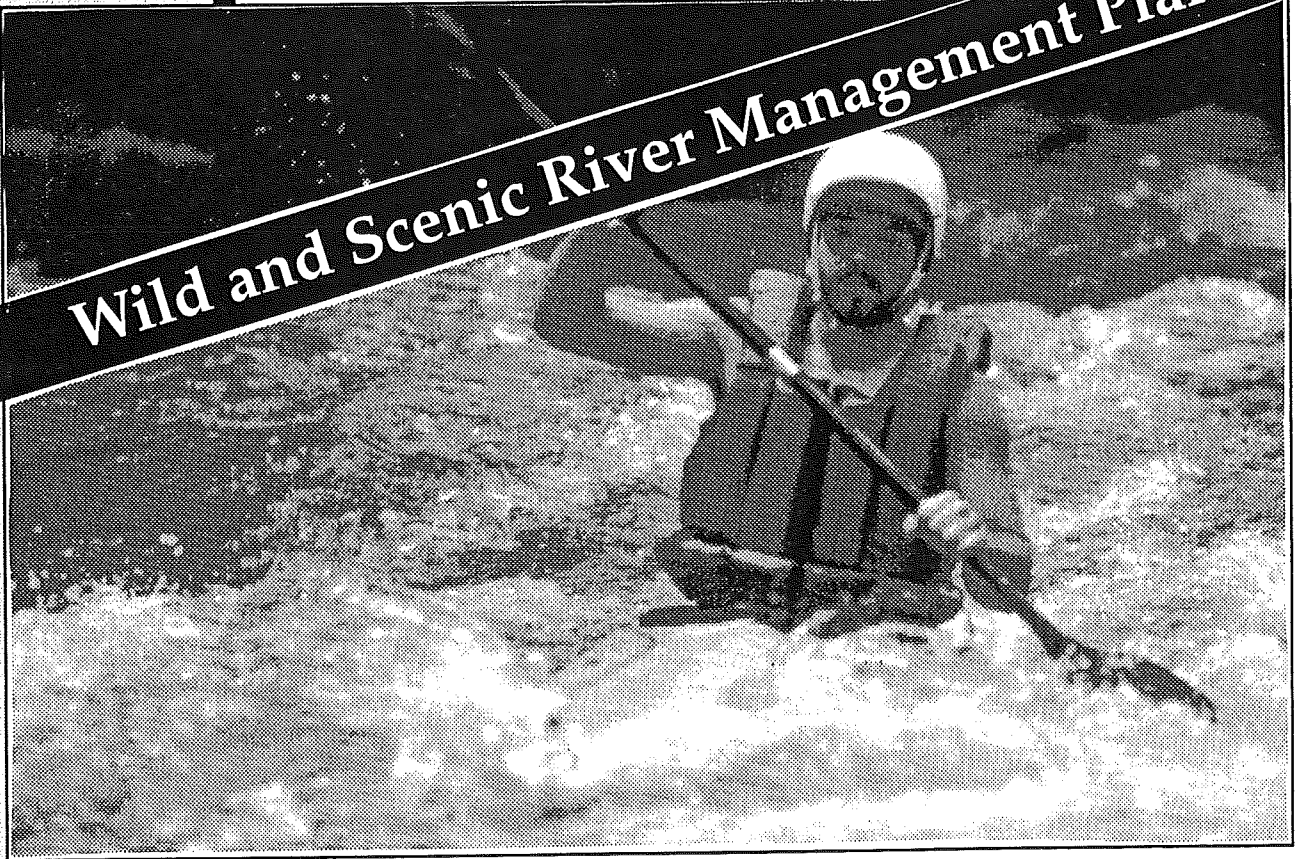


Big Piney Creek

Wild and Scenic River Management Plan



U.S. Forest Service Photo

USDA Forest Service
Ozark-St. Francis *National Forests*



October 1996



COMPREHENSIVE MANAGEMENT PLAN
BIG PINEY WILD AND SCENIC RIVER

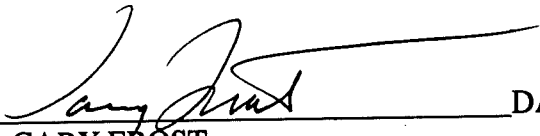
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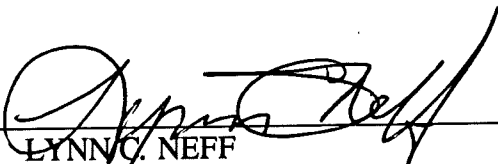
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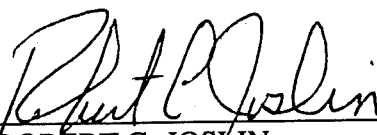
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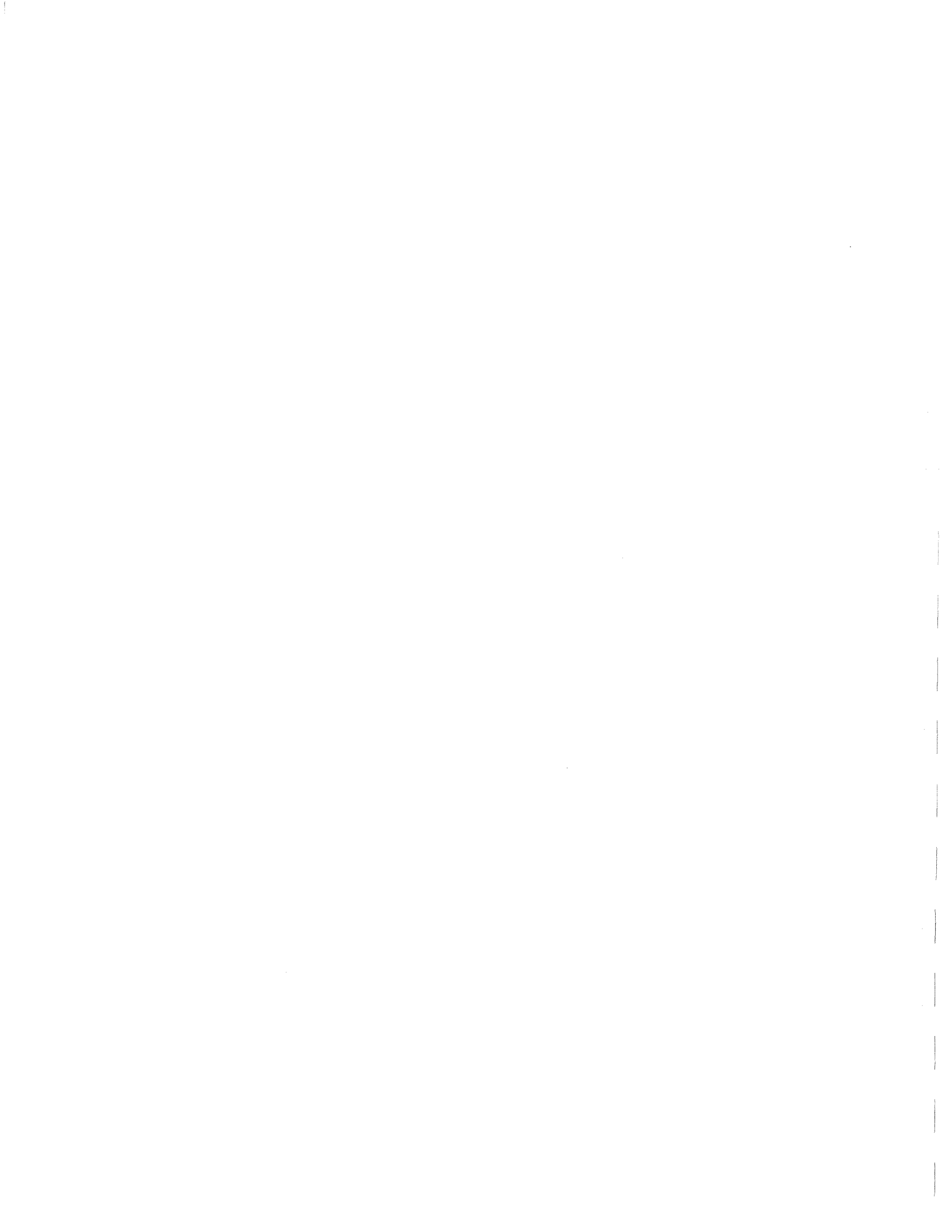
**BIG PINEY CREEK WILD AND SCENIC RIVER
COMPREHENSIVE MANAGEMENT PLAN**

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COMPREHENSIVE MANAGEMENT PLAN FOR BIG PINEY CREEK

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PURPOSE OF THE PLAN

INTRODUCTION

Big Piney Creek is located in the Ozark National Forest in northwest Arkansas. The river begins near the community of Fallsville, and flows east and the south for 57 miles to its junction with the Arkansas River. The river is 45.2 miles long from the headwaters to the forest boundary. This management plan will address lands which have been designated into the Wild and Scenic River system. This plan is intended to fulfill the requirements of the Wild and Scenic River Act which requires comprehensive management plans be developed for designated streams (see Appendix II, Legislative History)

The Comprehensive Management Plan for Big Piney Wild and Scenic River provides direction and guidelines for managing the National Forest Lands within the boundaries of the designated corridor. The purpose of the comprehensive management plan is to protect the outstandingly remarkable values of the river and its free-flowing condition. This plan was prepared by the USDA Forest Service, for Big Piney from the headwaters to the Forest boundary (45.2 miles). The river management plan provides goals, desired future condition, and standards and guidelines for Big Piney Creek. Site specific analysis (NEPA) must be done for specific projects that implement the plan.

The Ozark-St. Francis National Forests' Land and Resources Management Plan (FLRMP) will be amended to implement this plan. Amendment 7 to the FRLMP established Management Area 9 and requirements for continued protection and management (Table 4-18 in FLRMP Wild and Scenic River Management Requirements).

The Wild and Scenic Rivers have been under special consideration since the development of the Forest Land and Resources Management Plan was signed in 1986. Actions within the existing corridors and throughout the watersheds, where the Forest Service has jurisdiction, are regulated to protect water resources, flood plains, riparian values, etc. These management plans focus on the national forest lands within the corridors, and those actions which may be taken to provide additional enhancement of the river values. The protections offered to the watershed areas outside the corridors are not being eliminated, reduced, or altered.

PLAN FORMAT

The river management plan is broken into two parts: private lands and National Forest lands . The National Forest lands portion is further divided into six sections (see table of contents). The five sections following the purpose of the plan section are broken down by the Forest Service Directive System. This numerical format is used simply for ease of locating various sections of the plan. By taking one resource designation, one can follow the same designation in other sections by following the number.

PRIVATE LANDS

Private land ownership is legitimate within Wild and Scenic River corridor boundaries. Within the corridor boundaries, ranching, farming and forest management uses which were in existence when the river was designated within "Scenic" and "Recreational" classifications are consistent with river goals. Land uses on private lands adjacent to, but not included in the river corridor are not affected by the river designation.

The U.S. Forest Service does not manage private land within the Wild and Scenic River corridors, and has no authority to zone private lands. The Act does, however, include provisions to encourage the protection of river values on private lands through cooperation with State, local governments, and landowners. The Forest Service's authority to affect private lands is dependent upon exercising acquisition authorities, or through willing-seller, willing buyer transactions. Except for these authorities, for which just compensation is required, the agency cannot regulate the use of private property under this Act. We do however encourage landowners within the corridor or adjacent to the high water mark to manage their lands to protect and enhance river values.

The Act directs the Forest Service to protect and enhance the values for which the river was designated (its free flowing nature, and water quality) consistent with the public use and enjoyment of these values. This is limited on private lands to serving in an advisory role, providing technical assistance and cooperating with States or their political subdivisions, landowners, other Federal agencies or individuals to plan, protect and manage river resources. The Forest Service has responsibility to evaluate project proposals that affect the River's free-flowing characteristics in which a federal agency is the proponent or provides assistance through loan, grant, license, or permit.

The Wild and Scenic River corridor includes private land in two situations:

- 1) Private lands under floatable stream beds - Included here are privately owned stream beds under the floatable portions of Big Piney. For river segments generally termed as floatable, the extent of public use of the bed and banks below the ordinary high water mark is defined by State law.
- 2) All other private lands - Included here are: A) Private lands that are above the mean highwater line, whose owners requested to be included in the corridor and B) Non-floatable privately owned stream beds under Big Piney. In both cases landowners control public access to their property. Streams and stream beds generally considered non-floatable remain private waters with public access subject to operation of state trespass and posting law. The designation of a river as a part of the National System has no bearing upon the determination of which portions may be considered floatable.

Neither this plan nor the Act affects the ability of a landowner to control public access on their lands. This remains true within the corridor boundaries, irrespective of whether such private lands are located under or adjoining the stream beds (floatable or not). This plan does not imply any right of public use on or access to private lands within the corridor beyond that which is now established through the operation of State law. Nothing in the Wild and Scenic Rivers Act or this Plan shall affect state and local jurisdiction to carry out State Game and Fish laws.

This plan is intended to protect and enhance identified river values through partnership with other Federal, State, and local agencies, private landowners and other public interests. This plan goal is to: 1) Make efforts to inform the public of the location of private lands and that such lands are not open to public use without permission of the landowner; and 2) encourage the public to respect private landowner rights.

NATIONAL FOREST LANDS

MANAGEMENT GOAL

The goal of Wild and Scenic River management is to provide recreation opportunities within the capability of the resources, the protection of the free flowing condition of the river and the preservation and enhancement of outstandingly remarkable values for which the river was designated.

MANAGEMENT OBJECTIVES

The management objectives for Big Piney Wild and Scenic River are as follows:

1. Protect and/or enhance the Outstandingly Remarkable Values.
2. Establish measurable indicators and standards for biophysical and social conditions, monitor effectively the condition of those indicators, and implement management policies and programs to prevent degradation of riparian resources and visitor experiences.
3. Provide for plant and animal community diversity and maintain healthy functioning ecosystems as the foundation to sustaining long-term productivity. Maintain habitat for both aquatic and terrestrial species inhabiting the Big Piney River corridor.
4. Recognize and respond to the socio-economic effects of management strategies. Recognize the varied needs of the public to be partners and to participate in managing the river corridors through awareness, interaction, and communication.
5. Emphasize user education and information. Establish new regulations only when other methods (e.g. personal contacts, information and education) are not effective, and ensure that any regulations established are enforceable.
6. Develop and maintain a working relationship among landowners (including absentee owners) adjacent to the river, local and state governments, private and commercial users, interested resource groups, and the Forest Service to help achieve the goals in the Big Piney River corridor.

OUTSTANDINGLY REMARKABLE VALUES

The Wild and Scenic River Study Report and Final Environmental Impact Statement on Thirteen Rivers in Ozark National Forest lists the following **Outstandingly Remarkable Values** for **Big Piney Creek** [pg. 3 - 7, table III-1]:

Five outstandingly remarkable values were identified in the Final Environmental Impact Statement for Big Piney Creek. Those values are Recreational, Fish and Wildlife, Scenic, Botanical, and Geologic. These outstanding values were the main criteria used to select Big Piney for wild and scenic designation. Other important values exist and will also be managed for through this plan.

Recreational - Canoeing, camping, swimming, and fishing are the primary forms of recreation. Big Piney is an extremely popular canoeing river with Class I to III rapids. This river has several public access points along its length which contribute to recreation use. According to the Wild and Scenic Study Report and Final EIS for Ozark Rivers which recommended Big Piney for designation: "Long Pool recreation area is extremely popular with residents of local communities and is a popular canoe launch and take out location. Big Piney Creek is a popular whitewater river with Class I to Class III rapids. This river is one of the major smallmouth bass rivers in Arkansas".

Fish and Wildlife - Big Piney is considered by the Arkansas Game and Fish Commission to be an outstanding sportfishing river. Smallmouth Bass and Spotted Bass are the most sought after species.

Scenic - Scenic values include highly varied and dissected terrain, with uneven sharp ridges and cliffs with significant relief. Large unusual rock outcrops or formations and slopes greater than 35 percent. The river has distinct deep clear pools with reflective qualities, with waterfalls and rapids. Blufflines are evident along much of the river.

Botanical - Botanical values are one of the five outstandingly remarkable values for which Big Piney was designated as a wild and scenic river. Some plant species considered by the Arkansas Heritage Commission to be sensitive are located in the corridor. One species, Alabama Snow Wreath, is currently under study for listing as a threatened and endangered species.

The Waldo Mountain-Wainscott Bottoms Special Interest Area is located in the corridor around Long Pool. The diverse plant communities and plant species occur in this area because of a variety of moisture regimes, landforms, soils, and the past and present effects of man. This special interest area borders alternate sides of the river for a 2-1/2 mile segment just above Long Pool Recreation Area.

Geologic - The Mississippian and lowermost Pennsylvanian rock exposed near Limestone are very important to understanding the history of the southern margin of the Ozark platform. The youngest Mississippian age rocks in North America as well as the southern most exposure of Morrowan type rocks are located in this area. These exposures create a structural window important in developing an understanding of the upper Mississippian and the basal Morrowan sequence. Many of these features are exposed along Big Piney, and are of unique scenic and geologic value.

PUBLIC INVOLVEMENT

Public involvement for river planning began when the thirteen rivers on the Ozark National Forest were under consideration for nomination as Wild and Scenic Rivers. A team of specialists studied the rivers for their unique values, the public was involved throughout that process. A report was finalized in September of 1991 and sent to Congress. After Congress designated Big Piney as one of six Wild and Scenic Rivers, corridor boundary designation began. Public involvement for that process began in September, 1992. Three different letters were sent out between 1992 and June 1993 involving the public in the Wild and Scenic River corridor designation. Appendix IV lists the comments received during the river corridor designation.

During that time, the Arkansas Scenic Rivers Landowner Association was formed and sent letters and a questionnaire asking landowners their preference about inclusion in the river corridor. This letter went to all landowners along all the designated Wild and Scenic Rivers on the Ozark and Ouachita National Forests. Most of the private landowners along the streams included in this analysis requested that their land not be included in the corridors.

In 1995 a challenge cost share agreement was entered into with Arkansas Tech University and the Forest Service for ATU to survey user groups and landowners on Big Piney. Arkansas Tech mailed out survey forms and completed an analysis in July of 1996. The executive summary of those reports is listed in appendix VIII.

More recent public involvement began in May of 1996 with a newsletter mailed out to over 1600 individuals including private landowners and others interested in river management. That newsletter informed them of the planning process, time frames, and the part they can be involved in. An update to the newsletter was sent out to the same individuals in June, 1996 revising the schedule.

EXISTING CONDITIONS

LOCATION AND ACCESS

Big Piney Creek is located in the Ozark National Forest in northwest Arkansas. It flows through Newton, Johnson, and Pope counties. Big Piney flows 57 miles from its headwaters, 2 miles southeast of Fallsville, to its confluence with the Arkansas River (45.2 miles from the headwaters to the forest boundary).

The river corridor is accessed by a number and variety of roads. State Highway 123 has a bridge crossing Big Piney Creek at Ft. Douglas. Several County roads cross the river corridor. There are a variety of lesser used Forest Development roads which provide access to the river, dispersed camps, other National Forest lands, as well as to private land. In all, there are two bridge crossings, and 14 low water crossings for motor vehicles.

CORRIDOR BOUNDARIES AND CLASSIFICATION

Classification	Length
Scenic	45.2 miles

Location - From its origin in T13N, R23W, Section 27, to the Ozark National Forest boundary.

The river corridor was established using a metes and bounds system of survey across National Forest Land tying to known monumented corners, but excludes most of the private land above the mean highwater line of the river. There are approximately 6529 acres within the boundary of which 320 acres are private land and 6209 acres National Forest land (the private land acreage is an estimate of the land between the high water marks).

This boundary includes some land seen from the river and some areas beyond the visual foreground. It averages 144 acres of public and private land per river mile. This meets the 320 acres per mile limitation established in the Act.

The mean high water line along navigable streams (Big Piney has not been determined navigable) , as determined by Arkansas case law, is defined as:

"Ordinary highwater line, or mean highwater line. The line delimiting the bed from the banks of a stream is found by ascertaining where the presence and action of water are so usual and long continued in ordinary years as to mark upon the soil of the bed a character distinct from that of the banks in respect to vegetation and the nature of the soil." (Handbook for Arkansas Land Surveyors, 1981 edition, page 56, Plate 5).

Approximately 1091 acres of "suitable" National Forest timber land, were reclassified as unsuitable in Amendment 7 to the Forest Land Management Plan. The Management Objectives and Standards and Guides section of this plan will discuss activities, such as timber harvesting and prescribed burning on public lands and how they maintain the outstandingly and remarkable values the river is noted for.

The Forest Service has not and will not establish regulatory restrictions for logging or other management practices on private land. This management plan does not address possible future local or county zoning ordinances that might limit management options on private land.

Neither does this plan change, modify or effect any current federal, state or local laws or regulation in force prior to the Wild and Scenic River designation.

This corridor includes all developed National Forest recreation sites associated with the river including: Long Pool; and the dispersed access points of Graves Creek and FDR 1802. It also includes potential recreation areas that may be developed at Graves Creek, and land acquired recently in T11N, R21W section 11.

The Wild and Scenic Rivers Act as amended in 1992 states:

"SEC. 2. (a) The national wild and scenic rivers system shall comprise rivers (i) that are authorized for inclusion therein by Act of Congress, or (ii) that are designated as wild, scenic or recreational rivers by or pursuant to an act of the legislature of the State or states through which they flow...

"(b) A wild, scenic or recreational river area eligible to be included in the system is a free-flowing stream and related adjacent land area that possess one or more of the values referred to in Section 1, subsection (b) of this Act.

"Big Piney Creek, Arkansas.--The 45.2 mile segment from its origin in section 27, township 13 north, range 23 west, to the Ozark National Forest boundary, to be administered by the Secretary of Agriculture in the following classes:

All 45.2 miles as **Scenic**.

SOCIAL AND ECONOMIC CONDITIONS

This river is located in a rural part of northwest Arkansas. The income levels are primarily moderate to low and local residents derive much of their income from light industry in Jasper, Russellville, and other nearby smaller towns. Other vocations include ranching, farming (crops and poultry), and logging.

Within a 150 mile radius of Big Piney Creek are the Ozark, Ouachita, and part of the Mark Twain National Forests. Other federally designated parks and recreation areas, outside the national forest system, include Hot Springs National Park, the Buffalo National River, Fort Smith National Historic Park, and Pea Ridge National Battlefield. There are numerous parks operated by the states of Arkansas, Oklahoma, and Missouri.

More than 2 million people live within 150 mile radius of the River. Major population centers include Little Rock, North Little Rock, Fayetteville, Springdale, Pine Bluff and Fort Smith, Arkansas; Tulsa, Muskogee, and Tahlequa, Oklahoma; and Springfield, Joplin, Branson, and Cassville, Missouri. Branson, Missouri; Hot Springs, Arkansas, and the Buffalo National River, in Arkansas, are the biggest tourist attractions in the region.

PROGRAM AREAS

1600 INFORMATION SERVICES

SIGNS

Informational Bulletin boards are located at Long Pool campground and the Bayou Ranger District office. Bulletin boards generally have a river map, general forest area map, information regarding river courtesy, and warnings about using proper safety equipment, high water, and that alcohol and boating do not mix. There is an access point at Helton's Farm, since it is private land, there is no bulletin board there. There is an interpretive river gauge sign at Long Pool helping to interpret the gauge in the river giving information about boating safety at different river elevations.

There are no Wild and Scenic River signs, showing the WSR logo, posted anywhere along the river corridor. Recreation area portal signs exist at Long Pool with one sign that says "Canoe Access" inside the recreation area.

Regulatory Regulatory signs are limited to speed limit signs within the developed recreation area, and posters listing the general National Forest Regulations and the Forest Supervisor's Orders. The Forest Supervisor's Orders are specific to Long Pool Recreation Area. There are no Forest Supervisor's Orders specific to the Wild and Scenic River Corridor.

Brochures

One brochure has been printed. It is a two sided brochure discussing river safety tips, the type of rapids you may find on different stretches of Piney, and other information. It was printed as part of a challenge cost share with three canoe clubs. It is mailed to the public when they ask for information about the river.

River Map

The Ozark National Forest has not printed a river map for public use. There is a basic map in the brochure described above, and one printed by Moore Outdoors.

2100 ENVIRONMENTAL MANAGEMENT

Environmental management includes solid waste, pesticide, and Hazardous materials management. On Big Piney there are numerous dwellings on private land that are on a septic solid waste system. There have been instances when drain fields are not working properly and waste enters a tributary to the river directly. Arkansas Pollution Control and Ecology normally oversees these problems and corrects them. There are pesticides used by private landowners on cattle adjacent to the river. There are fertilizers used on fields and pastures adjacent to the river, both commercial fertilizer and chicken litter. Residues from these treatments enter the river, but no water quality problems have shown up. No Hazardous waste problems exist on Big Piney.

2200 RANGE

Grazing is permitted on the Ozark National Forest. On upper Piney, there is one grazing allotment along the river. The allotment is for 30 head of cattle or 150 animal months (AMs). The allotment is a fenced improved pasture adjoining Big Piney Creek. This allotment is fenced from the river, cattle water out of a pond. There is a vegetative buffer between the allotment and the river. There are no grazing allotments on lower Piney. There are active hay permits on both sections of the river. Two on upper piney, and one on lower Piney. All the pastures, both hay and grazing allotments are periodically improved by adding chemical fertilizer and lime, or by brush hogging.

Grazing is common on private suitable lands in the river bottom, most cattle are fenced from the river on private lands.

Private landowners who graze cattle, periodically improve their pastures through the use of natural (poultry waste) or chemical fertilizers, and/or by burning or brush hogging the fields.

2300 RECREATION MANAGEMENT

Recreational use of the river is one of the five outstandingly remarkable values for which Big Piney was designated as a wild and scenic river. The highlighted recreation activities are canoeing, camping, fishing and swimming.

According to the Wild and Scenic Study Report and Final EIS for Ozark Rivers which recommended Big Piney for designation: "Long Pool recreation area is extremely popular with residents of local communities and is a popular canoe launch and take-out location. Big Piney Creek is a popular whitewater river with Class I to Class III rapids. This river is one of the major smallmouth bass rivers in Arkansas".

Navigability

Big Piney Creek is not listed as a navigable river according to State law.

Recreation Opportunity Spectrum (ROS)

The Recreation Opportunity Spectrum provides a framework for stratifying and defining classes of outdoor recreation environments, activities, and experience opportunities. The settings, activities, and opportunities for obtaining experiences have been arranged along a continuum or spectrum divided into six classes: Primitive, Semi-primitive non-motorized, Semi-primitive motorized, Roaded Natural, Rural, and Urban.

ROS Designations. From the headwaters of Big Piney to the Forest Boundary, the Recreational Opportunity Spectrum is classified as Roaded Natural.

Recreational Use

Big Piney Creek is the most frequently visited river on the Ozark National Forest. This river received over 42,000 Recreation Visitor Days (RVDS) of use in 1986. (One Recreation Visitor Day equals 1 person for 12 hours or 12 people for one hour or any combination thereof.) Recreational use of the river has steadily grown over the past ten years. It is estimated the visitor days have increased 20 percent since 1986 to approximately 50,000 RVDS. Recreational use includes the following activities: canoeing, kayaking, swimming, camping, fishing, hunting, hiking, bird watching, botanical walks, off-highway vehicle driving (ATV, 4-wheelers, etc.), horseback riding, and scenic driving. Most canoe use occurs between Ft. Douglas and the Highway 164 take-out point.

A large majority of the use is camping and day use at Long Pool Recreation Area. Long Pool Recreation Area is the only developed recreation site on the river. This recreation area offers developed campsites, picnic facilities, a swimming area, pit toilets, and canoe access. Long Pool is in the process of being expanded. City water and electricity have been brought into the area. A new bathhouse is under construction which will offer hot showers, flush toilets and a change area.

This should be ready in 1997. A new camping loop will be added in the next few years with approximately 20 fully developed campsites. A new group shelter will be added in the next few years also. Peak use at Long Pool occurs during canoe season. Dispersed camping occurs along the river from the headwaters to the Forest Boundary. There is a \$5.00 camping fee, and a \$2.00 day use fee currently at Long Pool. The fee will increase for the fully developed campsites once they are operational.

River recreation in Arkansas has increased tremendously in the past 20 years. In their 1984 study, Whitewater Recreation in Arkansas, the Arkansas Parks and Tourism Commission indicated that in 1980, 11% of the adults in Arkansas went canoeing at least one time each year. In 1984, 22.5% of Arkansans went canoeing at least one time every year. Big Piney Creek has become one of the most popular rivers in Arkansas for whitewater canoeing. Whitewater Recreation in Arkansas indicates that only 40% of the floaters on Big Piney Creek thought it was crowded and only 42% thought it was slightly crowded, but 90% were not interested in seeing any more floaters on their trip. The number of other floaters either had no effect on or increased the enjoyment of 76% of the floaters in that survey. Interestingly, litter was not perceived to be a major problem along this river in 1984.

A more recent survey of river users was conducted by Arkansas Tech University in cooperation with the Forest Service in the fall of 1995 and winter of 1996 (see appendix VIII for the executive summary).

Over 300 boaters were randomly surveyed by Arkansas Tech, 132 responded (41% response rate). Of those responding 90% said the river was not crowded, and 52% said they saw lots of people, but it was not a problem. During this survey, litter was a problem both in the river and on the banks. At this time, most litter pick-up is done voluntarily by local canoeing clubs and by individuals.

Seasonal flow variations limit the number of days each year that Big Piney Creek is considered "floatable." During an average year, Big Piney Creek is floatable 125 days. Most of these days occur between December and June. Most use occurs between February and May, with April and May being the peak months. Dependent upon the volume of water flow, Big Piney Creek offers a wide variety of experiences which can satisfy anyone from the beginning canoeist, to the whitewater enthusiast, to the family seeking a new type of recreational experience. Big Piney Creek offers Class I, II, and III rapids in various sections. Generally, Class III rapids occur only during periods of high water flow. The U.S. Geological Survey maintains a stream-level gauge at Twin Bridges. A current reading may be obtained by calling an 800 number. Maximum and minimum floating levels may be obtained from the local outfitter and shuttle operators or from various local canoeing publications. There is also a river gauge at Long Pool, which was installed by the canoe clubs in honor of a past member.

Most canoeing on Big Piney Creek consists of day trips, rather than over night or weekend trips. The 10 mile segment from Limestone to Fort Douglas (Arkansas Highway 123) is not a common float. This segment is floatable only when water levels are high. This segment is typically floated only by the more experienced canoeists. Access at Limestone is from a county road which is surrounded by private land. The access at Fort Douglas is on National Forest land. This is not a developed access point. The second segment is an 8 mile stretch from Fort Douglas to Treat. This segment is not as technically difficult as the first segment as the river winds through a slightly wider valley. The access at Treat is either on National Forest land at Jack Phillips Ford off of Forest Road 1802 or on private land off of Forest Road 1805. This access point on private land is known as "Helton's Farm". Mr. Helton charges a \$2.00 fee for parking in his field and asks only that users close the cattle gate behind them. The most popular segment on the river for canoeists is from Treat (most commonly Helton's Farm) to Long Pool Recreation Area, or Twin Bridges (Arkansas Highway 164).

This 10 mile segment is where the river has earned its reputation among whitewater enthusiasts and is probably the most technically difficult stretch. During the 5 mile segment from Long Pool Recreation Area to Twin Bridges, the river slows down considerably, and has longer pools. Many people use this section for an easy 1/2 day float. One of the outfitters for Big Piney Creek is located on the south side of the Twin Bridges. Twin Bridges is approximately 5 miles south of the Forest boundary.

Hunting, fishing, and swimming are historically the primary recreation uses of the river, especially for local residents. These activities are generally associated with camping, more so than canoeing which is typically a day use activity on this river. Long Pool Recreation Area is the most popular site for swimming and camping. Many people from surrounding communities spend the weekend camping and swimming at this area. Most local people who are more familiar with the area usually choose more isolated spots along the river from their swimming and camping expeditions, or even for day-use swimming. Many locals have traditional and favorite swimming "holes" they frequent.

Limited access to the portion of the river between Walnut and Limestone somewhat restricts fishing, but at the same time provides an unusually high quality fishing experience. Access is easier to the river downstream from Limestone and therefore receives the greater volume of sport fishing pressure. Some float fishing from canoes or John boats does occur, but most fishing is historically by wading, trot lining, or from the banks. Because fishing is not at its peak during periods of high water flows and high water turbulence, fishing and canoeing do not normally interfere with one another.

Hunting is a very important aspect of the local tradition. There are a few scattered dispersed campsites along the river used during the various hunting seasons. These campsites have historically been used repeatedly by the same groups, and are often claimed as "theirs." Hunting itself is not a river-oriented activity but is a traditional use along the river.

Visitor Use Management

Long Pool Recreation Area is the only developed recreation area on the river. The existing canoe launching area adequately accommodates normal use but usually becomes overcrowded and congested during peak canoe season. The parking area near the canoe launching site does not have any parking stalls to accommodate canoe trailer, or any vehicles longer 20 feet in length. These vehicles must park on the back of the existing parking area, or use the new parking area up by the future shelter. There is a bulletin board located between the parking area and the canoe launching area. This bulletin board contains information on emergency telephone numbers, local outfitters and shuttle operators, rules and regulations, safety procedures, and dispersed campsites for overflow use.

Outfitting And Guiding

Currently two commercial outfitters either rent canoes and safety equipment, or offer shuttle services and guided trips on Big Piney Creek. There are no restrictions on the number of people the outfitters can "put-in" the river. February through May are the peak months for canoeing. Currently there is not enough business throughout the year to sustain very many outfitter guide operations if that was their primary source of income.

Fishing

Fishing along the river is typically a dispersed activity, although fishing during the summer months is limited to the deeper pools. The river supports populations of sportfish such as smallmouth bass, spotted bass, largemouth bass, Kentucky bass, rock bass, longear sunfish, green sunfish, channel catfish, and flathead catfish. The Arkansas Game and Fish Commission rates Big Piney Creek among the major smallmouth streams in Arkansas. Upper Piney has better Smallmouth bass fishing than lower Piney does.

Dispersed Campsites

During the summer of 1995, twenty dispersed campsites were found, photographed and documented, using the "Back Country Monitoring Form". All of these sites are on National Forest lands. The greatest concentration of dispersed campsites and areas of concentrated public use occur between Limestone and Treat. These sites are used for swimming, fishing, and camping. Some sites are used during the hunting seasons but this is a minor use and is typically not river-oriented. Most of these sites have fire rings, are heavily impacted campsites, have tree damage, and litter problems. The recent river user survey indicated these sites were not used by canoeists, and were not considered a problem that detracted from the river.

Swimming

Long Pool is the only developed swimming area on Big Piney. Swimming also occurs in the river in conjunction with other recreational activities, such as canoeing, camping, and fishing. People have been observed swimming at many of the permanent deep pools along the river. The most frequently used areas on National Forest Lands are at Long Pool, two locations on upper Piney, and Slant Rock just below Long Pool. Slant Rock was recently converted to a walk in area because of the extreme litter problem. The water at Long Pool is tested for bacteria in relation to swimming use.

Other Activities

The last category of recreational uses along the river includes hiking, viewing nature, and horseback riding. Again, the demand for these dispersed recreational opportunities is rising. There are no designated horse trails along the river, although, horseback riding is allowed on FDRs and in the general forest area. A horse camp has been set up on upper Piney just north of Ft. Douglas. It is used 2-3 times per year as a base camp for trail riding. This group would eventually like to tie a trail system into the Moccasin Gap Horse Trail on the Bayou District.

Recreational Relationship To Nearby Streams

The upper reaches of Big Piney Creek, Buffalo River and the Mulberry River are all located near the community of Fallsville, Arkansas. All three streams are very popular for recreational use.

Other river-based recreation opportunities occur within a 150 mile radius of Big Piney Creek, including the Buffalo National River, Big Piney Creek, and Cossatot Creek. The Arkansas Floaters Kit recognizes 13 different floatable rivers in Arkansas (see Appendix VII, Arkansas Floaters Guide, for a description of the amenities of each river). The 17 rivers include: Big Piney Creek, Buffalo River, Caddo River, Cadron Creek, Crooked Creek, Cossatot, Eleven Point River, Illinois Bayou, Kings River, Little Missouri River, Little Red River, Mulberry River, Ouachita River, Saline River, Spring River,

Strawberry River, and White River.

Carrying Capacity

Desires of Users. The Arkansas Department of Parks and Tourism surveyed the desires of Big Piney canoeists and canoeing groups in 1984. The survey showed that 22% of the floaters felt that the number of people they saw on the day of the float reduced or greatly reduced the enjoyment of their float trip, while 78% of the floaters felt that the number of people they saw had no effect, increased or greatly increased their enjoyment. The most recent user survey conducted by Arkansas Tech indicated river use was not a problem, and regulation was something they didn't want to see.

The desires of campers, fishermen, swimmers and hunters using Big Piney and its corridor have not been sampled.

Intensity of Use. Recreation use data for Big Piney Creek (FY 86) show canoeing and fishing each with 13,000 RVD's. Swimming was the second most popular with 11,000 RVD's, camping third with 5,000 RVD's. No data is available for hunting and hiking in the river corridor. One RVD (recreation visitor day) equals 12 hours spent on a particular activity. For example, one person canoeing for 12 hours or two people canoeing for 6 hours, would both count as one recreation visitor day.

Distribution of Visitor Use. Visitor use can be described in terms of privately owned boats vs rental boats, by day of the week, by month/season of the year. Less than half of the canoers who float Big Piney bring their own canoes. The rest of the users rent canoes from local sources. The Forest Service has not established any use limits on the river. Outfitters are permitted to rent as many canoes as the market will allow. No time limits, put-in or take-out schedules have been implemented. Use is regulated by the number of canoes available to be rented, and by the number of parking places available at access points. Use occurs during almost every month throughout the year. However, most floating occurs from January through June. More experienced floaters will also canoe during the winter. People float the river every day of the week, with Friday, Saturday, and Sunday being the three busiest days.

2360 HERITAGE RESOURCES

On upper Piney 31 heritage resource surveys have been completed along Big Piney Creek. On Lower Piney 33 surveys have been completed. More than sixty prehistoric and historic sites have been documented within 1/4 mile of the river. The sites occur on public and private lands and include cabins, barns, houses, prehistoric lithic sites, cemeteries, etc.

2380 SCENERY MANAGEMENT

Scenic value was one of the five outstandingly remarkable values for which Big Piney was designated as a wild and scenic river. The highlighted scenic values included highly varied and dissected terrain, with uneven sharp ridges and cliffs with significant relief. Large unusual rock outcrops or formations and slopes greater than 35 percent are evident along much of the river. The river has distinct deep clear pools with reflective qualities, with waterfalls and rapids.

Visual Quality Objectives

The Act requires that the corridor sufficiently protect the outstandingly remarkable values which caused the stream to be included in the wild and scenic river system. Visual quality was considered to be outstanding on Big Piney Creek.

Visibility from the river varies from a few feet in the narrow steep banked sections, to several miles, where there are vistas of the surrounding hills and mountains.

Most of the river corridor is characterized by highly varied and strongly dissected terrain with uneven, sharp ridges and/or cliffs with significant vertical relief, large unusual rock outcrops or formations, and slopes greater than 35%. Visibility from the rivers is generally limited to less than 1/4 mile due to steep slopes, bends in the river, and alluvial shorelines. Evidence of timber management practices are evident on some of the more gentle slopes (less than 35%). Private lands along the river are managed either for timber production or pasture, and there is a hog farm located north of Fort Douglas on private land. Most National Forest land along the river is currently managed for a visual quality objective (VQO) of "retention" (90%), and "partial retention" (10%). Any management activities within a VQO of "retention" must not be visually evident upon the landscape and any management activities within a VQO of "partial retention" must remain visually subordinate to the landscape.

2400 VEGETATION MANAGEMENT

Botanical uniqueness is one of the four outstandingly remarkable values for which Big Piney was designated as a wild and scenic river. Some plant species, listed by the Arkansas Heritage Commission as sensitive, are located in the corridor. One species, Alabama Snow Wreath, is currently under study for listing as a threatened and endangered species.

The Waldo Mountain-Wainscott Bottoms Special Interest Area is located in the corridor around Long Pool. The diverse plant communities and plant species occur in this area because of a variety of moisture regimes, landforms, soils, and the past and present effects of man. This special interest area borders alternate sides of the river for a 2-1/2 mile segment just above Long Pool Recreation Area.

Vegetation along the Big Piney consists primarily of stands classified as White oak-Northern Red oak-Hickory, White oak-Black oak-Yellow pine, Shortleaf pine, and Shortleaf pine-White oak-Northern Red oak. These forested areas are interspersed with pastures and some croplands.

Hardwood overstory trees of the oak-hickory and the mixed oak-pine stands are mainly species of white, red and black oak, hickory and blackgum. Less common overstory hardwood include sweetgum, locust, ash, elm and black walnut. Shortleaf pine is the predominant pine in these stands. Understories in both types of these forest stands include: dogwood, red maple, serviceberry, sassafras, persimmon, vacciniums and viburnums. Sycamore, willow, alder, beech, sugar maple, witch-hazel, cane and ironwood are common along river banks. There are approximately 100 acres of 20 year old hardwood stands on lower Piney.

Many of the pine stands located in the corridor occupy old abandoned fields. Most of these fields occur on the lower sections of the Big Piney. Shortleaf pine is the most abundant species. Non-native loblolly pine exists in two plantations on lower Piney. Pine stands are classified as immature and mature sawtimber. There are several hundred acres of 20-30 year old shortleaf pine stands. Various hardwood species, especially blackgum, sweetgum, oak, and hickory may comprise an insignificant portion of the overstory. Common understory species include viburnums, vacciniums, greenbriars, blackberries, raspberries, buck brush, and red maple. Plantations typically have less of these species present. Most of the timber stands in the river corridor are 80-100 years old.

Riparian zones along the rivers have a slightly different overstory composition than occurs on drier sites. Overstories in riparian zones contain red and white oaks, hickories, sweetgum, white ash, black walnut, black cherry, sassafras, sycamore, and basswood.

Understories contain red maple, sugar maple, dogwood, serviceberry, American hornbeam, eastern hophornbeam, spice bush, leatherwood, a variety of ferns, buttonbush, willow, alder, witch-hazel, and cane.

Riparian vegetation along the river adjacent to most of the open hayland and pastures is found in narrow strips from 30-50 feet wide. In some cases there is no riparian corridor adjacent to open land either on private or National Forest land. Most of the open land is in private ownership, and is used for grazing or hay production. On most of the National Forest Land in the corridor, a riparian corridor is present varying in width from 30-50 feet. Important native grass species are plume, purpletop, poverty grass, little bluestem, big bluestem, broomsedge, Indian grass, and panicums; such as switch grass and woolly panicum. Domestic grasses consist of several varieties of bermuda, dallisgrass, fescue, orchardgrass, wheat, and oats.

Along the blufflines and thin soils, species composition is limited. Typically in the overstory, red and white oaks appear with a mixture of hickory and black gum. The understory is comprised of dogwood, red maple and herbaceous species such as huckleberry, greenbrier, Virginia creeper and scattered native grasses and sedges.

2500 WATERSHED AND SOILS

Watershed Area

Big Piney Creek Drains a total of 282 square miles (180,480 acres) inside the forest boundary (including both public and private lands).

Flood Plains, Wetlands And Riparian Areas

Big Piney Creek has floodplains, wetlands and riparian areas which vary due to the landforms, soil and moisture conditions along the river. Big Piney has been channelized in several places by land management activities and road locations since the early 1900's.

Floodplains are the lowlands and relatively flat areas adjoining the river that are subject to a one percent or greater chance of flooding in a given year. Wetlands are areas regularly wet or flooded where the water table stands at or above the land surface for at least part of the year. Riparian areas are transition areas between the aquatic ecosystems and the adjacent terrestrial ecosystems. They have distinctive soil characteristics and plant communities that require free or unbound water.

Streamflow

Big Piney Creek is free flowing with no man-made dams or other flow regulation structures on it. The following chart gives the average monthly flow rates for Big Piney Creek at Long Pool.

Table A-3 Big Piney Creek, At Long Pool
1939 - 1986
Flow In Cubic. Ft. Per Second

	Lowest Monthly Average	Average	Highest Monthly Average
Jan.	7	374	1365
Feb.	48	611	1789
Mar.	125	839	2158
Apr.	120	886	2937
May	102	684	2028
June	14	249	1242
July	.72	68	342
Aug.	.0	42	413
Sept.	.0	56	499
Oct.	.0	137	1467
Nov.	.0	403	1785
Dec.	14	534	3325

Average, 36 years: 405 cfs

This data shows that the river has highly variable flows, with highest flows generally occurring from February to May and lowest flows from July to October. At times flow has been near zero.

(Note: In 1982 on 12/3/82 during flood stage, Big Piney had a peak flow of 111,000 CFS)

Water Quality

The Arkansas Department of Pollution Control and Ecology has determined the beneficial uses for which the water quality of the rivers should be maintained and protected. For Big Piney Creek these uses are fisheries, primary contact recreation, and public, industrial and agricultural water supply. It is designated as extraordinary resource waters. Extraordinary resource waters are described as: "a combination of the chemical, physical, and biological characteristics of a waterbody and its watershed which is characterized by scenic beauty, aesthetics, scientific values, broad scope recreation potential and intangible social values".

Big Piney Creek has a very high stream gradient (12.8 ft./mile) which promotes rapid runoff during rainfall events. This results in scouring of the stream channel removing silt and debris on a regular basis, and significant streambank cutting.

The Arkansas Department of Pollution Control and Ecology has established a comprehensive surface water quality monitoring program and monthly samples are collected to monitor a broad range of potential pollutants to the stream. The Big Piney sampling station is located at Twin Bridges on Highway 164 below the Forest Boundary.

Violations of water quality laws by private landowners are presently the responsibility of the Arkansas Department of Pollution Control and Ecology.

Big Piney has had some high concentrations of fecal coliform bacteria during the spring months associated with storms and warm weather. The Long Pool swim beach was closed in 1995 until the bacteria level met Health Department standards (approximately 1.5 weeks). Weekly monitoring occurs at Long Pool during the swimming season.

Stream Quality Monitoring, a process developed by the Ohio Department of Natural Resources, was initiated in 1995 on Big Piney by Forest Service Biologists. This procedure samples invertebrate populations in typical sections of the river. The species are classified to determine what type they are. The different types fall into three categories, excellent, good and poor. This method is based on the fact that living organisms are the best way to determine water quality. Eight sample sites are located on upper and lower Piney. All the samples on Piney indicated good to excellent water quality.

There are many Forest and County roads in the river corridor. In several places, the roads are close to or in the annual floodplain and cross the channel. The roads and ditches are sources of sediment which is being deposited into the stream during storms.

Soils

The river corridor contains a variety of soils. The mountaintop/ridge soils are mostly sandy loams 20" to 40" deep and are generally well drained. Sideslopes and benches range from sandy loams to heavy clays up to 60" or deeper. All these soils can contain small to very large weather resistant boulders. The alluvial soils are sandy loams to loams varying in depth from a few inches to several feet. Most of these alluvial areas are underlaid with remnant stream rolled stones and gravel.

Many of the mountaintop, ridge, and bench soils and almost all of the alluvial soils not prone to constant flooding have been farmed in the past. Some of the better soils in private ownership adjacent to the river corridor are still used for pasture or other purposes.

Descriptions of the soils found along the Big Piney are found in the Pope, Johnson and Newton County Soil Surveys. These surveys are located at the Bayou District office.

2600 WILDLIFE, FISHERIES AND RIPARIAN RESOURCES

Fish and Wildlife are considered to be one of the five outstandingly and remarkable values on Big Piney. Big Piney is considered by the Arkansas Game and Fish Commission to be an outstanding sportfishing river. Smallmouth Bass, and Spotted Bass are the most sought after species.

The river corridor provides diverse wildlife habitat. There are a few wildlife openings within the river corridor which are maintained by the Arkansas Game and Fish Commission in cooperation with the Forest Service. These openings are generally planted with grass species which are beneficial to wildlife.

Terrestrial habitat along the Big Piney ranges from forested and agricultural lands within the floodplain, to ridge top forests dominated by pine, hardwood and mixed stands. A wide variety of mammals, birds, amphibians and reptiles are associated with these habitats. Among the more common species are White-tailed deer, Gray squirrel, Wild turkey, Black bear, Pileated woodpecker, Bobwhite quail, Pipistrelle bats, and wood rats occur.

Neotropical migrants birds such as ovenbird, wood thrush, and red eyed vireo occur along with local residents such as Louisiana waterthrush, parula warblers and various herons which prefer riparian habitat.

Beavers and skunks have both posed problems in Long Pool Recreation Area. Attempts to remove beavers from the swim area have been unsuccessful in the past. Current management consists of wrapping metal screen wire around trees which have evidence of beaver damage. Skunk eradication is a recurrent problem at Long Pool Recreation Area.

Although beaver may be a nuisance in the Long Pool Recreation Area, these animals are an important component of the river ecosystem as a whole. Their feeding habits renew vegetation along the river and also add large woody debris or structure to the river.

Arkansas Game and Fish Commission has recognized Big Piney Creek as one of the major smallmouth bass streams in the state. Big Piney Creek supports a diverse community of indigenous or adapted species of fish and other forms of aquatic life. During certain times of the year, this river either produces or supports populations of sportfish such as smallmouth bass, spotted bass, largemouth bass, Kentucky bass, rock bass, longear sunfish, green sunfish, channel catfish, and flathead catfish. Many of these sportfishing species are highly susceptible to changes in water flow patterns, drainage, siltation, water temperatures, and pollution levels. Arkansas Game and Fish Commission has stocked smallmouth bass and channel catfish in the river in the past.

Dr. Tom Buchanan of Westark Community College in Fort Smith, Arkansas has reported occurrences of the Longnose Darter in Big Piney Creek. The Longnose Darter is a State-listed sensitive fish species which requires free-flowing water for its habitat.

The Forest Service, with the cooperation of the Arkansas Game and Fish Commission, manages fish and wildlife habitat on National Forest System lands within the river corridor. Populations of fish and wildlife species in the corridors are at a sustaining level.

The corridor is open to hunting and fishing; as regulated by State law, with deer, turkey, squirrel, rabbit and bear being the most popular species for hunting and smallmouth bass, largemouth bass, catfish and perch being the most popular species for fishing.

2670 THREATENED, ENDANGERED, AND SENSITIVE SPECIES (PETS)

Surveys done for previous projects reveal the following PETS are found within the corridor :

Heuchera villosa var. arkansana -- Arkansas alumroot

Lilium superbum -- Turk's cap lily

Silene ovata -- Ovate-leaved catchfly

Mimulus floribundus -- Yellow monkeyflower

Delphinium newtonianum -- Moore's delphinium

Neviusia alabamensis -- Alabama snow wreath

Castanea pumils var. ozarkensis -- Ozark chinquipin

Hydrastis canadensis -- Goldenseal

Percina nasuta -- Longnose darter

Haliaeetus leucocephalus -- Bald eagle, winter resident

A review of habitat specifics produced the following list of species of potential encounter:

Macrolemys temmincki -- Alligator snapping turtle
Lanius ludovicianus -- Loggerhead shrike

There are five species on the sensitive species lists for the State of Arkansas and on the Forest Service Proposed, Endangered, Threatened and Sensitive Species lists. They include: Cypripedium kentuckiense (Kentucky Lady Slipper), Regina septemvittata (Queen Snake), Provonshai (Mayfly), Poraleptophlebia calcoria (Mayfly), Mimulus floribundus, (Monkeyflower).

2700 SPECIAL USES

Outfitters/Concessionaires

Two commercial outfitters have permits to provide canoe rental or provide shuttle services to users of Big Piney Creek. These outfitters have held permits since 1985. In the past ten years there have been additional outfitting permits which were for shuttling only and have expired.

Utility Corridors

There are two power/telephone crossings along the river in the lower Piney section, and two in the corridor on upper Piney which don't cross the river.

There is one State Highway which crosses Piney, Highway 123 in Pope County. There are other low water crossings that vary from rock bottom/low water crossings, to concrete slabs.

Special Use Permits

All the power/telephone lines are under special use permit, there is one forest road special use permit on upper Piney.

2800 MINERALS

Geologic features are one of the five outstandingly remarkable values for which Big Piney was designated as a wild and scenic river. Mississippian and lowermost Pennsylvanian rock exposures are very important to understanding the sedimentological history of the Ozark platform. Many of these features are exposed along Big Piney, and are of unique scenic and geologic value.

Physiography And Geology

The Ozark Plateau, covering parts of Arkansas, Missouri and Oklahoma, is an uplifted area of very old sedimentary rock layers. Big Piney Creek watershed is located on the southern side of this plateau in a heavily dissected section called the Boston Mountains. The underlying rock layers of this region are generally level bedded sandstones and shales and have a slight tilt to the south region-wide. The Boston Mountains developed through the long term weathering of the resistant sandstone and less resistant shale layers forming a stair-stepped landform called "Bluff-Bench" topography. The landforms around and in the River corridor vary from nearly level/rolling mountain and ridge tops to steep side slopes/bluffs with level/sloping benches, to flat alluvial areas adjacent to the river. Elevation of the area varies from about 2300 feet on the mountaintops to about 600 feet where the river exits on the National Forest.

The Mississippian and lowermost Pennsylvanian rock exposed near Limestone are very important to understanding the history of the southern margin of the Ozark platform. The youngest Mississippian age rocks in North America as well as the southern-most exposure of Morrowan type rocks are located in this area. These exposures create a structural window important in developing an understanding of the upper Mississippian and the basal Morrowan sequence.

Some of the bluffs drop off significantly into Piney. One area known as the Narrows Overlook is 1440 feet above the river, the drop to the river is 840 feet in less than .5 miles. This bluffline topography is common on lower Piney and is one of the highlights of a river trip.

Leasable Minerals

The Arkansas Geological Commission states that the Big Piney Creek falls within the portion of the Atoka formation which is productive for natural gas. There are almost 600 acres of land along Big Piney Creek which have outstanding mineral rights held by a third party. Over 1500 acres have active oil and gas leases but no producing wells have been drilled within the river corridor. Most all current leases have no surface occupancy stipulations within the corridor.

Mineral Materials

Mineral materials permits for removal of surface stone are common on Forest lands. This surface stone is commonly used for construction and building purposes. Current policy prohibits gathering of stone in any stream channel on National Forest lands. There have been no rock permits issued within the river corridor boundary.

Historically, there have been rock crushing sites and gravel pits located near streams or rivers which are used to provide local sources of gravel for road maintenance and/or construction of Forest Service and county roads. Current direction restricts the use of local creek gravel sources to locations where gravel removal would improve or stabilize the stream channel or stream bank. There are no active gravel pits on National Forest land within the river corridor. The State of Arkansas has initiated restrictions on gravel mining in rivers with remarkable values.

5100 FIRE MANAGEMENT

Wildfire

Wildfires within the corridor are treated the same as those that occur within the general forest area. The Forest Land Management Plan states:

Provide cost efficient fire management to protect life, property and meet land and resource management objectives (FSM 5100).

Treat wildfires according to "Values at Risk" under the "cost plus net resource value change" concept (FSM 4103-5105). Base fire expenditures on resource values and potential resource loss by fire intensity. Control wildfires depending on their threat to life, property, threatened or endangered species, air, water, soil productivity or private lands. Use planned and unplanned ignitions to accomplish resource management objectives when they burn within prescribed conditions. Apply watershed and soil protection measures as part of the suppression activities (FLMP 4-19 - 4-20).

There have been no wildfires within the river corridor within at least the last five years.

Prescribed Burning

Currently, prescribed burning is used only where it maintains or improves scenic or recreational values or wildlife habitat.

5300 LAW ENFORCEMENT

Jurisdiction

The Forest Service law enforcement officers have jurisdiction to enforce Federal laws, regulations and Forest Supervisor's Orders on National Forest lands. County Sheriff's and the Arkansas State Police have jurisdiction on the private lands within the National Forest boundary. The Arkansas Game and Fish Commission enforces State game and fish regulations on both public and private lands.

Typically, Forest Service law enforcement officers enforce regulations along National FDRs within the corridor, within developed recreation sites, and along the river when it passes through National Forest land. The County Sheriff's Office is the lead agency to enforce State laws within the corridor on private land.

Cooperative Agreements

The Ozark National Forest has cooperative agreements with the Johnson, Pope, and Newton County Sheriff's to patrol National Forest recreation areas under certain conditions. There has always been an informal mutual assistance agreement between the Sheriff's offices, State Police, Arkansas Game and Fish Commission, and the Forest Service. Officers will respond to each others calls for back-up and assistance.

Forest Supervisors Orders

There are Forest Supervisors orders for each developed recreation site.

5400 LAND OWNERSHIP

Land Ownership Patterns

The Final Environment Impact Statement for 13 rivers on the Ozark National Forest listed the following landownership patterns in Big Piney Creek:

Big Piney	Forest Service Ownership	Private Ownership	Total Acres	Percent in FS Ownership
	6808	4109	10,917	62

In the last 5 years the Forest service has acquired approximately 1000 acres on lower Piney, this changes the ownership to 71 percent Forest Service. In terms of river miles or shoreline miles, the Forest Service owns approximately 33.2 of the 45.2 miles (73 percent). In some cases private property occurs on one side and Forest service on the other. These estimates were based on a 1/4 mile corridor. The final corridor on private land is only between the mean highwater mark.

The corridor overlaps private lands on Piney in two different situations:

1. There are sections where the corridor on private lands extends beyond the highwater mark. These landowners wished to have their land in the corridor.
2. The corridor overlaps private lands that are under the stream bed. Canoeists would cross private lands while floating.

Communities. There are several communities within Big Piney Creek drainage. Approximately nine miles downstream from the headwaters, is the community of Limestone. Ten miles further downstream is the town of Ft. Douglas. Further downstream (8 miles) is the community of Treat. Treat is the last community along the creek.

Small Farms. A typical small farm consists of a house, barn, small garden, ponds, several acres of hay fields/improved pastures, and cattle. Many of these land owners are year-round residents.

Small Businesses. The two main business types operating within the Piney area are either centered on agriculture or recreation. There are poultry and hog farms in operation within the drainage. There is one business that provides outfitter/guide services on the river. There is one business that provides a shuttle service.

6700 HEALTH AND SAFETY

White water canoeing is recognized as one of the most hazardous outdoor recreation activities which occur on National Forest lands. Risks that are present within the Big Piney River corridor include Hypothermia, high water, flash floods, "willow jungles", tricky and treacherous rapids. Alcohol consumption and unskilled boaters have all caused injuries and some deaths on Big Piney. Other accidents have occurred from use of 4-wheelers (ATVs, OHVs, etc.), flash floods entrapping campers and hikers.

Developed recreation areas such as Long Pool are maintained at a higher or more stringent safety standard than the rest of the river corridor. This area is inspected for hazardous trees, slip/trip/fall hazards, as well as for other situations which could be hazardous to the public. The portion of the developed site within the flash flood zone of the river has a conspicuous sign warning the public of this danger. Drinking water is tested monthly for total coliform and fecal coliform bacteria. The swimming area is also tested for contaminants. Hazards are corrected in a timely manner.

Sewage treatment facilities on National Forest land will include a septic system at Long Pool recreation area once the construction is completed in 1997. The Long Pool Recreation area system will include: flush toilets, a septic tank, lift station and drain field. This system will be inspected and approved by the State of Arkansas and the Pope County Sanitarian. The recreation area will also have holding tanks for the untreated sewage. Periodically, the sewage is removed from the holding tanks and taken to a State approved sewage disposal area.

7700 TRANSPORTATION

Existing Roads

Big Piney flows across two Ranger Districts of the Ozark National Forest. On the upper section of Big Piney, the Buffalo Ranger District, the following roads provide access to the river: Newton County roads 29, and 30, Forest Development Roads (FDR) 1415, and 1428. FDR 1265, and 1002 parallel the river in different sections. There are a variety of other FDR and private roads which provide access to dispersed campsites and private land along the upper section. There are 4 low water crossings and one bridge on the upper section.

On lower Piney from Ft. Douglas to the southern Forest Boundary, the Bayou Ranger District, there are additional roads. FDR 1002 continues from Ft. Douglas to the Jack Phillips Ford approximately 5 miles. The next major road is at Long Pool Campground and Helton's farm at the community of Treat. The most commonly used access points along this section are Long Pool and Helton's Farm. There is also access from FDR 1802 from both the north and south, and from the Graves Creek road, FDR 1800A. There is additional access at Moore Outdoors at twin bridges (private) on Highway 164.

In all, there are two bridge crossings, and 14 low water crossings. Six of the crossings are on National Forest lands, two cross from private to Forest Service, and six are on private lands.

Off Highway Vehicles

Off Highway Vehicles (OHVs), ATV's and four wheelers, are permitted to use open Forest Service roads within the river corridor. These vehicles are prohibited from riding on closed Forest Service roads, on the Ozark Highlands Trail, and within developed recreation sites except for entry and exit. The Forest Land Management Plan (page 4-14) states "Exclude vehicles from streams except at designated crossings". This policy would include passenger cars, four wheel drive trucks, motorcycles, as well as OHV's. State law excludes OHV's from county roads and State Highways.

Trails

The Ozark Highlands Trail crosses the river corridor at Ft. Douglas. The Ozark Highlands Trail and its ancillary loops are only open to foot traffic. There are no designated multi-use trails, horse trails, or OHV trails within Big Piney Creek Corridor. Horses and OHV's are allowed to use open Forest Development Roads.

DESIRED FUTURE CONDITIONS

INTRODUCTION

The Desired Future Condition provides general long-term management goals for Big Piney Creek and describes a vision of the future river corridor on National Forest Lands. This section, for ease of review, is divided into resource categories. However, the future condition of each of these resources or uses is closely integrated with the others.

PROGRAM AREAS

1600 INFORMATION SERVICES

Bulletin boards are installed at developed access points. Information regarding the course of the river (river map), safety information, river courtesy information, and National Forest regulations is available for public viewing.

Brochures are available to the public describing the river, access, safety, courtesy, and private land issues.

The Forest Service provides, upon request, information to adjacent landowners regarding streambank stabilization, vegetative strips, riparian vegetation, and other information which will protect and enhance the river corridor.

2100 ENVIRONMENTAL MANAGEMENT

Environmental waste and hazardous materials do not enter Big Piney. Arkansas Pollution Control and Ecology oversees problems and corrects them.

2200 RANGE

Existing grazing allotments are maintained. Hay permits continue to be issued helping to maintain early successional species for wildlife. Non native pastures are converted to native grasses and forbs over a period of time.

2300 RECREATION

Big Piney Creek corridor is managed for a variety of recreation opportunities. Both private and public developed recreation facilities are maintained to meet the needs of the public and enhance the quality recreational experience enjoyed by those visiting the area especially in the activities of canoeing, camping, fishing and swimming. Additional river access sites are added to provide a wider variety of put in points.

Existing river access sites are improved to resolve visual and resource degradation concerns. While river recreation use levels continue to rise, the quality of the recreation experience is maintained. Information is disseminated to the public which encourages protection of river values and land use ethics.

The Long Pool recreation area is expanded to accommodate high seasonal use by canoeists and campers. The additions blend in with the ROS designation.

Litter is less of a problem. This is a result of using education, law enforcement, local groups and individuals in keeping the river clean.

2360 HERITAGE RESOURCES

Big Piney Creek corridor has been surveyed for heritage resources, which have been evaluated and, if determined to be significant, are preserved. Opportunities are provided to visitors to learn more about the historic uses of the area.

Plants, animals, and culturally important areas are located within the river corridor, providing an element of cultural continuity to local communities. Big Piney is culturally important to local communities, contributing to their sense of pride and ownership of the river.

2380 SCENERY MANAGEMENT

Big Piney Creek corridor remains well known for its beautiful green water, riverine scenery, and picturesque blufflines. Visitors enjoy a wide variety of landscapes and ecosystems as they float the river, or as they drive the adjacent roads.

Management activities, such as signing, recreation facilities, and timber harvesting, are subordinate to the river's natural appearance. Developed recreation areas blend in with the surrounding scenery and are mostly screened from the river. Riparian vegetation is maintained at developed recreation areas, screening these from the river to maintain a natural appearing river corridor.

The diversity of vegetative species, and age classes are important. A percentage of the area is managed for large diameter tree character. Enhancement opportunities are found for spring flowers and fall color. Views of special features along the river corridor, like rock bluffs are enhanced. The historic character of the river, rock fences, opening and grass areas are considered part of the diversity and add variety along the river corridor. These are important parts of the cultural character of the river.

The new scenery management system called Landscape Aesthetics is implemented.

2400 VEGETATION MANAGEMENT

Big Piney Creek corridor has been designated as unsuitable for timber production. The forested land within the corridor is late seral hardwood and late seral hardwood/shortleaf pine. The open lands within the corridor are a combination of native warm season grasses, forbs, and shrubs. The riparian areas adjacent to open land have a healthy riparian buffer varying from 30-100 feet wide. These buffers stabilize the stream banks and provide a forested link between the late seral vegetation above and below the open land.

This landscape, with its canopy of oaks, pine, hickory creates the unique character of the river. The variety of native upland and riparian vegetation communities support significant biological diversity in the river corridor. Vegetation is managed to enhance scenic, wildlife, late seral, and recreation values. Timber stands are treated to enhance the development of late seral hardwood and hardwood pine forest types.

2500 WATERSHED AND SOILS MANAGEMENT

Excellent water quality exists in Big Piney Creek and is an important component of the healthy aquatic warm water ecosystem maximizing other resource values (such as fisheries and recreation). Sand bedload in the river system is reduced by minimizing sediment inputs through improved design and modification of all stream crossings (including culverts, bridges, and pipeline/utility lines), recreational access sites, the development of late seral forest vegetative riparian zones, and the stabilization of critical eroding stream banks. The FLRMP provides protection of water quality in the entire watershed by prescribing acceptable management practices for projects outside the corridor.

Stream bank restoration measures blend in with the surrounding landscape and are essentially invisible to the untrained eye. Big Piney Creek is in a state of dynamic equilibrium due to natural erosional and depositional processes. Natural changes in the stream channel occur, resulting in eroding streambanks which provide habitat for those species dependent on such disturbance.

Eroded areas creating unacceptable environmental impacts are rehabilitated, while others are left untreated, allowing visitors to see the natural dynamics of riverine ecology.

2600 WILDLIFE, FISHERIES AND RIPARIAN RESOURCES

Wildlife populations dependent on mature and late seral forests increase. Natural disturbance, such as wind caused tree fall, provides habitat for early successional species. Early seral habitat is provided for in the native warm season grass areas. Populations of game and non-game species are at healthy levels, balancing ecological and recreational needs.

Big Piney Creek supports a superior smallmouth bass fishery. These fisheries are based both on natural reproduction and supplemental stocking programs. Very good populations of other fish, such as spotted bass and green sunfish, are also present. A reduced sand bedload results in increased aquatic invertebrate production, and additional gravel spawning areas and pool habitat. Structural cover is also abundant due to the presence of large woody debris.

Aquatic habitat is protected by preserving cover in the form of overhanging banks and large woody debris in the river channel. Healthy riparian vegetation enhances the water quality. The water quality of Big Piney Creek exceeds the standards set by the Arkansas Department of Pollution Control and Ecology.

The Big Piney corridor provides a linkage between the core area of the Hurricane Creek Wilderness and the Hurricane Creek Wild and Scenic River. This linkage allows the diversity of species present to maintain population viability across geographic distances by allowing mobility and genetic exchange.

2670 THREATENED, ENDANGERED, AND SENSITIVE SPECIES.

Endangered, threatened, and sensitive species, and unique communities are managed and monitored to maintain and enhance viability. Quality habitat is provided for species such as darters and shiners and other important flora and fauna.

2700 SPECIAL USES

Outfitters and guides that use National Forest facilities operate under special use permit. New permit applications are evaluated to ensure river values are protected. Special use permits for recreation events are issued providing the event does not affect the outstandingly remarkable values.

Other special use permits are issued. Special use permits providing access and services to private lands continue. Factors considered when non-Forest Service routes are available, include economic considerations to the private landowner, if the proposed route is in the best location to protect the outstandingly remarkable values.

2800 MINERALS

Surface resource management conflicts are resolved on a case by case basis. In-stream gravel mining is regulated by State laws. The Forest Service complies with state issued recommendations. The U.S. Army Corps of Engineers is the responsible agency which reviews applications for projects within the stream channels and flood plains of navigable rivers on private as well as National Forest lands. Forest Service actions comply with all regulations administered by the Corps of Engineers, such as 404 permits. All new leases are issued with a no surface occupancy stipulation. Directional drilling occurs so long as the outstandingly remarkable values are preserved.

5100 FIRE MANAGEMENT

Wildfires are suppressed to protect life, property, private lands, air, water, soil productivity and resource values. Prescribed burning is used to improve wildlife habitat, increase species diversity, and achieve visual quality objectives.

5400 LAND OWNERSHIP

The Forest acquires desirable tracts within the river corridor when opportunities exists, and when budget constraints will allow. Private developments seen from the river are minimal. Partnerships exist between the private land owners, the Forest Service and State of Arkansas to accomplish protection of the river attributes while respecting each partner's rights and responsibilities. Where conflicts occur, the ownership boundaries are delineated to minimize trespass.

6700 HEALTH AND SAFETY

The Forest Service works with interested publics and landowners to maintain a safe and healthy environment on the river. There is coordination with search and rescue teams and the County Sheriff's offices to respond to crisis on the river and within the corridor. The Forest Service continues to comply with regulations regarding safety in developed recreation sites.

7710 TRANSPORTATION/ACCESS

The FDR system is maintained to facilitate year-round access to the developed recreation sites. Selected roads to dispersed recreation sites that are eroding significantly and are used very little are rehabilitated and closed. Road maintenance and construction activities improve access for recreation uses while protecting the river's values. County and state road maintenance and construction work is monitored to ensure river values are protected. Trails are maintained and enhanced.

STANDARDS [S] AND GUIDELINES [G]

INTRODUCTION

The Standards [S] and Guidelines [G] state the bounds or constraints within which all practices will be carried out in achieving the planned goals and objectives for Wild and Scenic Rivers. Note: Where river segments are within Special Interest Areas or Wilderness, the more restrictive Management Area (MA) standards and guidelines are to be followed.

Unless otherwise noted in the following Standards and Guidelines, refer to the Forestwide standards and guidelines (Management Area Direction) outlined in the Forest Plan. Not all aspects of the Wild and Scenic Rivers Act are reflected in these Standards and Guidelines. The Act should be used in conjunction with this management direction.

In the Wild and Scenic Rivers Act, all rivers are classified, designated, and administered as either **Wild**, **Scenic** or **Recreational**. All of Big Piney is designated as **Scenic**. The standards and guides refer to **Scenic** river management standards. Scenic Rivers are 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.

PROGRAM AREAS

2200 RANGE/GRASSLANDS

[S] - Issue no new grazing permits.

[G] - Phase out woodland allotments that no longer meet NFMA and Forest Plan guidelines.

[G] - Maintain existing open fields, haylands, and improved pastures that are compatible with river values.

[G] - Any field may have a riparian buffer, where needed, that is not mowed or grazed.

2300 RECREATIONAL DEVELOPMENT

[S] - Developed recreation areas will be managed in accordance with forestwide "Developed Recreation Areas" standards.

[S] - Facility development reflects ROS classification.

2350 TRAILS

[S] - New motorized trails will be prohibited within the corridor.

[G] - New non-motorized trails are permitted if they meet objectives for the Wild and Scenic River and the specified outstandingly remarkable values.

2380 SCENERY MANAGEMENT

[S] - The Visual Quality Objective is Retention.

2400 VEGETATION MANAGEMENT

- [S] - Lands within the corridor will not be managed for timber production.
- [G] - Vegetation management activities may be used to enhance the outstandingly remarkable values with an emphasis on aesthetic, scenic, historic, archeological, and scientific features.
- [G] - Comply with the intent given in the management objectives specific for each river.
- [G] - Correct impact or salvage material resulting from a catastrophic natural or human-caused disaster if necessary to maintain the outstandingly remarkable values.
- [G] - Remove invasive, non-indigenous vegetation when appropriate for protecting river values.
- [G] - Remove hazards for visitor safety using ROS guidelines (from "paved to primitive" settings).
- [G] - Incidental or downed fuelwood may be removed for campfires.

2500 WATERSHED AND SOILS MANAGEMENT

- [S] - Prohibit all new water supply dams, flood control dams, hydroelectric power facilities, levees or other major diversion in the channel or river corridor.
- [S] - Prohibit removal of mineral materials as per state regulations for extraordinary resource waters.
- [G] - Limit stream channel and bank improvements to protection of life, property, and outstandingly remarkable values. Use materials for rehabilitation work that meet the ROS classification.

2600 WILDLIFE, FISHERIES AND RIPARIAN RESOURCES

- [S] - Ensure new wildlife or fish habitat improvements contribute to maintaining or improving the outstandingly remarkable values.
- [G] - Maintain existing wildlife and fish habitat improvements that do not conflict with the objectives for that river segment.

2700 SPECIAL USES

- [S] - Prohibit motorized events within the corridor.
- [S] - Permits shall not be issued for activities on National Forest Lands that are inconsistent with the management goals for the river corridor.
- [G] - New transmission lines, gas lines, and water lines should be placed within already existing rights-of-way. Where a reasonable alternative exists, the proposed route is to be located to best protect the Outstandingly Remarkable Values.

2800 MINERALS

- [S] - Prohibit common variety minerals and mining claim operations within the designated river corridor.
- [S] - Prohibit surface occupancy for new oil and gas leases.
- [G] - Allow existing mineral operations to continue subject to Secretary of Agriculture regulations prescribed to protect rivers in the National Wild and Scenic River System.

5100 FIRE MANAGEMENT

- [G] - Prescribed burns may be used to achieve a desired future condition if this enhances the outstandingly remarkable values while protecting water quality.
- [G] - Limit hot burns in riparian areas.

5400 LAND OWNERSHIP

[G] - Provide assistance to private landowners to encourage practices that enhance Wild and Scenic River goals and objectives.

Land Acquisition:

[S] - Acquire desirable tracts within the corridor only from willing sellers, when the opportunity exists.

7700 TRANSPORTATION/ACCESS

[S] - Use minimal tool rule when doing maintenance. Apply only the minimum tools, equipment, device, force, regulation, or practice that will bring the desired result.

[S] - Motorized vehicles may only cross at designated crossings. They may not travel up and down the river channel.

[G] - Maintain or reconstruct existing roads serving private land and those authorized for National Forest Management. Manage existing National Forest roads and proposed new construction to protect and enhance the river corridor

OPERATIONS AND DEVELOPMENT

IMPLEMENTATION AND REVIEW OF THE COMPREHENSIVE MANAGEMENT PLAN

After approval of the comprehensive river management plan, the Forest Supervisor shall ensure that all permits, contracts, and cooperative agreements are consistent with the Forest Plan. All later administrative activities including budget proposals will be based on the comprehensive river management plan. This section will be looked at when considering any activity in the river corridor on federal Lands. The section is not intended to provide absolute direction, but rather to be used as a guide when activities are considered.

MONITORING AND EVALUATION

Monitoring and evaluation objectives determine how well plan objectives have been met and how closely management requirements have been applied. Based upon the evaluation, the inter-disciplinary team may recommend to the Forest Supervisor necessary management direction changes, revisions, or amendments to the comprehensive river management plan. If monitoring or inventory are not discussed in a section, they are either already in the Forest Land and Resources Management Plan, or not applicable.

PROGRAM AREAS

1600 INFORMATION SERVICES

Operations.

Information services address three needs; directional, behavioral, and interpretive/educational. There is a need to inform river users about the general character of the river, laws and regulations and opportunities that pertain to recreation activities in the corridor, and about specific natural or cultural values or features. Information can be provided through a variety of means, including signs, brochures, and personal contact.

Signs

The number of signs should be kept to the minimum necessary for effective law enforcement, direction and education.

Informational - The primary Forest Service access sites should have a sign board/bulletin board to display important information to visitors. In general, all non-regulatory information should be placed on one sign board/bulletin board at the landings. Additional information signs should be located in the landing parking areas, or generally out of sight of the river channel.

Types of information to include on the sign boards include:

1. Visitor use guidelines, low impact behavior, responsible use of alcohol, and outdoor ethics.
2. A map of the designated river corridor identifying public lands, recreation facilities/sites, river safety considerations, landmarks on the river, and primary road and trails.
3. Information and education to heighten awareness about the river corridor's plant and animal communities which are sensitive to human disturbance.

4. Consider installing signs which identify Big Piney Creek as being part of the Wild and Scenic River system, using the national logo.

Regulatory - Regulatory signing should be kept to a minimum. In general, at the primary river access sites, regulatory information should be posted on one sign board (consider combining with informational sign board either as an attached panel or all on single panel). Additional regulatory information could be posted in the parking areas or at the entrance of trails from parking area to landing sites. The type of regulatory information could include information on the Marine Safety Act and "pack-it-in, pack-it-out" litter control policy, and important other regulations.

All informational and regulatory signing within the river corridor should be uniform in color and design following direction in the Forest Service Sign Handbook. Sign size should also be kept a minimum, giving consideration to the viewing distance and whether intended to be viewed from moving vehicles. No reflective surfaces, tape, lettering or symbols should be used on informational signs unless critical for visibility from moving vehicles.

Brochures - A brochure should be developed for the river corridor. The brochure could include the following information:

1. A map that identifies public lands, recreation facilities and access sites, landmarks and primary roads and trails
2. Recreation opportunities available in the river corridor.
3. Brief description of why the river was designated a National Wild and Scenic River, reasons for protection, and how users can protect these values.
4. Inform visitors about regulation pertaining to commercial operators and camping regulations
5. A statement on outdoor ethics, respecting private property rights, responsible use of alcohol, and safety concerns.

Personal Contact - There should be regular contacts between Forest Service representatives (Forest Service personnel or volunteers) and visitors in the river corridor. Emphasis should be from March through June, with the focus of contacts at the river landings and camping areas. The objectives of these contacts are to monitor recreation use and impacts, to inform and educate visitors about regulations, low impact behaviors and special features of interest in the river corridor.

The District Ranger and District representatives should develop and maintain working relationships with river residents, commercial operators, local and state agencies, and user groups to assure support and participation in successful river management.

Monitoring and Evaluation

Monitoring and evaluation in this resource area is dealt with in several sections of the Forest Plan. The placement and condition of signs and bulletin boards is monitored through facility condition surveys and reports. Public comments about maps, signs, brochures, and public service will be collected through voluntary and solicited methods. Fee envelopes, trail registration cards, guest registers, letters, telephone calls, and face to face comments are some of the methods to use to track the effectiveness of the Informational Services. Visitor/user surveys, such as the one developed by Arkansas Tech University for the Big Piney, is one way to solicit public comments. See the Forest Plan for additional details on evaluation of monitoring results.

2200 RANGE

Operations

No new grazing permits should be issued in the corridor. Existing permits should be honored, if a permit is relinquished, consideration of the outstandingly remarkable values should be made before issuing to a new permittee. Haylands and openings should be maintained, but over time non-native pastures should be managed for native warm season species. This can be accomplished through management techniques that favor warm season grasses, or cultural techniques such as discing and seeding can be used.

Riparian buffers of 30-100 feet should be allowed to establish between open land and the river to help reduce erosion, provide aquatic habitat, and act as a filter. There may be situations where planting may be required to establish a riparian buffer if one does not exist. These guidelines apply to National Forest Lands only. Practices used on Federal Lands can be a demonstration for private landowners.

Monitoring and Evaluation

Streambanks should be monitored to determine the effects of riparian vegetation establishment. Additional vegetation monitoring in the haylands should occur every 3-5 years to determine the effects of native plant establishment.

2300 RECREATION

Operations

Developed/Dispersed Recreation

1. An ROS of Roded Natural should be maintained on National Forest lands from the headwaters to the Forest Boundary.
2. Camping should be directed to Long Pool Campground and existing dispersed sites within the corridor.
3. Recreation facilities should be designed and maintained to provide a Roded natural experience in the river corridor.
4. Trash receptacles should be provided at developed recreation sites, such as Long Pool campground. Other access points could have trash receptacles if a "pack-it-in/pack-it-out" strategy doesn't work.
5. Additional development of public river access points, specifically at Treat and Graves Creek, should be considered after site specific environmental analysis.
6. Information should be available for visitors on developed camping opportunities in the area, including private and state facilities.

Trails

1. Development of new trails should meet the ROS standard and meet the objectives of the outstandingly remarkable values.
2. From the Limestone access to the Forest Boundary, Big Piney Creek should be managed as a water/canoe trail.
3. Trail construction should involve only the amount of clearing as is necessary for safe passage for trail users. Trail layout should minimize clearing of large trees or any unique vegetation. Trees that pose a hazard should be cut.
4. Trails that are developed by users through constant use which cause resource or social impacts should either be closed and fully rehabilitated, relocated to a less sensitive location or hardened. Evaluation of the best corrective measures should consider the traditional uses of the trails, the relative importance of the trail as an access route to unique attractions in the corridor, potential impacts to local residents, and significance of the resource impacts. Those user developed trails that provide important access to the river or recreation attractions should be reconstructed to meet Forest Service Standards.

Monitoring and Evaluation

Monitoring and evaluation in this resource area is dealt with in several sections of the Forest Plan. The dispersed area use, developed site facility condition and off-highway vehicle impacts will be monitored using monitoring techniques and data sources specified in the Forest Plan. Other monitoring techniques may include:

1. Canoe census at access points to document the number and type of watercraft by rental company and by private use.
2. Recording visitor comments taken from fee envelopes and trailhead registration cards.
3. Documentation of all dispersed campsites by photographing and measuring the improvements and impact area.
4. Use of trail counters to count the number of canoers on sections of the river.
5. Collection of user data supplied by the outfitters in their annual special-use report.
6. Watercraft use should be monitored in the river corridor with the objective of determining an optimum carrying capacity on Big Piney Creek. The types of monitoring will include the amount, type, season of use, and location of watercraft use. The objective of the watercraft monitoring is to evaluate and mitigate potential impacts to sensitive species or river values.

The results of this monitoring along with regularly scheduled visitor/user surveys will be used to assess the need to implement user capacity restrictions.

Monitoring Schedule.

1. Every 5 years - landowner, angler, boater and camper surveys,
2. Annual review of comment cards.
3. Annual review of river condition.
4. Every 5 years - review of dispersed campsites.

Continue to inventory dispersed recreation sites, trail development, and litter problems. Canoe census at access points to document the number and type of watercraft by rental company and by private use. Recording visitor comments taken from fee envelopes and trailhead registration cards. Documentation of all dispersed campsites by photographing and measuring the improvements and impact area. Use of trail counters to count the number of canoers on sections of the river. Collection of user data supplied by the outfitters in their annual special-use report.

2360 HERITAGE RESOURCES

Operations

The goal of managing heritage resources is to protect and preserve heritage resource properties and values within the Big Piney Creek corridor.

Historic and Prehistoric Resources

1. Conduct site specific surveys for all proposed ground disturbing projects within the Big Piney Creek corridor. Survey intensity shall follow established Forest guidelines.
2. Complete Determinations of Effect and National Register evaluations and/or nominations for all heritage resource sites identified and recorded within proposed project areas.

Cultural Values

1. Preserve elements of the river corridor contributing to local social and cultural values.

Interpretation

1. As funds allow, provide interpretation of heritage resources within Big Piney Creek corridor. Interpretation should be provided at developed recreation sites and/or the high use sites.
2. No specific location information should be included in any developed interpretive material without full concurrence from the State Historic Preservation Office and/or the Advisory Council for Historic Preservation.

Monitoring and Evaluation

Monitoring and evaluation in this resource area is dealt with in the cultural (heritage) resource section of the Forest Plan. See the Forest Plan for additional details on evaluation of monitoring results.

1. Conduct an inventory of the river corridor to determine past cultural use, and to provide data for an interpretive plan.

2380 SCENERY MANAGEMENT

Operations.

Management actions on National Forest system lands, such as vegetation management, development of recreation facilities, or construction of erosion control structures, must meet the Visual Quality Objective of Retention. These guidelines apply only to National Forest lands, not private lands.

1. Structures on National Forest lands should be:
 - a. Located so that they are as unobtrusive as possible,
 - b. Screened with native vegetation (with an emphasis on large, long-lived tree species- e.g. oak and hickory) to make them less evident when viewed from the river,
 - c. Designed to blend in with natural surroundings,
 - d. Constructed of "natural" appearing materials (e.g. encourage use of wood and rock on visible surfaces, vs. concrete or metal. Use of non-native materials is acceptable if adequately masked or screened by native materials or vegetation.

Monitoring and Evaluation

Monitoring and evaluation in this resource area is dealt in the "Visual Quality" section of the Forest Plan. See the Forest Plan for additional details on evaluation of monitoring results.

2400 VEGETATIVE MANAGEMENT

Operations.

Vegetation management should enhance and promote the appearance and structure of a late seral stage forest condition within the river corridor, or enhance important components of the ecosystem (e.g. sensitive species habitat). Canopies should be deep and multi-layered and there should be an abundance of snags and downed logs. Natural processes of a maturing forest, including some die-off and decay of stands from insect and disease should be considered natural. Vegetation management is the main tool to be used for maintaining or enhancing the outstandingly and remarkable values.

The following actions should also be allowed within the river corridor:

1. Actions needed to correct impact or to salvage material resulting from a catastrophic natural or human caused disaster.
2. Planting to help control erosion and to screen structures and developments visible from the river.
3. Sustaining the natural integrity of vegetative communities in the river corridor by prescribed burning, planting, or removal of encroaching vegetation.
4. Removal of hazards.
5. Collecting of downed woody material for use at campsites.

Riparian zone management adjacent to open land should be managed to provide for a healthy buffer. This buffer may vary and could be from 30-100 feet and should be allowed to expand naturally. The purpose of this zone is to create a stable ecosystem along the waters edge, provide a zone to cycle nutrients, provide shade to moderate and stabilize water temperature , and to provide large woody debris for the water ecosystem. The dominant vegetation should consist of native trees and shrubs, and be managed for a late seral stage. Management of this zone should be limited to bank stabilization, and tree removal for safety reasons. Prescribed burning in this zone should be used sparingly and done under cool burn techniques.

Monitoring and Evaluation

Monitoring and evaluation in this resource area is dealt with in several sections of the Forest Plan including, "Recreation", "Timber", "Visual Quality", and "Protection". See the Forest Plan for additional details on evaluation of monitoring results. Continued monitoring of the vegetative component will be necessary to determine the progress in reaching a late seral stage. This will be used to determine what strategies to take to achieve this community. The establishment of the riparian zone adjacent to open land will need monitoring to determine health.

2500 WATERSHED AND SOILS MANAGEMENT

Water

Operations

Achieve the goals in the Federal Water Pollution Control Act, as amended. Water quality protection and improvement needed to meet the requirements of the Act will be attained through implementation of Best Management Practices (BMPs) as identified in "Water Quality Management for National Forest System Lands", April, 1979. Identification of the appropriate BMP and implementation will be accomplished through individual projects. The FLRMP provides direction to protect water quality in the entire watershed outside the corridor. Refer to the appropriate management area direction for appropriate projects. Participate in all studies and evaluations of projects affecting the Wild and Scenic River.

The Forest will coordinate with the Arkansas Department of Pollution Control and Ecology and the Arkansas Natural and Scenic Rivers Commission, to assess and prevent future impacts to the water quality of Big Piney.

Where watershed improvement projects are undertaken, use materials that will blend in with the ROS designation. Improvement actions should occur on erosion sites/banks that are threatening other forest investments such as roads, or private land. Emphasis will be placed on minimizing visual impacts of erosion control activities.

Continue to implement the Stream Quality Monitoring process designed by the Ohio Department of Natural Resources. Stream water quality data will be used to determine a Forest Stream Water Quality Index. A 5% decline in this index would be considered significant.

Soils

Operations.

1. Sedimentation into Big Piney Creek or tributaries, or impacts to soils from existing human uses, should be reduced either through information and education methods, structural or vegetative stabilization, or enforced closures. Where possible the least restrictive methods should be implemented first and monitored for effectiveness. Further restrictions or stabilization methods may be phased in if necessary.
2. Any FDRs or segments of roads identified as causing unacceptable resource impacts will be evaluated for reconstruction or closure. Proposed closures would be posted one year in advance so that the public is made aware of the future management actions.
3. Continue to coordinate with the various County Judges and soil conservation agencies to eliminate erosion and other resource impacts from county road crossings/roads in the corridor.

Streambank Stabilization

Evaluation of sites proposed for erosion control along the banks of Big Piney Creek on National Forest lands should consider the natural dynamics and lateral movement of the river channel.

1. Stabilization should be limited to existing "severe" and "moderate" eroding banks on National Forest lands which are contributing significantly to sediment bedload levels of Big Piney Creek. Future (long-term) stabilization efforts should focus only on eroding streambanks where forest or private structures are threatened.
2. Efforts shall be in a downstream direction, taking a "worst-first" and "upstream-first" approach (in terms of erosion class severity ranking).
3. Erosion control techniques shall, to the extent practicable, maintain or enhance free-flowing characteristics of the river. Cumulative amount of stabilization over time shall not exceed 5% of the total shoreline length within the designated corridor.
4. Emphasis should be placed on maintaining the scenic quality of Big Piney Creek, with treatments blending in with the surrounding landscape, becoming essentially invisible to the untrained eye over time (within 5 years).

A bio-engineering approach which combines traditional structural techniques with native vegetation plantings shall be employed. These include, but are not limited to: riprap, whole tree revetments, and vegetative plantings.

5. "Hard" techniques such as riprap shall be generally limited to those sites which have suitable existing access for equipment. Use materials that blend in with the surrounding vegetation. Large woody debris such as whole trees or root wads should be incorporated into riprap designs wherever possible to maintain natural scenic profiles and enhance instream fish cover.

6. Consideration should be given to the habitat needs of other riparian dependent species such as wood turtles and bank swallows. Certain eroding streambanks (i.e. clay banks, some sandy banks with southerly exposures) which provide good nesting habitat will be left untreated or treated less intensively.

7. Stabilization structures shall be periodically maintained to prevent such structures from becoming visually obtrusive or safety hazards. Existing structures which have fallen into a state of disrepair will be either rehabilitated or removed. Both removal or repair shall be done in a manner which maintains the scenic character of the river and does not contribute to future streambank erosion.

Monitoring and Evaluation Plan

Monitoring and evaluation in this resource area is dealt with in the "Soil, Water and Air" section of the Forest Plan. See the Forest Plan for additional details on evaluation of monitoring results.

1. Inventory roads, trails and cutbanks to determine where impacts are occurring, and gather data for future actions.
2. Collect water quality data every 5 years, beginning in the year 2000, to compare to established baseline conditions. Broad spectrum of chemical, physical, and biological parameters shall be collected and compared to historic baseline data. Since annual data is collected by the Arkansas Department of Pollution Control and Ecology at Big Piney Gauging Station, it is felt that periodic sampling on a 5 year schedule is adequate to protect the water quality of Big Piney Creek.
3. Continue with the annual invertebrate sampling to determine water quality, and compare to State analysis. Stream water quality data will be used to determine a Forest Stream Water Quality Index. A 5% decline in this index would be considered significant.

2600 WILDLIFE, FISHERIES AND RIPARIAN RESOURCES

The Arkansas Game and Fish Commission has the primary responsibility for the management of fish and wildlife populations, while the Forest Service has the primary responsibility for management of habitat on National Forest system lands. All riparian and aquatic habitat management activities will be coordinated with the Arkansas Game and Fish Commission. The Forest Service will advise hunters to make sure they get permission from landowners to hunt on private lands if using the river as access for hunting.

Operations.

Wildlife Habitat Management

1. Management activities will contribute to the support of viable populations of native wildlife species found in the area.
2. Protect and enhance special habitat components within or adjacent to the corridor such as wintering habitat areas, wetlands, and seeps, raptor nests, large woody debris, cavity nesting habitat, and exposed sand banks.
3. Provide information on the wildlife habitat and values associated with the corridor for visitors.
4. Prescribed burning should be considered to enhance wildlife habitat and ecosystem functions within areas that have natural fire history.

Fisheries Habitat Management

Maintain smallmouth bass fisheries habitat in Big Piney Creek to maintain "Quality Stream" status with the Arkansas Game and Fish Commission.

1. Riparian vegetation shall be managed for late seral stage to ensure the long term input of woody material (large woody debris) to adjacent aquatic ecosystems.
2. Instream woody debris shall be left undisturbed unless it constitutes a navigational hazard (if watercraft cannot go over, under, or around woody debris, it constitutes a navigational hazard and should be removed).
3. The Forest Service, as principal riparian owner, shall work with primary river users to assess potential navigational hazards and determine clearing needs along National Forest lands.

Monitoring and Evaluation

Monitoring and evaluation in this resource area is dealt with in the "Wildlife and Fish" section of the Forest Plan. See the Forest Plan for additional details on evaluation of monitoring results. The Forest Plan calls for monitoring of the wildlife and fisheries during the silvicultural prescription and sale review process, using inventory data and water quality monitoring data. For smallmouth bass fisheries, there will be no change from the existing Forest Land Management Plan direction. Maintain indicator species above minimum viable levels, as directed in the Forest Land Resources Management Plan. For smallmouth bass fisheries, any sustained reduction (3 years) in population or a sustained reduction in water quality (3 years) would indicate a need for further/corrective action.

2670 THREATENED, ENDANGERED AND SENSITIVE SPECIES

Operations

The goal of endangered, threatened and sensitive species management is to identify, monitor, protect, and enhance these species and associated habitat components within the corridor. These activities are required by the Endangered Species Act of 1973, the Forest Service Manual (2670), and the Forest Plan.

The Forest wide standards for threatened, endangered and sensitive species will apply in this management area.

1. Inventory, protect, and enhance sensitive species and their habitat. Survey high probability habitat areas for occurrence of plant species within 3 years of plan implementation. Survey all site specific project sites for occurrences.
2. Emphasize information, education, and enforcement of regulations designed to protect endangered, threatened or sensitive species. Coordinate with visitors, commercial users, landowners, partners, and other resource agencies.
3. Prevent the introduction of plant and animal species on National Forest lands that may have adverse affects on river values.

Monitoring and Evaluation

Monitoring and evaluation in this resource area is dealt with in the "Wildlife and Fish" section of the Forest Plan. See the Forest Plan for additional details on evaluation of monitoring results.

Biological evaluations are required for all Forest Service activities which may affect threatened, endangered and sensitive species within the Big Piney Creek Corridor. Expand the inventory to determine the spread of particular species found only in Big Piney.

Any surveys which result in documentation of threatened, endangered, or sensitive species, will be monitored using methods established and approved by the US Fish and Wildlife Service.

2700 SPECIAL USES

Operations

Permits

Special use permits are required for organized recreation events that utilize National Forest lands or facilities within the river corridor. Special use permits for developments within the river corridor on National Forest lands shall not be issued except as needed for access and utility services to other ownerships within the river corridor. Placement of new roads and utility lines on National Forest lands should be in the most environmentally sound locations that are economically viable, and that protect the outstandingly remarkable values.

Special use permits are required for all commercial activities on National Forest system lands in the river corridor. Permits will be administered in accordance with Forest Service policy.

1. Issuance of permits for commercial activities should be based on demonstrated need for the service or activity.
2. Impact from all operations shall be minimized through stipulations in the operations and maintenance plans, and annually reviewed for effectiveness.

3. Permits should not be issued for commercial activities on National Forest lands that are inconsistent with the management goals for Big Piney Creek corridor.
4. Commercially outfitted and guided activities on National Forests land shall be regulated through issuance of special use permits. The number of outfitters and guides authorized to operate on Big Piney Creek should be controlled by the available market for such services.

Rights-of-way for public roads and major utility lines.

1. Additional rights-of-way for transmission lines, pipelines, public roads, etc. should be analyzed for the effects on the outstandingly and remarkable values. Should the analysis show these values are protected, then the use should be granted with appropriate mitigation measures.
2. Replacement of existing roads or utility lines should be allowed within the corridor as long as the scenic, recreation or other unique river values are not adversely affected. Upgrading existing facilities may only be considered if an environmental analysis demonstrates that these river values are preserved or enhanced.

Monitoring and Evaluation

Monitoring and evaluation in this resource area is dealt with in the "Lands-Special Use Permits" section of the Forest Plan. Special use permit applications are analyzed as specified in the Code of Federal Regulations. Permits which already exist, are evaluated during the monitoring process for unacceptable conditions. Unacceptable conditions must be corrected or the permit is terminated. See the Forest Plan for additional details on evaluation of monitoring results.

2800 MINERALS

Operations

Manage for mineral prospecting and development to minimize adverse environmental effects on other resource uses and values.

1. Administer all mining activities on National Forest lands according to 36 CFR 228 subpart A and FSM 2810.
2. All authorized surface use of a mining claim will be included in the plan of operations.
3. Essential offclaim uses and needs that can be tied to a specific claim will be authorized by special use permits.
4. Mineral activities which can not be tied to a specific claim will only be authorized in the plan of operation approved for such activities (i.e. active exploration not within the limits of a claim).

Monitoring and Evaluation

Monitoring and evaluation in this resource area is dealt with in the "Minerals and Geology" section of the Forest Plan. Gas well applications will be analyzed as specified in the Code of Federal Regulations. On shore drilling regulations also apply. Monitor mineral exploration activities to insure river values are being met, and the plan of operation is adhered to.

5100 FIRE MANAGEMENT

Operations.

Wildfire suppression within the river corridor will follow the same guidelines as suppression on adjacent lands, except additional efforts should be made for prompt rehabilitation of all control activity generated disturbances. The Incident Commander and Line Officer shall review the need for a Burned Area Rehabilitation Plan, regardless of fire size.

Prescribed Burning

Prescribed burning should be used as a tool to achieve vegetation, visual or recreation management objectives.

Monitoring and Evaluation

Monitoring and evaluation in this resource area is dealt with in the "Protection" section of the Forest Plan. For example, each prescribed burn and wildfire will be reviewed by resource staff areas to assess the effectiveness of Forest Service actions and to assess the effectiveness of the prescribed burn or the damage caused by the wild fire. See the Forest Plan for additional details on evaluation of monitoring results.

5300 LAW ENFORCEMENT

Operations

Enforcement of laws and regulation is important for effective river plan implementation.

Maintain law enforcement presence in the river corridor during high use periods. Uniformed law enforcement personnel shall make frequent contact with recreationists and commercial operators.

The Forest Service shall strive to maintain cooperative agreements with the local county sheriff's departments to provide:

1. Patrols within the river corridor during periods of heavy use to keep peace and to enforce State and local laws within the river corridor, and;
2. Assistance and support for Forest Service personnel in the enforcement of Federal regulations.

Supervisor's Orders will exist to:

1. Prohibit motor vehicles in the river except at designated crossings on National Forest lands.
2. Prohibit motorized watercraft, except for those with electric motors, on both the recreational and scenic sections of the river (National Forest Land only). Non-electric motorized watercraft may be used only during search and rescue operations or for administrative use to protect and enhance the outstandingly remarkable values.

Other Supervisor's Orders may be implemented as necessary to protect the outstandingly remarkable values, health and safety, or for other reasons which serve to enhance the river corridor on public lands.

Monitoring and Evaluation

Monitoring and evaluation in this function area is not specifically dealt with in the Forest Plan. Law Enforcement is seen as supporting other resource areas, such as fee compliance, vehicle restrictions, and public safety. The effectiveness of this function area will be measured by perceptions of the officers and use of the Law Enforcement Monitoring and Assessment System. Variability that would initiate further action would be non-compliance of Forest Supervisor's Orders, Federal Laws and Regulations, as well as state and local laws. See the Forest Plan for additional details on evaluation of monitoring results.

5400 LAND OWNERSHIP

Operations

National Forest system lands within the river corridor should generally not be exchanged. Exceptions may be considered on an individual basis upon completion of an environmental analysis.

The Forest Service shall work cooperatively with other land owners in the river corridor to meet the objectives of the National Wild and Scenic Rivers Act as well as objectives of the landowners.

The Forest Service should continue to coordinate with the Arkansas Department of Pollution Control and Ecology and other conservation organizations to help provide information and technical advice for landowners on how to minimize impacts to National Wild and Scenic Rivers Act objectives.

Lands in the river corridor, particularly those with frontage on the river or with important habitat for threatened or endangered species, should be acquired as the opportunities occur.

Monitoring and Evaluation Plan

Monitoring and evaluation in this resource area is dealt with in the "Lands" section of the Forest Plan. Monitoring will be for compliance with the Wild and Scenic Rivers Act. See the Forest Plan for additional details on evaluation of monitoring results.

6700 HEALTH AND SAFETY

Operations

Health and safety planning will address the following risks:

Whitewater canoeing is inherently a dangerous sport. All brochures and bulletin boards should address this risk. Public information should discuss actions which can be taken to lower the risk of personal injury.

Things to consider include: having equipment in good condition, not boating when the river is 4.5 feet or higher, leaving the river during rising water or storms, using Coast Guard approved personal floatation devices, using safety equipment appropriate for the watercraft being used, not consuming alcohol or drugs while boating, knowing your abilities and skill levels, and portage around difficult areas.

Flash floods occur along Big Piney Creek. Boaters, swimmers, anglers, campers, hikers and hunters are all at risk of being trapped by flash flooding on Piney Creek. Flash flood warning signs should be posted at the entrance of developed recreation sites. Brochures and bulletin boards should also address the issue of flash flooding if the danger exists.

Annual safety inspections should be conducted at all developed recreation sites. Unsafe conditions should be corrected or the area closed to public use. In-channel dangers are inherent in white water rivers. All dangers cannot be eliminated. When necessary, in-channel blockages such as limbs and down trees should be removed to allow safe passage of watercraft. Generally, a four foot wide section is considered wide enough for passage of boats.

Confrontations between recreationists and landowners should be addressed by the appropriate law enforcement authorities if other, non-legal remedies are ineffective. Search and Rescue plans should be developed in conjunction with land owners, law enforcement, county search and rescue organizations, outfitters and others interested and normally involved in this type of planning.

Vehicle traffic should be controlled by speed limits, State vehicle laws, and National Forest regulations. The Forest Service should coordinate vehicle traffic control measures with the appropriate State and local agencies.

Monitoring and Evaluation

Monitoring and evaluation in this management area is dealt with in several sections of the Forest Plan and through the Health and Safety Code Handbook (Forest Service Handbook 6709.11). Testing of drinking water is covered under the "Recreation" section of the Forest Plan as well as by the Arkansas Department of Health. Monitoring will include mandatory testing (such as the water systems) and perceptual monitoring of accidents, incidents, and fatalities as documented in Law Enforcement Incident Reports and from personal observations.

7700 TRANSPORTATION

Operations

No new permanent Forest System roads shall be developed in the river corridor without appropriate environmental analysis.

Layout and design of permanent roads should consider protection of scenic, recreational and other river values. The service level for each road will comply with Forest Service standards.

Temporary forest roads, and roads constructed for short-term use not intended to be part of the Forest's transportation system may be developed for emergencies or resource protection and management purposes. The layout and design of temporary roads should consider protection of scenic, recreational and other river values, and prevention of future illegal vehicle use.

Temporary roads should also be rehabilitated as soon as feasible upon termination of administrative need.

New bridge crossings over the main channel of the Big Piney River or primary tributaries in the designated corridor on National Forest lands shall not be permitted without appropriate environmental analysis.

Replacement of existing bridges should be permitted only if an environmental analysis and Section 7 analysis (under direction of the Wild and Scenic River Act, 1968) determine a net benefit to the values and objectives of the National Wild and Scenic River corridor.

The Forest Service should coordinate with the counties, state and owners of private access roads to eliminate resource (sedimentation into the river or tributaries) or social impacts and to assure long-term protection and enhancement of river values.

Monitoring and Evaluation

Monitoring and evaluation in this resource area is dealt with in the "Facilities" section of the Forest Plan. Transportation records will be kept on the Transportation Inventory System.

Roads or trails found to be in non-compliance of the service level standards or which are causing an adverse effect to the river will be closed, rehabilitated, and/or repaired. See the Forest Plan for additional details on evaluation of monitoring results

APPENDIX I

REFERENCES (some references were used for background information and not cited)

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APPENDIX II

LEGISLATIVE HISTORY

River management planning direction is contained in the Wild and Scenic Rivers Act (PL1. 90-542), and the Final Revised Guidelines for Eligibility, Classification and Management of River Areas, published by the U.S. Departments of Agriculture and Interior, - 47 Federal Register 39454 (September 7, 1982). Section 3 (b) of the Wild and Scenic Rivers Act requires that three activities be accomplished:

1. Establish detailed boundaries to include an average of not more than 320 acres per mile on both sides of the river [Amendment 7].
2. Determine the classifications applicable to each segment of the river [Public law S. 1742, "Arkansas Wild and Scenic Rivers Act of 1992"].
3. A management plan is to be prepared for the actions needed to administer the river area.

Section 3(b) also states that publication in the Federal Register is required for boundaries and classifications... "shall not become effective until 90 days after they have been forwarded to the President of the Senate and the Speaker of the House of Representatives." Notice of completion and availability of management plans shall be published in the federal register. Section 10(a) of the Wild and Scenic Rivers Act provides for administration of system rivers and stresses that primary emphasis be placed on protecting and enhancing the scenic, historic, archeological and scientific features of the rivers. Other uses are allowed "which do not substantially interfere with public use and enjoyment of these values." Authorization is given for development of individual river management plans which establish varying degrees of intensity for protection and development based on special features of the area. The 1982 guidelines list general management principles that must be addressed when federal agencies are preparing and implementing river management plans.

Amendment 7 to the Forest Land Management Plan (FLMP) established Management Area 9 and requirements for continued protection and management (Table 4-18 in FLMP Wild and Scenic River Management Requirements).

The Big Piney Wild and Scenic River Management Plan will be the basis for amending the Ozark-St. Francis National Forests Land and Resources Management Plan. This plan will be a guide for management of the Big Piney Wild and Scenic River, as designated by Section 3 (a) of the Wild and Scenic River Act C16 U.S.C. 1274 (a) as amended by the One Hundred Second Congress on January 3, 1992 (P.L. 90-542) and is the "Management Plan" referred to in the Wild and Scenic River Study Report and Legislative Environmental Impact Statement on Thirteen Rivers in the Ozark National Forest, September, 1991.

APPENDIX III

GLOSSARY OF ACRONYMS AND TERMS

Best Management Practices - A practice or combination of practices that is determined by a State (or designated area-wide planning agency) after problem assessment, examination of alternative practices, and appropriate public participation, to be the most effective, practicable (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals (Federal Register, Volume 40, No. 230 dated 11/28/75).

Biodiversity - A relative abundance and variety of species, both plant and animal, in a given area.

Biological Evaluation - A specific process required as a part of an environmental assessment that evaluates the potential effects of a proposed project on Proposed, Endangered, Threatened, and Sensitive species and their habitats.

Cultural Resource - The remains of sites, structures, or objects used by humans in the past-historic or prehistoric.

Cumulative effects or Impacts - Cumulative effect or impact is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or nonfederal or person) undertakes such actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40CFR 1508.7 - these regulations use effects and impacts synonymously.)

Decision notice - The written record of the decision made after a federal agency completes an environmental assessment. The deciding officer chooses one of the alternatives, or a blend of the alternatives, and the decision may be appealed by the public. The Forest Service combines the decision notice with the FONSI (Finding of No Significant Impact) required by NEPA.

Designated corridor - Those areas found within the corridors as it was described in the Federal Register.

Developed Recreation - Recreation that requires facilities that, in turn, result in concentrated use of an area. Examples of developed recreation areas are campgrounds and picnic areas; facilities in these areas might include roads, parking lots, picnic tables, toilets, drinking water and buildings.

Dispersed recreation - A general term referring to recreation use outside developed recreation sites; this includes activities such as scenic driving, hiking, backpacking, hunting, fishing, horseback riding, and recreation in primitive environments.

Diversity - The distribution and abundance of different plant and animal communities and species within the area covered by a land and resource management plan.

Easements - An interest in real property that conveys use, but not ownership, of a portion of an owner's property.

Habitat - The area where a plant or animal lives and grows under natural conditions. Habitat consists of living and non-living attributes, and provides all requirements for food and shelter.

Interdisciplinary Team (ID Team) - A group of individuals with different training assembled to solve a problem or perform a task. The team is assembled out of recognition that no one scientific discipline is sufficiently broad to adequately solve the problem.

Limits of Acceptable Change (LAC) System - A framework for establishing acceptable and appropriate resource and social conditions in recreation settings. A system of management planning. Refer to USDA Forest Service General Technical Report INT-176, January 1985, Intermountain Forest and Range Experiment Station, Ogden Utah.

Management plan - A plan guiding overall management of an area administered by a federal or state agency; plan usually includes objectives, goals, standards and guidelines, management actions, and monitoring plans.

Mitigation - Mitigation includes: (a) avoiding the impact altogether by not taking a certain action or parts of an action; (b) minimizing impacts by limiting the degree or magnitude of the action and its implementation; (c) rectifying the impact by repairing, rehabilitating, or restoring the affected environment; (d) reducing or elimination of the impact over time by preservation and maintenance operations during the life of the action; and (e) compensating for the impact by replacing or providing substitute resources or environments. (40CFR Part 1508.20).

National Forest Management Act (NFMA) - A law passed in 1976 as an amendment to the Forest and Rangeland Renewable Resources Planning Act, requiring the preparation of Regional Guides and Forest Plans and the preparation of regulations to guide that development.

Outstandingly Remarkable Values - Term used in the National Wild and Scenic Rivers Act of 1968; to qualify as outstandingly remarkable, a resource value must be a unique, rare, or exemplary feature that is significant at a regional or national level.

Public involvement - A Forest Service process designed to broaden the information base upon which agency decisions are made by (1) informing the public about Forest Service activities, plan, and decisions, and (2) encouraging public understanding about and participation in the planning processes which lead to final decision making.

Recreation Opportunity Spectrum (ROS) - A framework for stratifying and defining classes of outdoor recreation environments, activities, and experience opportunities. The settings, activities, and opportunities for obtaining experiences have been arranged along a continuum of spectrum divided into seven classes: Primitive, Semiprimitive Nonmotorized, Semiprimitive Motorized, Roaded Modified, Roaded Natural, Rural and Urban.

1. Primitive - Area is characterized by an essentially unmodified natural environment of fairly large size. Interaction between users is very low and evidence of other users is minimal. The area is managed to be essentially free from evidence of human-induced restrictions and controls. Motorized use within the area is not permitted.
2. Semiprimitive Nonmotorized - Area is characterized by a predominately natural or natural appearing environment of moderate to large size. Interaction between users is low, but there is often evidence of other users. The area is managed in such a way that minimum on-site controls and

restrictions may be present, but would be subtle. Motorized recreation use is not permitted, but local roads used for other resource management activities may be present on a limited basis. Rustic and rudimentary facilities primarily for site protection. No evidence of synthetic materials use undimensioned native materials.

3. **Semiprimitive Motorized** - Area is characterized by a predominately natural or naturally appearing environment of moderate to large size. Concentration of users is low but there is often evidence of other users. The area is managed in such a way with minimum on-site controls and restrictions. Use of local primitive or collector roads with predominately natural surfaces and trails suitable for motorized vehicles like ATV's or OHV's. Rustic and rudimentary facilities primarily for site protection. No evidence of synthetic materials. Use undimensioned native materials.

4. **Roaded Natural** - Area is characterized by predominately natural-appearing environments with moderate evidence of the sights and sounds of people. Such evidence usually harmonizes with the natural environment. Interaction between users may be moderate to high, with evidence of other users prevalent. Resource modification and utilization practices are evident, but harmonize with the natural environment. Conventional motorized use is allowed and incorporated into construction standards and design of facilities. Rustic facilities providing some comfort for the user as well as site protection. Use native materials but with more refinement in design. Synthetic materials should not be evident.

5. **Rural** - An area where the opportunity to observe and affiliate with other users is important as is convenience of facilities. Self-reliance on outdoor skills of little importance. Natural environment is culturally modified yet attractive (i.e. pastoral farmlands). Interactions between users may be high as is evidence of other users. Some facilities designed primarily for user comfort and convenience. Some synthetic but harmonious materials may be incorporated.

6. **Urban** - An area where the opportunity to observe and affiliate with other users is very important as is convenience of facilities and recreation opportunities. Urbanized environment with dominant structures, traffic lights and paved streets (like city parks or large resorts). Interaction between large numbers of users is high. Facilities mostly designed for user comfort and convenience. Synthetic materials are commonly used.

Riparian - Pertaining to areas of land directly influence by water or influencing water. Riparian areas usually have visible vegetative or physical characteristics reflecting this water influence. Stream sides, lake borders, or marshes are typical riparian areas.

Riparian Forested Buffer - A corridor that parallels a perennial, intermittent, or ephemeral stream with a varying width, where management practices are modified to lessen the impact on the stream.

River - A flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, rills, and small lakes. (Section 16(a) of the Wild and Scenic Rivers Act).

River Area - For study rivers, that portion of a river (segment or corridor) and its immediate environment comprising a minimum area extending at least 1/4 mile (1/2 mile to 2 miles in Alaska) from the ordinary high water mark. For designated rivers, the river and adjacent land within the authorized boundaries.

River Corridor - Land adjacent to the Wild and Scenic River, managed along with the river to maintain and/or enhance the outstandingly remarkable values of the river. Corridor boundaries may not encompass more 320 acres per river mile.

Sensitivity level - A measure of people's concern for the scenic quality of the National Forests. Three sensitivity levels are employed, each identifying a different level of user concern for the visual environment.

- Level 1 - Highest Sensitivity
- Level 2 - Average sensitivity
- Level 3 - Lowest sensitivity

Standards and guidelines - Bounds or constraints within which all practices in a given area will be carried out, in achieving the goals and objectives for that area. Standards and guidelines provide environmental safeguards and also state constraints prescribed by law.

Visual Quality Objective (VQO)- Categories of acceptable landscape alteration measured in degrees of deviation from the natural-appearing landscape.

Preservation - Ecological changes only.

Retention - Management activities should not be evident to the casual Forest visitor.

Partial Retention - Management activities remain visually subordinate to the characteristic landscape.

Modification - Management activities may dominate the characteristic landscape but must, at the same time, follow naturally established form, line, color, and texture. It should appear as a natural occurrence when viewed in foreground or middleground.

Maximum Modification - Human activity may dominate the characteristic landscape, but should appear as a natural occurrence when viewed as background.

Watershed - The entire land area that contributes water to a drainage system or stream.

APPENDIX IV

SUMMARY OF PUBLIC CONCERNS

Summary Of Public Concerns Prior to July 25, 1996

This summary of public concerns was drawn from telephone calls, letters, personal conversations, and petitions. Public comments have been solicited at several points throughout the wild and scenic river process. The first request for comments occurred when 13 rivers were selected for study to be included in the Wild and Scenic Rivers System.

Additional comments were received when the Forest Land Management Plan was amended to protect the study rivers, when the corridors locations were studied for the final 6 rivers, when the Forest Land Management Plan was amended (Amendment 7) to establish the corridors, and finally, when drafting this comprehensive management plan and Forest Plan Amendment.

1600 Information Services

Public Concerns: Some users would prefer to restrict the number of signs within view of the river. Those who commented on this issue feel that the posting of private land is a big enough visual impact and that the Forest Service should not consider posting National Forest lands or signing access points from the river.

2100 Environmental Management

Public Concerns: Several of the comments were not site specific but urged the Forest Service to improve or maintain the quality of the environment. The comments included: leave the river as it is, preserve the natural environment, protect and enhance natural native ecosystems, maintenance of natural beauty, preserve rivers for habitat and use together with conservation, preserve the scenic qualities, preservation of streams. One commentor asked that the Forest Service evaluate all proposed activities within the watershed such as logging, road building, mining, pesticides, clearing, etc. (Commentor may also be including activities on private land, but it isn't clear.)

In letters, telephone calls and personal visits, some individuals expressed concern over litter and pollution. These concerns can be divided into several categories: litter generated by recreationists, illegal trash dumps, non-point source pollution, and other pollutants.

2200 Range

No specific comments.

2300 Recreation

Public Concerns: Most commentors expressed concerns that they wish continued access to the river for boating or they showed a concern about inappropriate behavior exhibited by canoeists. Other individuals want the Forest Service to provide for all types of recreation use and not to cater just to canoeing.

Comments included: limit the number of canoeists, inappropriate behavior from canoeists, no user fees, recreation impacts, consider all users (not just canoeists), allow people to use and enjoy the river, limit

4-wheeler/OHV access and OHV use in the corridor, control recreation use, prohibit the collection of user fees, provide affordable camping opportunities, continue river access for boating, develop a management plan for fishermen, paddlers, campers and hunters, and develop and regulate campgrounds and access points. Additional comments were received about wanting more campsites at Long Pool and more parking and better access along the river by Treat.

2380 Scenery Management

Public Concerns: Commentors were concerned that the scenic quality of Big Piney Creek would not be maintained over time. Specific comments include: protection of the visual foreground, protect scenic beauty, maintenance of natural beauty, preserve scenic qualities, don't endanger natural beauty, stop the use of clear cuts, seed tree cuts and shelterwood cuts within view of the river, preserve the natural environment, make this part of a wilderness corridor system, and keep [the river] natural [and] allow only low impact uses.

2400 Vegetation Management

Public Concern: The central concern over vegetation management is the belief that the Forest Service should let the riparian area revert to late seral by prohibiting logging in the river zone. The use of clear cuts, seed tree cuts and shelterwood cuts should also be eliminated within view of the river. In general terms, commentors asked that the Forest Service keep streams unpolluted by restricting agricultural or logging practices within the watersheds. One commentor specifically requested that we prohibit the use of pesticides and herbicides.

2500 Watershed And Soils Management

Public Concerns: One of the central issues that was raised concerns water quality. The following comments were received: Keep rivers clean, protect the watershed, protect water quality. Other comments include: stop pollution of streams, keep streams unpolluted from unwise agricultural or logging within the watersheds, impact on water quality from users outside the corridors, clean water, and sedimentation and siltation, raw sewage, gravel removal on private/county land, and pesticides and herbicides.

A central issue has become whether or not the comprehensive management plans should be restricted to the river corridor, or if they should include the entire Big Piney Creek watershed (282 square miles, 180,480 acres) inside the forest boundary (including both public and private lands). There were several comments which were specific to the flow and volume of water in the river: water resource projects that affect free flow of the river, no dams, continued water use from the Piney, increased use of river for irrigation. Streambank stabilization, streambank erosion, and destruction of the shoreline and corridor by cattle were other issues raised.

2600 Wildlife, Fisheries And Riparian Resources

No Specific comments .

2670 Threatened, Endangered And Sensitive Species

No specific comments.

2700 Special Uses

No specific comments.

2800 Minerals

No specific comments.

5100 Fire Management

No specific comments.

5300 Law Enforcement

Public Concerns: Some private landowners are concerned about discourteous recreationists. The Forest Service has had reports that anglers and canoeists have littered, were loud and boisterous, exposed themselves to others, trespassed on private land, and some are generally aggressive and obnoxious.

The private landowners express concern that the Forest Service would regulate actions taken on private land. Comments include: effect on private lands and owner rights, limit OHV access. Another comment simply said "Law Enforcement". We are unsure if they wished more or less law enforcement presence.

5400 Land Ownership

Public Concerns: During earlier scoping periods, for the designation of the river corridor, many people were concerned that the Government would condemn private land. This is no longer an issue; the river has been designated and the corridor established without any condemnation of private land. There is a perception by the landowners, though, that inclusion of their lands within the Scenic River corridor will have adverse effects. During the scoping process, all of the landowners along the Bayou District portion of the Big Piney requested that their land be excluded from the corridor. Approximately 90% of the landowners along the Buffalo District portion of the Big Piney requested that their land be excluded also.

6700 Health And Safety

Public Concerns: Those who commented on health and safety issues were concerned with the negative affect of human waste on water quality and litter along the river.

7700 Transportation

Public Concerns: Those who commented on roads tended to be critical of the number, type and effect that roads have on the river system. Comments included: no new roads, close roads, don't build roads, unapproved bridge/culverts, and siltation from roads. One commentor wants to restrict access for recreation reasons; he said to "provide areas with limited access".

Other commentors wanted to ensure continued access, more access, and/or improved access to the river. Comments included: development of public access; continued access for boaters; provide for free and unencumbered access to the river; crossings, trails, signs and parking; need good access points for boating.

The Forest Service received comments requesting continued access within the corridor to all terrain vehicles (ATVs), off-highway vehicles (OHVs), four wheelers, and three wheelers. Other commentors would like to close the corridor to ATVs, OHVs, and three and four wheelers.

Summary Of Public Concerns After July 25, 1996

Following is a copy of the content analysis report compiled by a team of specialists. This data is a result of the last public scoping of the Wild and Scenic River Plans in August of 1996.

OZARK-ST. FRANCIS NATIONAL FORESTS WILD AND SCENIC RIVERS MANAGEMENT PLANS Public Content Analysis -- Report

INTRODUCTION

The Wild & Scenic River Study Report and Legislative Environmental Impact Statement on Thirteen Rivers in the Ozark National Forest, completed in September 1991, recommended the designation of six rivers to the Wild and Scenic Rivers system. The rivers received official designation in April 1992 with the passage of the Arkansas Wild and Scenic Rivers Act by Congress. The law required that the Ozark-St. Francis National Forests establish river management corridors and management plans to protect the free flowing nature of the rivers. The Forest Land Management Plan was amended on December 28, 1993, creating a Management Area for these boundary corridors. Creation of the management plans began shortly after that with draft plans completed in June 1996.

Proposed Comprehensive River Management Plans were sent to 2,055 individuals who expressed an interest in this project on July 25, 1996, for their review and comment. Individuals were able to request and based on this request, were sent any or all of the six draft river plans. In addition, 1000 copies of the proposed amendment to the Forest Land Management Plan were also sent to individuals interested in both river management and forest planning for their review and comment. August 25, 1996, was identified as the deadline to receive comments. (NOTE: A few comments were received wanting to extend the review period. They felt that 30 days was not enough to adequately review all six plans or that the plans did not adequately address issues such as private lands or watershed and should be modified and reissued for public review.)

Of the 3,000 information packets sent, 257 responses were received. These responses can be grouped into four categories: 182 form letters, 46 original letters, 26 phone calls, and 3 office visits. The responses came from a wide spectrum of individuals representing four main special interest groups: environmentally based organizations; landowner rights group; recreation user groups; or other natural resource agencies. Most of the form letters are from individuals who were not on the original mailing list and will be added. Sixty three of the respondents are out-of-state residents.

Forty three of the 182 form letters were generated from a news article that appeared in the Northwest Arkansas Times on August 14, 1996. The individual simply clipped the letter from the newspaper and signed their name. The remaining 136 form letters (51 from out-of-state residents) were comment cards issued by an unknown group that allowed individuals to check one of seven topics that they'd like to see addressed in the revised plans. This card also included a box to check if the individual wanted a moratorium issued on all soil disturbing activities in the affected watersheds. The issues and comments identified in the form letters are included in this summary.

METHOD

Content analysis is one of several methods of analyzing public response. As an analytic system, content analysis is a means of separating portions of responses into various categories so that the message may be more thoroughly examined and reviewed, interpreted and evaluated. To state it more simply, in the analysis process the information in each letter is broken down into pieces, then grouped back together to tell the story of the public's opinions on the topic at hand. The primary intent of this method of analysis is to capture comments in the public's own language. It accurately captures and displays public concerns and reasoning about particular issues or actions presented for comment. The writer's reasoning is included regardless of the reviewer's opinion about its logic or worth. Content analysis is meant to reproduce ideas, not evaluate them. The result is an organized summary of what the publics are saying that a decision maker can review.

A coding system is used to keep the analysis process systematic, visible and trackable. The coding system was designed specially for this project capturing the topic description, as well as any editorial comments and information requests.

Members of the analysis team read each letter completely highlighting all comments, opinions and supporting statements with a transparent marker. The appropriate topic code was then placed next to the highlighted comment. Each letter and subsequent coded comments were entered into a database where they were sorted by topic code. Reviewers studied each topic query eliminating duplicate comments to create a comprehensive summary of what the public said. These summaries are included in the "Results" section of this report.

RESULTS

Of the 257 responses received, only a few communicated strong support "for" or "against" the proposed management plans and Forest Plan amendment. A majority of the responses discussed concerns about specific topics included in both documents. The respondents who indicated support for the river plans felt they were comprehensive and focused on resource objectives. Most of these respondents felt the proposed standards and management area 9 direction was good. Some said staff should be commended and appreciated the thoroughness. A few agreed with the direction for activities on Federal land within the corridor, but felt that private land was not adequately covered.

A great number of respondents felt that the proposed plans did not adequately protect the rivers and that the Forest Service needed to expand the plans to include entire watersheds -- land outside of the existing corridor. A majority of these comments were received through a form letter and strongly stated that the Forest Service should issue a moratorium on all soil disturbing activities in the watersheds of each river until management of roads, vegetation, herbicides\pesticides, wildlife corridors, grazing, mineral activity and ATV use is analyzed.

The following is a summary of public comment by topic:

Outstanding Values: Some indicated concern that the list of outstanding values for each river was non-inclusive. Values such as camping, equestrian use and canoe/kayaking were omitted and they felt that a full range of values should be considered in each plan.

Monitoring: Monitoring standards recommended in the plans, said some respondents, were not adequate and would not protect river values. They pointed out a need for a flora and fauna inventory, a system to monitor recreation use, and standards that protect stated goals and objectives. Two comments were received wanting provisions for adding new rivers to the scenic river system.

Private Lands: A strong contingency of respondents voiced concern about Federal control of private lands pointing out that management of the Federal lands in the corridor would impact private lands. Several of these respondents were concerned about restrictions that would interfere with livestock watering or irrigation from the rivers that flow through or adjacent to private lands, as well as mineral extraction, timber management and utility access to private lands. Some were concerned about the potential increase of trespassing and littering on private lands by recreationists. A few were adamant that the Forest Service has no right to control or effect private lands.

1600 Information Services: Very few comments were received on information services. They wanted explanations of recreation fee process discussed in the plans, and an expansion of the education program to include other resources users not just recreationists.

2100 Environmental Management: Almost half of the comments indicated a need for guidelines for the application of herbicides and pesticides in the entire watersheds. A majority of these comments were from the form letters.

2200 Range: Several comments were received concerning grazing in the river corridors. Of those, a majority were forms letters recommending all grazing be eliminated in the watersheds. A few wanted clarification of the 100 ft. riparian buffers and the conversion to native warm season grasses discussed in the Piney plan. Some were adamant that livestock have a right to water out of the river on private lands and were concerned about possible restrictions.

2300 Recreation: Numerous comments recommended that the plans consider recreation in the entire watersheds, not just within the rivers corridors. A few were insistent that the plans recognize equestrian activities as a continuing use in the corridors. Some were also strongly opposed to continuing use of OHV/ATV's in the corridor. A few were concerned that hunting was not emphasized as an important recreation use.

2360 Heritage Resources: One person responded to this resource area. The respondent felt that the plans indicated that historic sites, such as rock fences, were only being protected for their scenic value. This person felt that the plans should focus on their historic value.

2380 Scenery Management: Respondents concerned about this resource area felt that visual diversity would be lost if the Forest Service initiated plans to purchase bottomland pastures that commonly occur within the river corridor then convert these lands to forest. One respondent was concerned that restrictions would be placed on private land in order to regulate the scenery for recreationists. This same respondent did not feel that the plans adequately addressed maintenance of the "natural beauty" of the river. Finally, there was the suggestion that current vegetative communities could be enhanced to improve habitat diversity.

2400 Vegetation Management: This resource section includes discussions on vegetation management, riparian areas, and vegetative resources. Most of the respondents said that the plans needed guidelines for vegetation management within the entire watersheds, not just standards for National Forest land within the corridors.

Another block of respondents was critical of National Forest timber management practices. Comments included statements such as: "stop cutting trees", "why should taxpayers subsidize the timber industry", "manage ONF sustainably, not as a tree farm." A small number stated that the plans did not analyze the effects of timber harvesting in the watersheds and asked for a moratorium of this activity.

Some respondents addressed the use of salvage logging. Of those who responded, most want to be assured that there would be an evaluation of the effects from salvage logging and that there would be an opportunity for full public review of salvage proposals. A few number stated that any salvage logging in the corridors would encourage disaster.

One respondent stated that the plans were not specific on the types of logging methods which would be allowed and suggested that only the single tree selection method be allowed. Several respondents supported either the proposed standards or encouraged vegetation management of timber. The comments included: "logging should be allowed outside the 1/4 mile corridor", "continue to manage forest under current logging rules and regulations", and "include vegetation manipulation as a tool to use in meeting river management objectives."

There seemed to be confusion about "riparian areas". One commentor said that a 100-foot riparian zone was not enough, one asked to see our riparian documentation, and one does not want us to use the term "riparian" and argued whether or not riparian areas exist on any of the rivers. One commentor expressed an opinion that the management plans should include private land within the riparian areas. One commentor suggested that large stable in-stream debris should be conserved and that unstable small debris should be removed. (Also see 2500 for further riparian issues).

A few commentors mentioned Special Interest Areas. One suggested that SIA's be protected for biodiversity, and another said that the SIA's recognized in Amendment 5 (FLRMP) should be considered in each watershed. There was also a suggestion that the old growth inventories should be completed. One respondent felt that protection and propagation of strictly native plants should be encouraged.

The final issue under the Vegetation Management (2400) section deals with private land. A small number of comments were concerned about the effect of the plans on private land. Their concerns included: "people have right to water livestock out of the creek and to irrigate crops", "how will these plans affect existing riparian rights?", and "landowner timber rights must be protected".

2500 Watershed and Soils: Many respondents asked for watershed analysis of National Forest management practices which could affect the Wild and Scenic Rivers. A few other respondents stated "concerned that sound watershed management practices be used" and the Buffalo plan ignores "sediment run-off from watershed roading activities". (Also see Vegetation Management discussion).

One respondent wanted very clear standards for unacceptable resource impacts concerning soil. Another suggested a restriction of human use where any human induced erosion occurs. One respondent thought the Standards should address erosion at heavily used recreation areas.

A small number of respondents said that the plans failed to protect water quality and species dependent upon water quality.

There is a concern that water quality measurements are lacking. Another commentor suggested that a time frame be established (if not already done) for bio-assays of significant environment or water quality indicators be used to establish baseline conditions.

Two final comments include: "riparian ecology is not adequately addressed and nothing mentions ground water within the watershed or the effects of forest management in the watershed on riparian habitats", and "without clean water, our plants can't grow and if our plants don't grow, we will not have clean oxygen or clean water".

2600 Wildlife and Fisheries: Numerous comments recommended that the plans provide guidelines for connecting wildlife corridors with watersheds. (A majority of these comments were provided from the form letters) A few were insistent that the plans specifically clarify that hunting refers to public lands only. Some wanted the plans to make provisions to continue with wildlife habitat improvements projects and maintain what we have.

2670 Threatened, Endangered and Sensitive Species: The few comments received for this area suggested that the plans include habitat plans for listed sensitive species and reduce ginseng permits to a minimum level.

2700 Special Uses : The only comments received concerning special uses dealt with access. They indicated that the Forest Service should not deny utility access to private landowners that may cross Federal land near or in the corridor. It was also suggested that the Forest Service is considering the impacts to the river to be more important than providing access.

2800 Minerals and Geology : Several comments were received, via form letter, recommending the withdrawal of all mining and drilling permits from the watersheds. A few insisted that the plan clearly state that mineral activity will continue on private lands. Some were concerned that leasing restrictions on Federal land would affect the available mineral pool under private lands. Some also wanted to continue to extract gravel from private lands for personal use or for county roads.

5100 Fire Management : Most of the comments made about fire management activities suggested the plans be more active in the use of prescribed fire, feeling it is an important part of the ecosystem. There was only one comment suggesting that fire management be restricted in the corridors.

5300 Law Enforcement: One respondent felt landowners should continue to control trespassing on private lands, including the streambeds. Some of the other comments included that there should be no prohibitions of watercraft on private stream sections, and there was a need for a greater law enforcement presence during high use periods.

5400 Land Ownership : The comments received concerning lands management ranged from the Forest Service becoming active in the affairs of private lands, to making sure private lands are not affected by any Forest Service restrictions or activities. Other comments included making sure no land would be exchanged or disposed of, a clarification of landowner rights, such as water from the river, and that land ownership included the streambed.

6700 Health and Safety : The few comments made about health and safety included a need for speed limit signs, and that navigational hazards only be removed on Federal lands. Navigational hazards on private land should only be removed by the landowner. There were two specific comments regarding Barkshed Recreation Area on the Sylamore and whether it should be classified the same as Gunner Pool and that it needed improvement for public health and visitor safety.

7700 Transportation: Most of the letters received addressed this management area. Most of those who addressed transportation issues expressed their opinion through a form letter stating "the plans need guidelines for the management of watershed road systems and the cessation of ATV use in the corridors". There were a few respondents who asked for a ban on ATV use and a few others who wanted guidelines for road systems but did not advocate closure of the corridors to ATVs.

Another large group of respondents said "plans did not include analysis of the harm that logging and road building activities are causing in the watershed".

Specific suggestions were also received, they include: "all temporary roads should be permanently closed after...use", "low water slabs be checked and evaluated to determine if structures have neg. impact on fish", and "...some uses such as mining and road building are preclusionary to other uses".

Sylamore: "there is a high use of ORVs and extensive abuse by ORVs"

Buffalo/Richland/Hurricane: "sediment run-off from watershed roading activities are ignored in the plans. ...plans continue to allow ATV use in most of the corridors. This, in effect, sanctions ATV crossings of tributary streams..."

Buffalo: "Road 1463A should be upgraded to allow vehicles with horse trailers to pass more safely".

Piney: "does not want any new roads to be built that will cross Piney".

Hurricane: "do not approve any further access roads or utility rights-of-way through river corridor" and "concerned about continued maintenance of road and creek crossing going into Sexton Cemetery".

There were only a couple of commentors that asked that all roads remain open and maintained ("better").

Public Content Analysis Team:

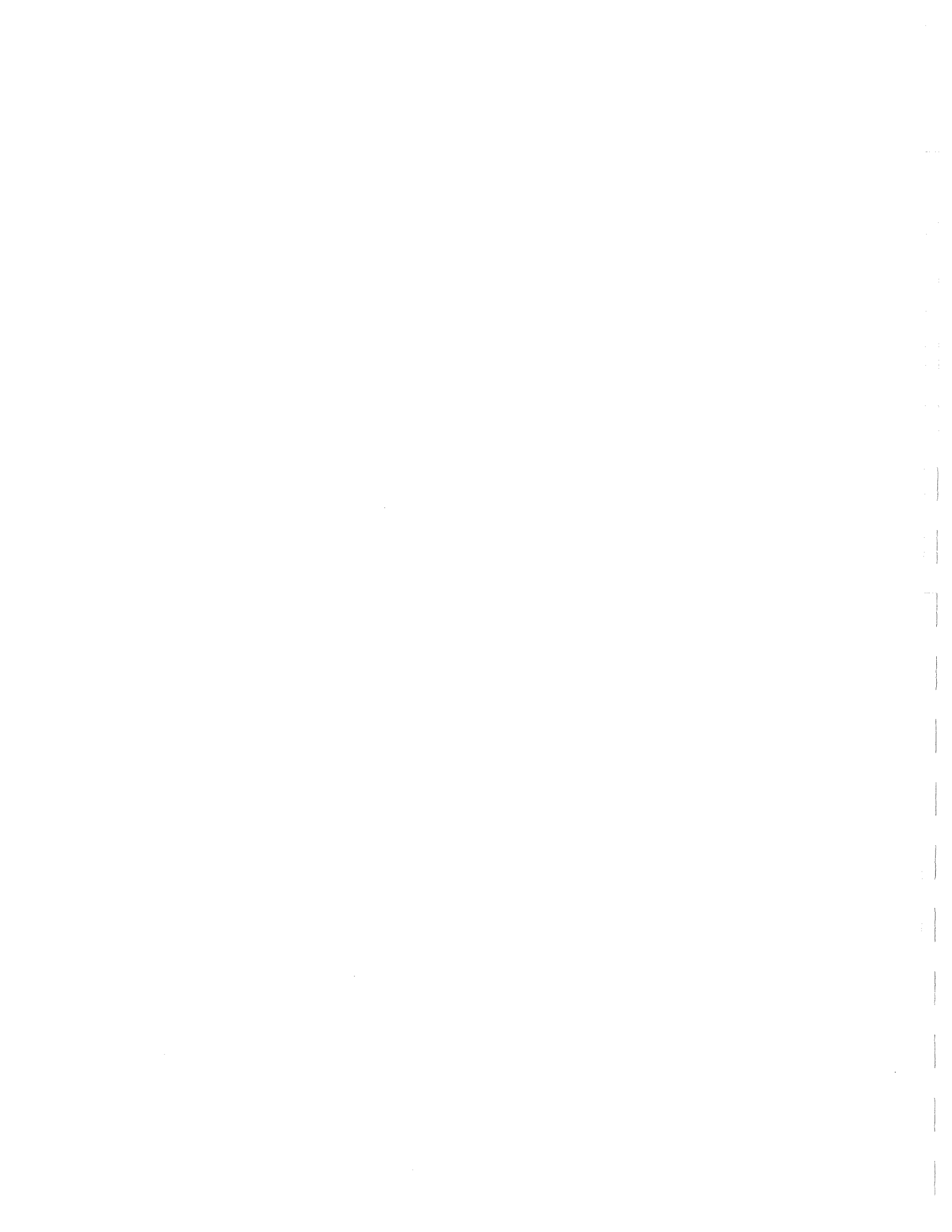
Miera Crawford, Cherokee National Forest

Dick Bowie, Acting Recreation Staff Officer, OSFNFS

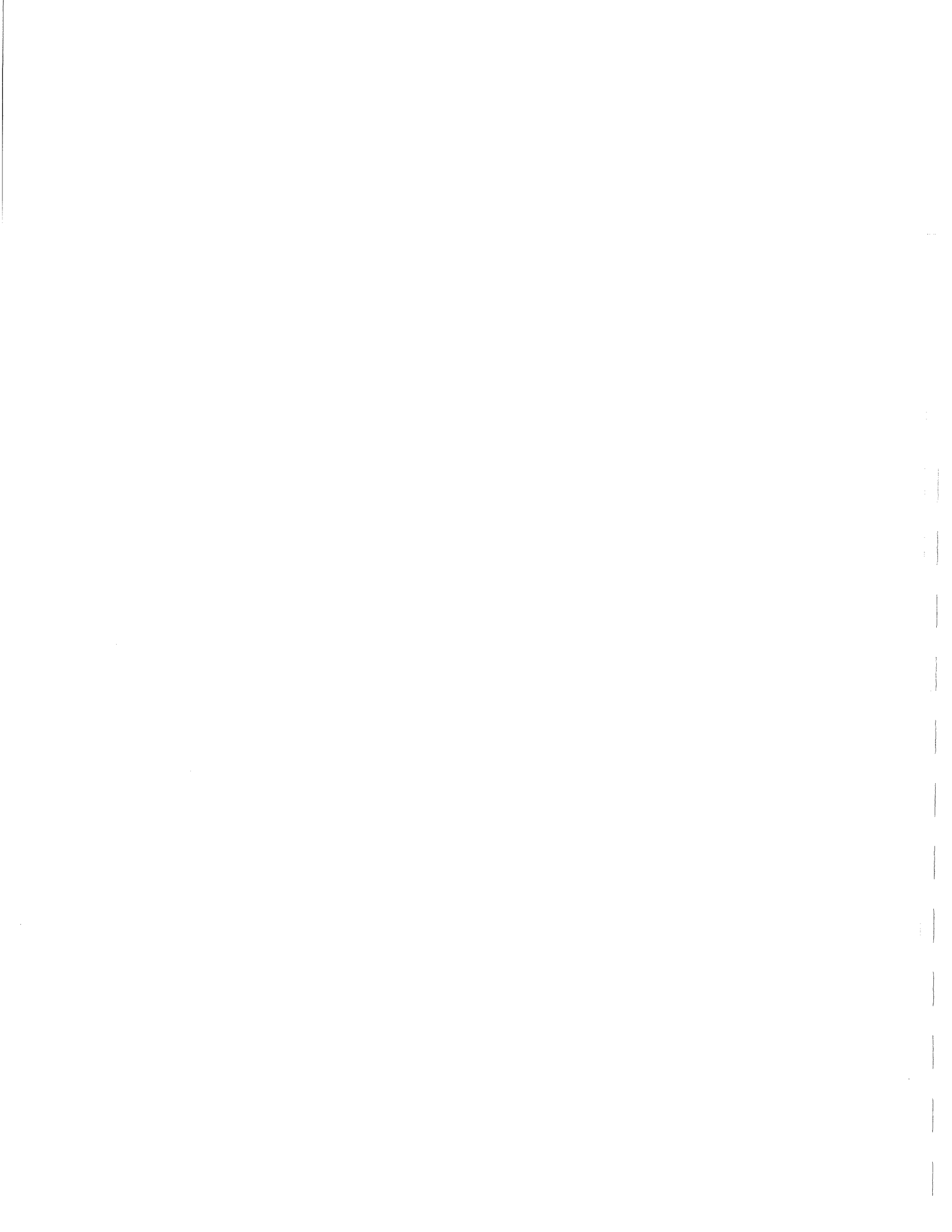
Marge Dryden, ORA - Pleasant Hill Ranger District, OSFNFS

Cary Frost, ORA - Bayou Ranger District, OSFNFS

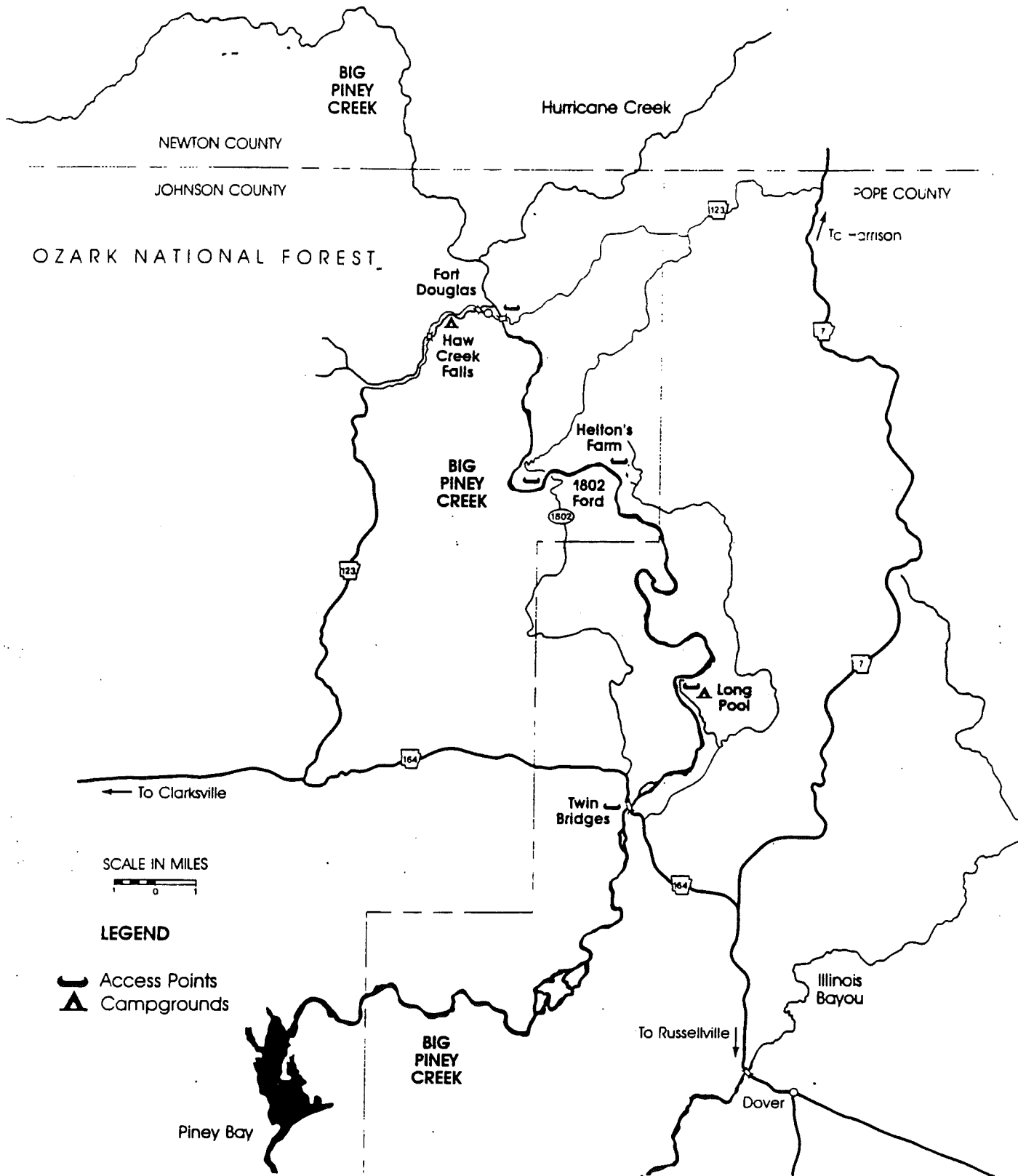
Martha Hayward - OSFNFS



APPENDIX V
VICINITY MAP

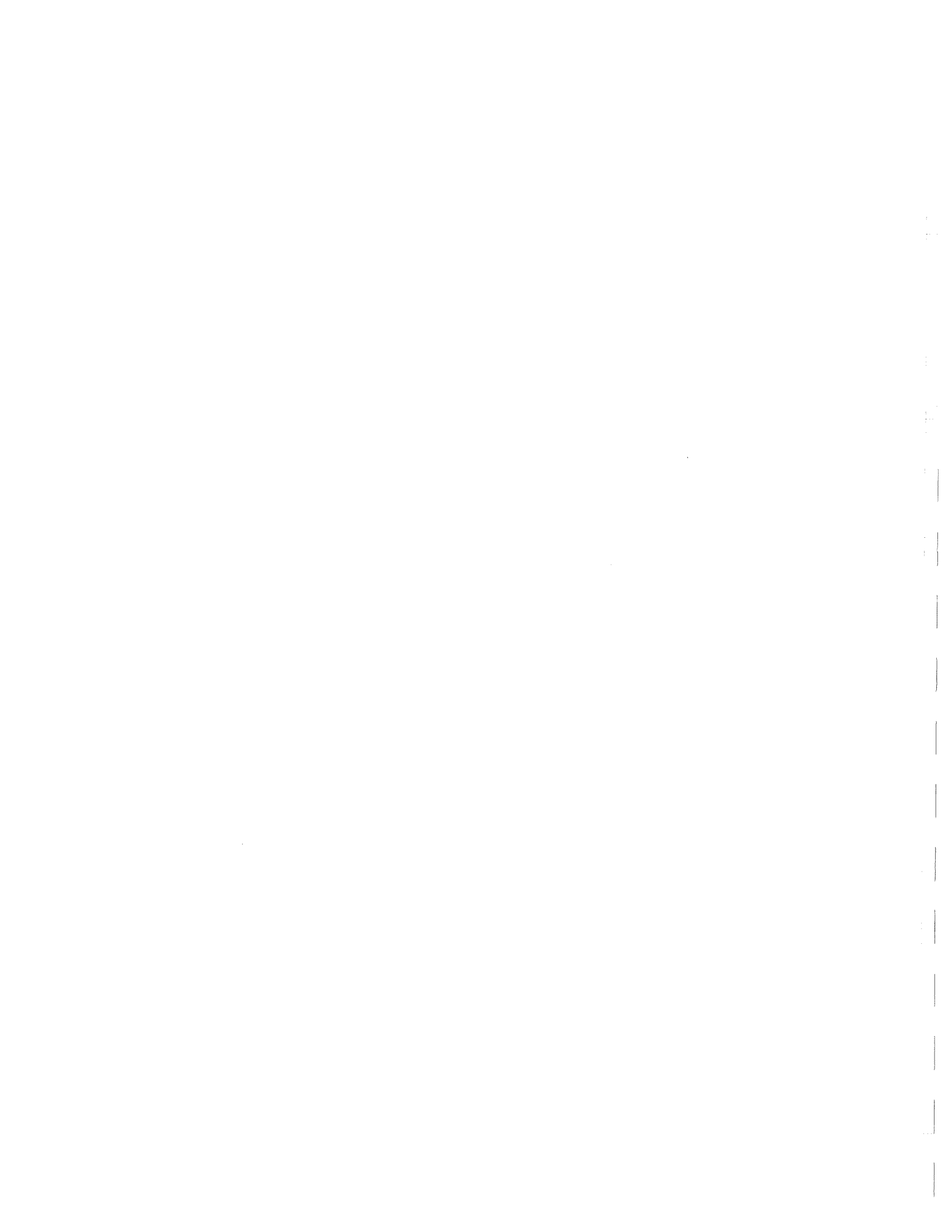


BIG PINEY CREEK AND VICINITY



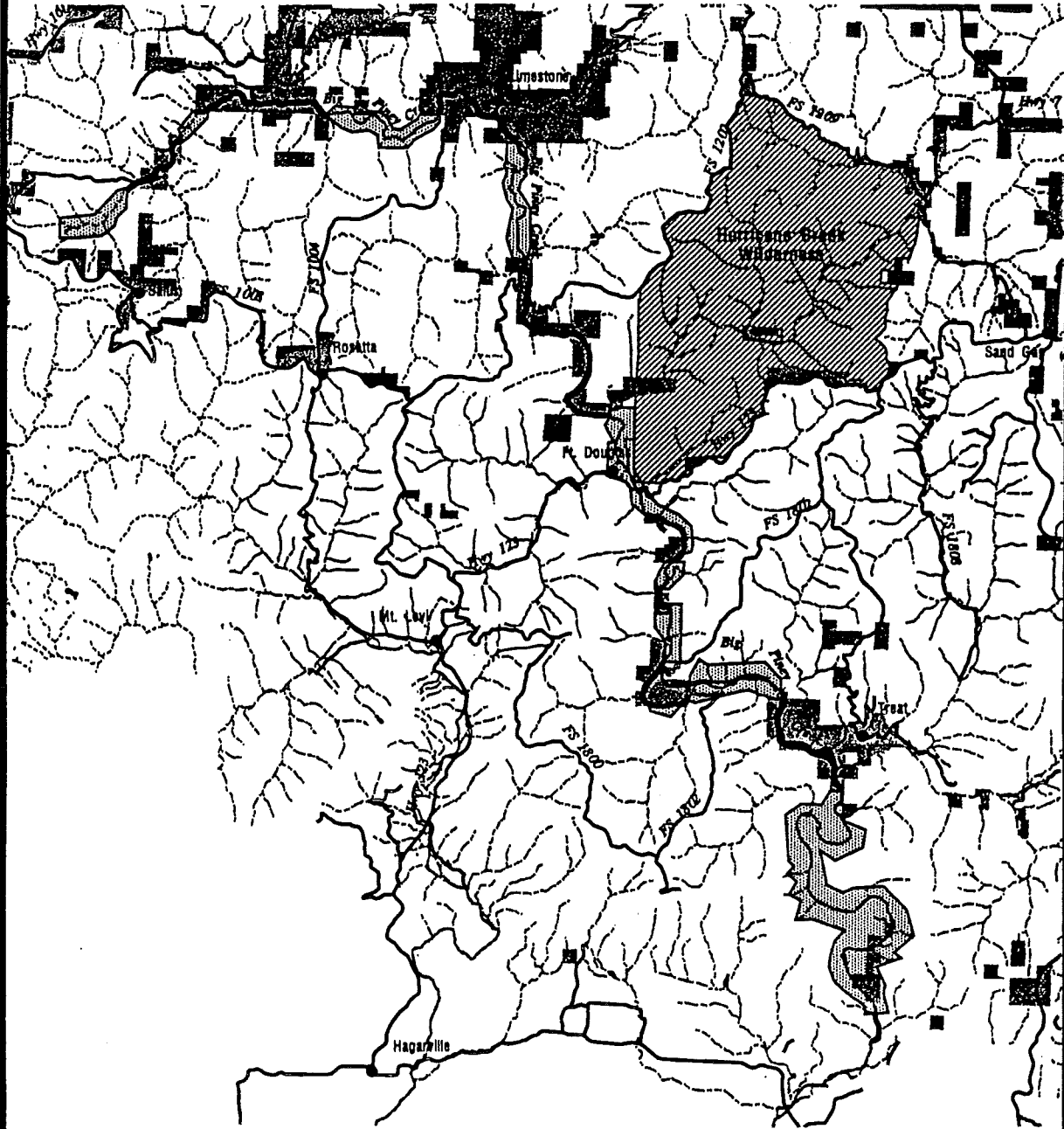


APPENDIX VI
SCENIC RIVER CORRIDOR MAP



Ozark National Forest

Big Piney Creek
Wild and Scenic River



^ / Roads

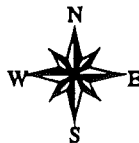
■ Water

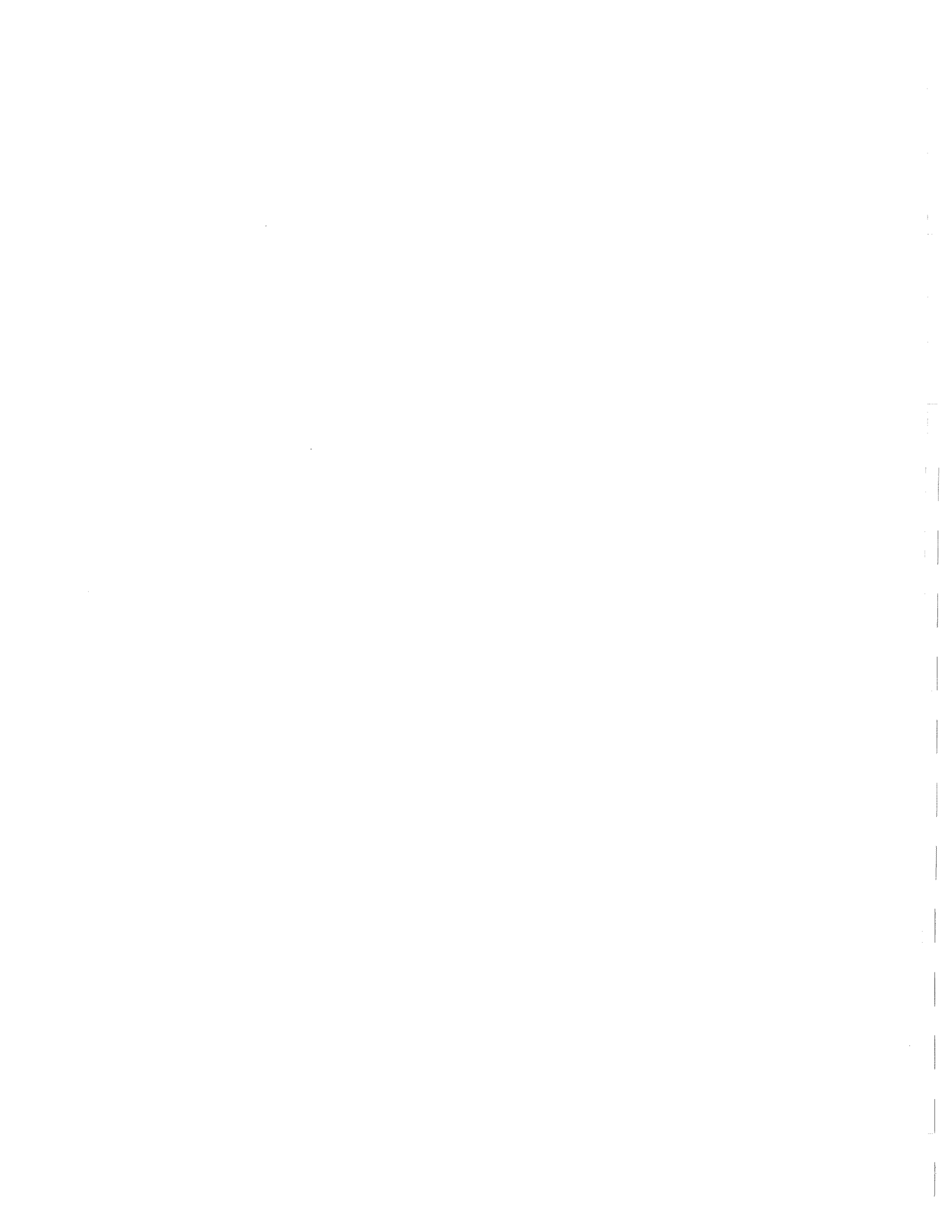
^ / Streams

▨ Big Piney Creek
Wild and Scenic River Corridor

■ Private Land

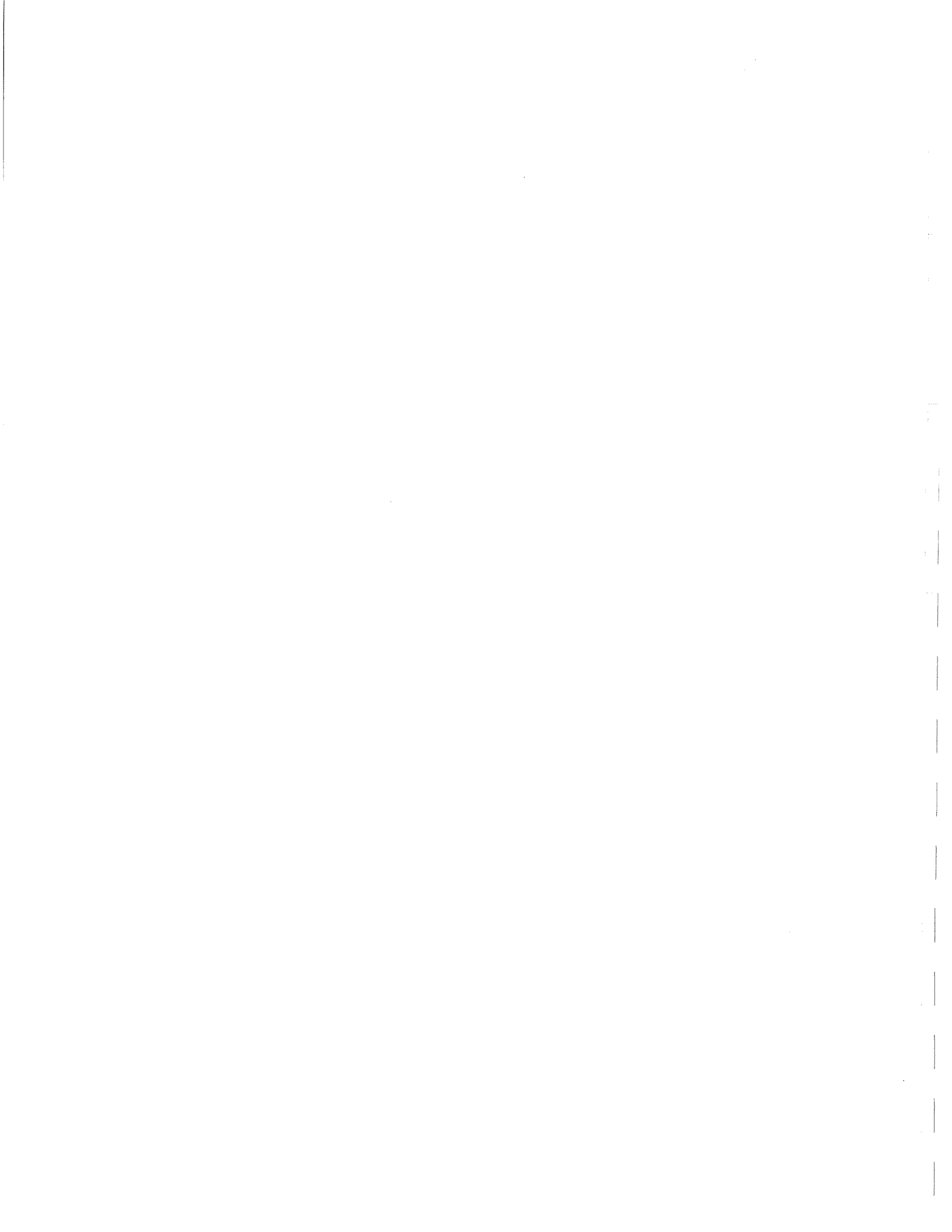
▨ Wilderness





APPENDIX VII

ARKANSAS FLOATERS GUIDE



OUTFITTERS DIRECTORY

NOTE: Addresses and telephone numbers are listed at the end of this chart.

JOHNNBOAT RENTAL
CANOE RENTAL
SHUTTLE SERVICES
RAFT RENTAL
GUIDE SERVICES
CAMPING
LUGGING
CAMPGROUND
SUPPLIES
RESTAURANT

JOHNNBOAT RENTAL
CANOE RENTAL
SHUTTLE SERVICES
RAFT RENTAL
GUIDE SERVICES
CAMPING
LUGGING
CAMPGROUND
SUPPLIES
RESTAURANT

Big Piney Creek

Moore Outdoors	•		•			•	•
Paulette Helton			•				

Upper Buffalo River

Buffalo Outdoor Center, Ponca	•	•	•		•		•
David's Canoe Rental	•		•				
Gordon Motel & Canoe Rental	•		•		•		
Houston Canoe Rental	•		•				•
Lost Valley Canoe Service	•	•	•		•	•	
Razorback Canoe Rental	•		•				•
Riverview Motel Canoe Rental	•		•		•		

Middle Buffalo River

Buffalo Camping & Canoeing	•	•	•		•	•	
Buffalo Outdoor Center, Silver Hill	•	•	•	•	•		•
Marshall Canoe Rental	•		•				
Silver Hill Canoe Rental	•	•	•				•
Tomahawk Canoe Rental	•	•	•				

Lower Buffalo River

Barnes Canoe Rental	•	•	•		•		
Bennett's Canoe Rental	•		•		•		•
Buffalo Point Canoe Rental, Inc.	•	•	•				•
Buffalo River Fishing Resort		•	•		•	•	
Cotter Trout Dock		•	•		•	•	
Dirst Canoe Rental	•	•	•		•		•
Dodd's Float Service & Canoe Rental	•	•	•		•		•
Newland Float Trips		•	•		•	•	•
Pace Fishing Service		•	•		•		
Sportsman's Resort & Trout Dock		•	•		•	•	•
Woodman's Sport Shop & Cabins	•		•	•	•	•	•

Caddo River

The Shed Out Back			•			•	
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Current River

Current River Beach Campground	•		•		•	•	
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Eleven Point River

Woody's Canoe Rental & Campground	•	•			•	•	
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Kings River

Fletcher's Devil's Dive Resort		•		•	•	•	•
Trigger Gap Float Service	•	•			•	•	

Little Missouri River

The Shed Out Back				•		•	
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Little Red River Above Greer's Ferry

Middle Fork Canoe Rental	•			•			•
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Little Red River Below Greer's Ferry

Big B Resort					•	•	
Dripping Springs		•			•	•	•
Lindsey's Rainbow Resort	•	•			•	•	•
Little Red River Trout Dock		•			•	•	•
Lobo Landing		•			•	•	
Swinging Bridge Trout Dock & Campground					•	•	•

Mulberry River

Byrd's Mulberry River Canoe Rental	•					•	•
Turner Bend Canoe Rental	•					•	•
Wayfarer of the Ozarks	•					•	

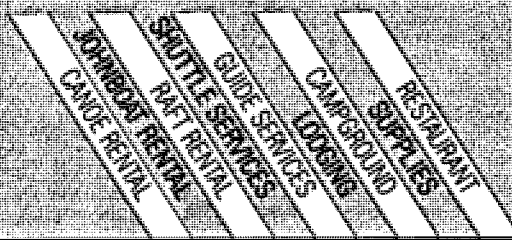
Quachita River

Quachita Joe's Canoe Rental	•	•	•	•	•	•	•
Quachita & Rocky Shoals Canoe Rentals	•				•	•	•
Wheeler's Canoe Rental	•	•			•	•	•

Spring River

Mammoth Spring Canoe Rental	•	•	•			•	•
Mary Islands Camp	•	•			•	•	•
Saddle Falls Canoe Rental	•				•	•	
Southfork Canoe Rental	•	•			•	•	•
Spring River Beach Club	•				•	•	
Spring River Canoe Rental	•				•	•	•
Spring River Oaks Camp & Canoe Rental	•				•	•	•
Riverside Motel & RV Park	•	•			•	•	

OUTFITTERS DIRECTORY



War Eagle Creek

Withrow Springs State Park	*			*					
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White River

Bull Shoals State Park Trout Dock	*	*		*			*	*	
Bull Shoals White River Landing				*			*	*	
Chamberlain's Trout Dock	*	*		*	*	*	*	*	
Cotter Trout Dock	*	*		*	*		*	*	
Custom Expeditions	*		*	*	*	*	*	*	
Gaston's White River Resort		*		*	*		*	*	*
Gunga-La Trout Dock	*	*	*	*	*		*	*	
Jack's Fishing Resort		*	*	*	*		*	*	
Jenkins Fishing Service				*			*	*	
McClellan Trout Dock		*		*			*	*	
Miller's Float Service	*			*	*	*	*	*	
Newland's Post Trips & Lodge		*		*	*	*	*	*	
Pace & Harkins		*		*	*		*	*	
P.J.'s Resort Lodge				*	*		*	*	*
Rainbow Drive Resort	*	*		*	*		*	*	
Red Bud Dock		*		*	*		*	*	
Rivercliff Trout Dock	*	*	*	*	*		*	*	
Riverview Resort	*	*		*	*		*	*	
Rose Fishing Service		*		*	*	*	*	*	
Sportsman's Resort & Trout Dock		*		*	*		*	*	*
Statson's Fishing Resort		*		*	*		*	*	
White Buffalo Canoe Rental	*			*			*	*	
White-Buffero Resort		*		*	*		*	*	
White Hole Acres Trout Resort		*		*	*		*	*	*
White River Lodge		*		*	*		*	*	
Wildcat Shoals Resort		*		*	*		*	*	
Woodsman's Sport Shop & Cabins	*			*	*	*	*	*	

White River, North Fork

Gene's Trout Dock	*	*		*	*		*	*	
Hurst Fishing Service		*		*	*		*	*	
Norfolk Trout Dock	*	*		*	*		*	*	
Rainbow Trout Resort		*		*	*		*	*	

BIG PINEY CREEK

Moore Outdoors
Route 2, Box 303M
Dover, Arkansas 72837
(501) 331-3606

Paulette Helton
N. Star Route
Dover, Arkansas 72837
(501) 331-3305

UPPER BUFFALO RIVER

Buffalo Outdoor Center, Ponca
P.O. Box 1
Ponca, Arkansas 72670
(501) 861-5514

David's Canoe Rental
P.O. Box 414
Jasper, Arkansas 72641
(501) 446-5406

Gordon Motel and Canoe Rental
P.O. Box 60
Jasper, Arkansas 72641
(501) 446-5252 or 446-2399

Houston Canoe Rental
Dogpatch, Arkansas 72648
(501) 446-2644

Lost Valley Canoe Service
Ponca, Arkansas 72670
(501) 861-5522

Razorback Canoe Rental
Route 1, Box 185
Dogpatch, Arkansas 72648
(501) 446-2255

Riverview Motel Canoe Rental
P.O. Box 352
Jasper, Arkansas 72641
(501) 446-2616 or 446-5581

MIDDLE BUFFALO RIVER

Buffalo Camping and Canoeing
P.O. Box 504
Gilbert, Arkansas 72636
(501) 439-2888

Buffalo Outdoor Center,
Silver Hill
Route 1, Box 56
Highway 65 South
St. Joe, Arkansas 72675
(501) 439-2244

Marshall Canoe Rental—
General Store
Route 4, Box 196
Marshall, Arkansas 72650
(501) 448-2300

Silver Hill Canoe Rental
Route 1, Box 47
St. Joe, Arkansas 72675
(501) 439-2372 or 449-4649

Tomahawk Canoe Rental
Route 1
St. Joe, Arkansas 72675
(501) 439-2617

LOWER BUFFALO RIVER

Barnes Canoe Rental
HCR No. 66
Yellville, Arkansas 72687
(501) 449-6235

Bennett's Canoe Rental
HCR No. 66, Box 331
Yellville, Arkansas 72687
(501) 449-6431

Buffalo Point Canoe Rental, Inc.
HCR No. 66, Box 383
Yellville, Arkansas 72687
(501) 449-4521 or 449-4510

Buffalo River Fishing Resort
HCR No. 66, Box 379
Yellville, Arkansas 72687
(501) 449-5656 or 449-6568

Cotter Trout Dock
P.O. Box 96
Cotter, Arkansas 72626
(501) 435-6525

Dirst Canoe Rental
HCR No. 66, Box 385
Yellville, Arkansas 72687
(501) 449-6636

Dodd's Float Service & Canoe
Rental
HCR No. 66, Box 365
Yellville, Arkansas 72687
(501) 449-6619 or 449-6297

Newland Float Trips
Route 1, Box 236
Lakeview, Arkansas 72642
(501) 431-5678 or 431-5604

Pace Fishing Service
Route A, Box 131
Flippin, Arkansas 72634
(501) 453-2667

Sportsman's Resort and
Trout Dock
HCR 62, Box 96
Flippin, Arkansas 72634
(501) 453-2424

Woodsman's Sport Shop
& Cabins
Route 2, Box 57
Norfolk, Arkansas 72658
(501) 499-7454

CADDO RIVER

The Shed Out Back
P.O. Box 318
Glenwood, Arkansas 71943
(501) 356-2329

CURRENT RIVER

Current River Beach
Campground
Box 184
Biggers, Arkansas 72413
(501) 892-5455

ELEVEN POINT RIVER

Woody's Canoe Rental &
Campground
HC04, Box 433
Dalton, Arkansas 72455
(501) 892-9732

KINGS RIVER

Trigger Gap Float Service
Route 1, Box 654
Eureka Springs, Arkansas 72632
(501) 253-9247

Fletcher's Devil's Dive Resort
HCR01, Box 8
Eagle Rock, Missouri 65641
(417) 271-3396

LITTLE MISSOURI RIVER

The Shed Out Back
P.O. Box 318
Glenwood, Arkansas 71943
(501) 356-2329

LITTLE RED RIVER (ABOVE GREERS FERRY)

Middle Fork Canoe Rental
c/o Jones IGA Foodstore
Route 1, Box 2
Shirley, Arkansas 72153
(501) 723-4603

LITTLE RED RIVER (BELOW GREERS FERRY)

Big G Resort
Box 483
Heber Springs, Arkansas 72543
(501) 362-8194

Dripping Springs
P.O. Box 314
Pangburn, Arkansas 72121
(501) 728-1711

Lindsey's Rainbow Resort
350 Rainbow Rd.
Heber Springs, Arkansas 72543
(501) 362-3139

Little Red River Trout Dock
Star Route, Box 346
Heber Springs, Arkansas 72543
(501) 362-2197

Lobo Landing
Route 1, Box 200
Heber Springs, Arkansas 72543
(501) 362-5802

Swinging Bridge Trout Dock &
Campground
Wilburn Route, Box 362
Heber Springs, Arkansas 72543
(501) 362-3327

MULBERRY RIVER

Byrd's Mulberry River Canoe
Rental
HCR61
Ozark, Arkansas 72949
(501) 667-4066

Turner Bend Canoe Rental
Star Route 1
Highway 23 North
Ozark, Arkansas 72949
(501) 667-3641

Wayfarer of the Ozarks
Star Route 1
Ozark, Arkansas 72949
(501) 667-4998

OUACHITA RIVER

Ouachita Joe's Canoe Rental
P.O. Box 65
Pencil Bluff, Arkansas 71965
(501) 326-5517

Ouachita & Rocky Shoals
Canoe Rentals
Star Route 2, Box 200
Mount Ida, Arkansas 71957
(501) 326-4710 or (501) 867-2382

Wheeler's Canoe Rental
Route 8, Box 81
Malvern, Arkansas 72104
(501) 337-9695

SPRING RIVER

Mammoth Spring Canoe Rental
P.O. Box 244
Mammoth Spring,
Arkansas 72554
(501) 625-3645 or (417) 264-7592

Many Islands Camp
Route Two
Mammoth Spring,
Arkansas 72554
(501) 856-3451

Saddler Falls Canoe Rental
Hwy. 63, 1 Mile North of Hardy
P.O. Box 391
Hardy, Arkansas 72542
(501) 856-2386 or 856-2824

Southfork Canoe Rental
Route 3, Box 124 A
Mammoth Spring,
Arkansas 72554
(501) 895-2803

Spring River Beach Club
P.O. Box 850
Cherokee Village,
Arkansas 72525
(501) 856-3292

Spring River Canoe Rental
P.O. Box 417
Hardy, Arkansas 72542
(501) 856-2594

Spring River Oaks Camp and
Canoe Rental
Route 2, Box 66
Mammoth Spring,
Arkansas 72554
(501) 856-3885

Riverside Motel & RV Park
Hwy. 9 North
Salem, Arkansas 72576
(501) 895-3591

WAR EAGLE CREEK

Withrow Springs State Park
Route 3
Huntsville, Arkansas 72740
(501) 559-2593

WHITE RIVER

Bull Shoals State Park Trout Dock
P.O. Box 205
Bull Shoals, Arkansas 72619
(501) 431-5521

Bull Shoals White River Landing
P.O. Box 348
Bull Shoals, Arkansas 72619
(501) 445-4166

Chamberlain's Trout Dock
Route 1, Box 141
Denton Ferry Road
Cotter, Arkansas 72626
(501) 435-6535

Cotter Trout Dock
P.O. Box 96
Cotter, Arkansas 72626
(501) 435-6525

Custom Expeditions
2000 Magnolia, Suite 43W
Little Rock, Arkansas 72202
(Operates out of Mountain View)
(501) 338-6700

Gaston's White River Resort
#1 River Road
Lakeview, Arkansas 72642
(501) 431-5202

Gunga-La Trout Dock
Route 1, Box 147
1 Mile below Bull Shoals Dam
Lakeview, Arkansas 72642
(501) 431-5606

Jack's Fishing Resort
Route 2, Box 185
Mountain View, Arkansas 72560
(501) 585-2211

Jenkins Fishing Service
P.O. Box 303
Calico Rock, Arkansas 72519
(501) 297-8181

McClellan Trout Dock
Route 2, Box 74
Norfolk, Arkansas 72658
(501) 499-5589

Miller's Float Service
Box 277
Cotter, Arkansas 72626
(501) 435-6313

Newland's Float Trips and Lodge
Route 1, River Road
Lakeview, Arkansas 72642
(501) 431-5678

Pace & Harkins
Route A, Box 131
Flippin, Arkansas 72634
(501) 453-2667

P.J.'s Resort Lodge
P.O. Box 61
Norfolk, Arkansas 72658
(501) 499-7500

Rainbow Drive Resort
Route 1, Box 185
Cotter, Arkansas 72626
(501) 430-5217

Red Bud Dock
Route 2, Box 541
Gassville, Arkansas 72635
(501) 435-6303

Rivercliff Trout Dock
P.O. Box 150
Bull Shoals, Arkansas 72619
(501) 445-4420

Riverview Resort
Route 2, Box 475
Eureka Springs, Arkansas 72632
(501) 253-8367

Rose Fishing Service
P.O. Box 82
Norfolk, Arkansas 72658
(501) 499-5311

Sportsman's Resort and
Trout Dock
HCR62, Box 96
Flippin, Arkansas 72634
(501) 453-2424

Stetson's Fishing Resort
HCR62, Box 102
Flippin, Arkansas 72634
(501) 453-2523

White Buffalo Canoe Rental
RR 2, Box 420
Eureka Springs, Arkansas 72632
(501) 253-7801

White-Buffalo Resort
Route 2, Box 163B
Mountain Home, Arkansas 72653
(501) 425-8555

White Hole Acres Trout Resort
Route A, Box 100
Flippin, Arkansas 72634
(501) 453-2913

White River Lodge
Route 1, Box 158
Cotter, Arkansas 72626
(501) 430-5133

Wildcat Shoals Resort
Route A, Box 166
Flippin, Arkansas 72634
(501) 453-2321

Woodsman's Sport Shop
& Cabins
Route 2, Box 57
Norfolk, Arkansas 72658
(501) 499-7454

WHITE RIVER, NORTH FORK

Gene's Trout Dock
Route 3, Box 348
Mountain Home, Arkansas 72653
(501) 499-5381

Hurst Fishing Service
P.O. Box 129
Cotter, Arkansas 72626
(501) 435-6414

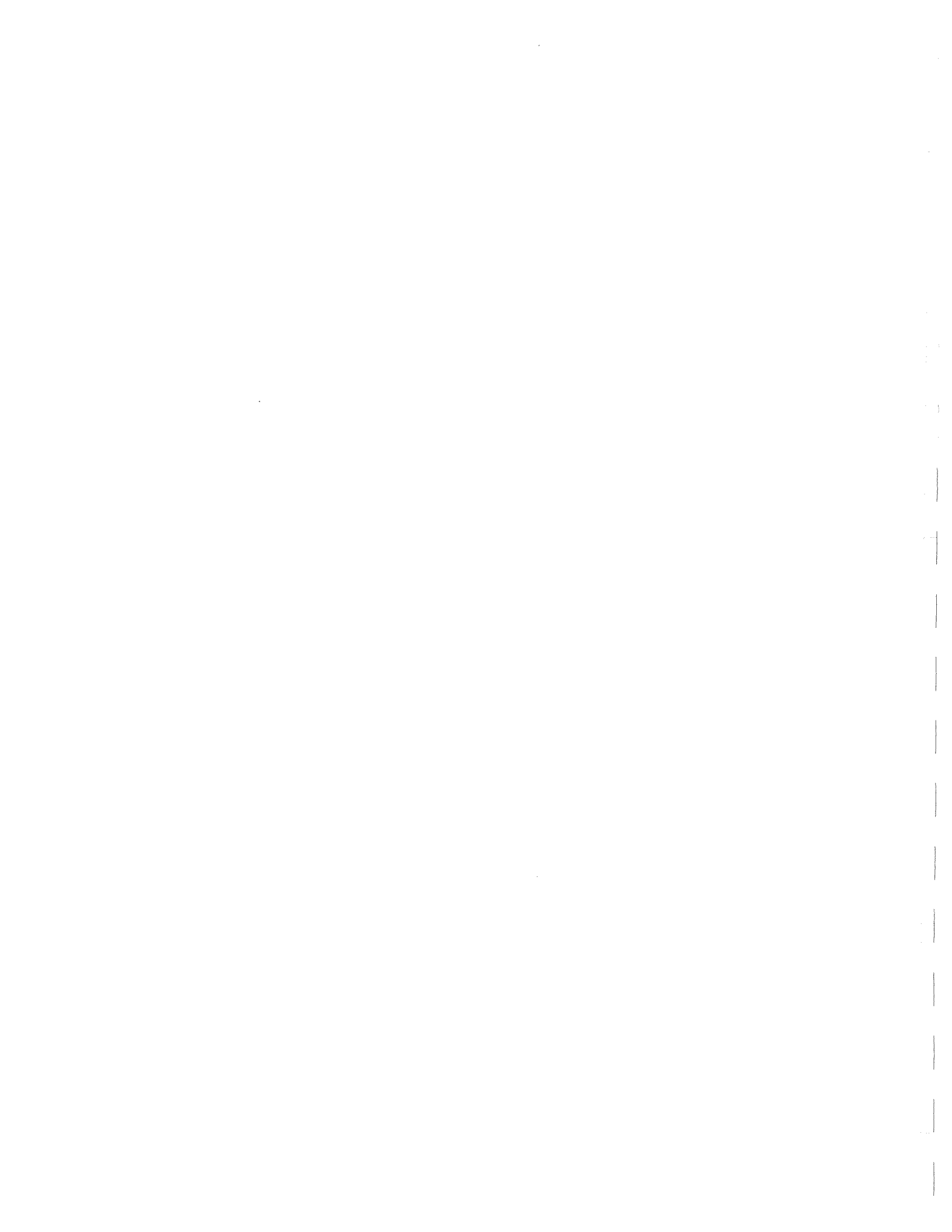
Norfolk Trout Dock
P.O. Box 129
Norfolk, Arkansas 72658
(501) 499-5500

Rainbow Trout Resort
Route 3, Box 340
Mountain Home, Arkansas 72653
(501) 499-7214

Information shown on this list of outfitters was provided by the various businesses and does not represent an endorsement by the State of Arkansas. Outfitters wishing to be included in future editions should contact: Arkansas Department of Parks and Tourism; Tourism Division; One Capitol Mall; Little Rock, Arkansas 72201.

APPENDIX VIII

**EXECUTIVE SUMMARY OF BIG PINEYCREEK BOATERS
AND LANDOWNERS SURVEYS**



BIG PINEY CREEK LANDOWNERS SURVEY

Submitted to:

**U.S. Forest Service
Ozark - St. Francis National Forests
Russellville, Arkansas
July 1996**

Prepared by:

**Theresa A. Herrick Ph.D.
Dept. of Parks, Recreation & Hospitality Administration
Arkansas Tech University
Russellville, Arkansas**

EXECUTIVE SUMMARY

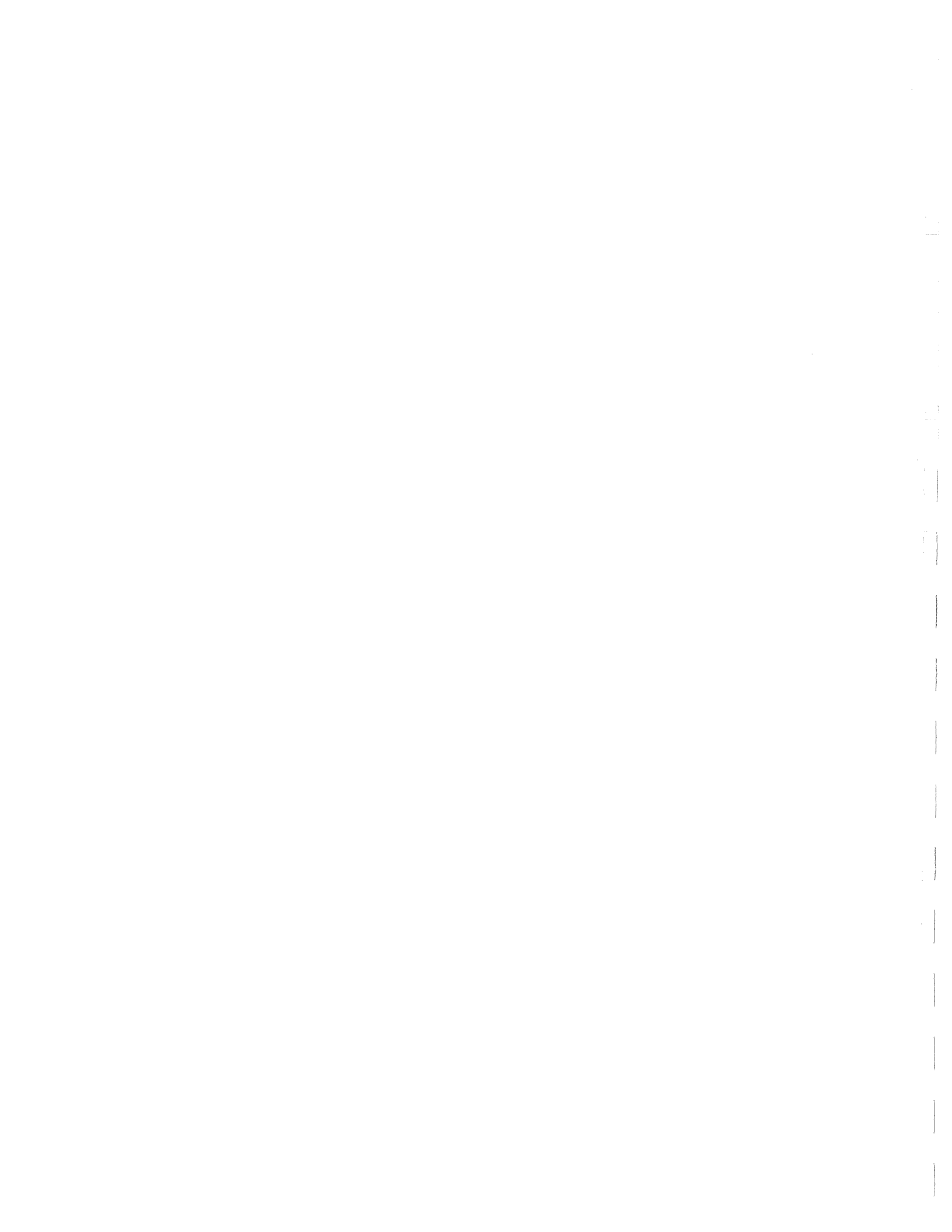
Reported are the results of a survey of landowners along Big Piney Creek, a national scenic river in Arkansas. Seventy-seven landowners were contacted by mail using a list provided by the Ozark National Forest. Twenty-seven landowners completed the questionnaires and returned them for a 35 percent response rate.

The objectives of the study were: (1) to obtain background information about the land ownership; (2) find out what recreational activities landowners were participating in along Big Piney Creek; (3) discover what activities produce income for landowners along the creek; (4) obtain landowner opinions about environmental conditions on the creek; (5) obtain preferences for management actions along the creek; (6) identify any conflicts between different river activities; and (7) obtain socioeconomic and demographic information about Big Piney Creek landowners.

Most Big Piney Creek landowners do not live along the creek, but visit regularly. All landowners purchased the property before 1994. Over one-half the respondents owned the land for more than 25 years. The most popular recreational activities for landowners were swimming, hiking, hunting, sightseeing and fishing. No landowners make their primary living from activities on Big Piney Creek, but some derive income from their land holdings along the river. Landowners perceived no moderate, serious or very serious problems with conditions on the river and only slight problems with litter, people being inconsiderate, people drinking alcoholic beverages, off-road vehicles in the river area, availability of law enforcement and the amount of vehicle traffic on the main road.

Landowners were opposed to limiting the number of people using national forest access points and limiting the number of people per group using the access areas. Landowners supported prohibiting glass containers on forest land along the river. Overall, landowners neither agreed or disagreed with current management of Big Piney Creek. The majority of landowners felt there were no conflicts between activities and preferred to have no Forest Service contact about river management.

The average age of landowner survey respondents was 57 years and respondents were predominantly male (73%). The average level of education was just over 13 years of formal education and the average income for Big Piney Creek landowners ranged from \$30,000 up to \$40,000 annual income, with over 29 percent of respondents having annual household incomes of \$60,000 or more.



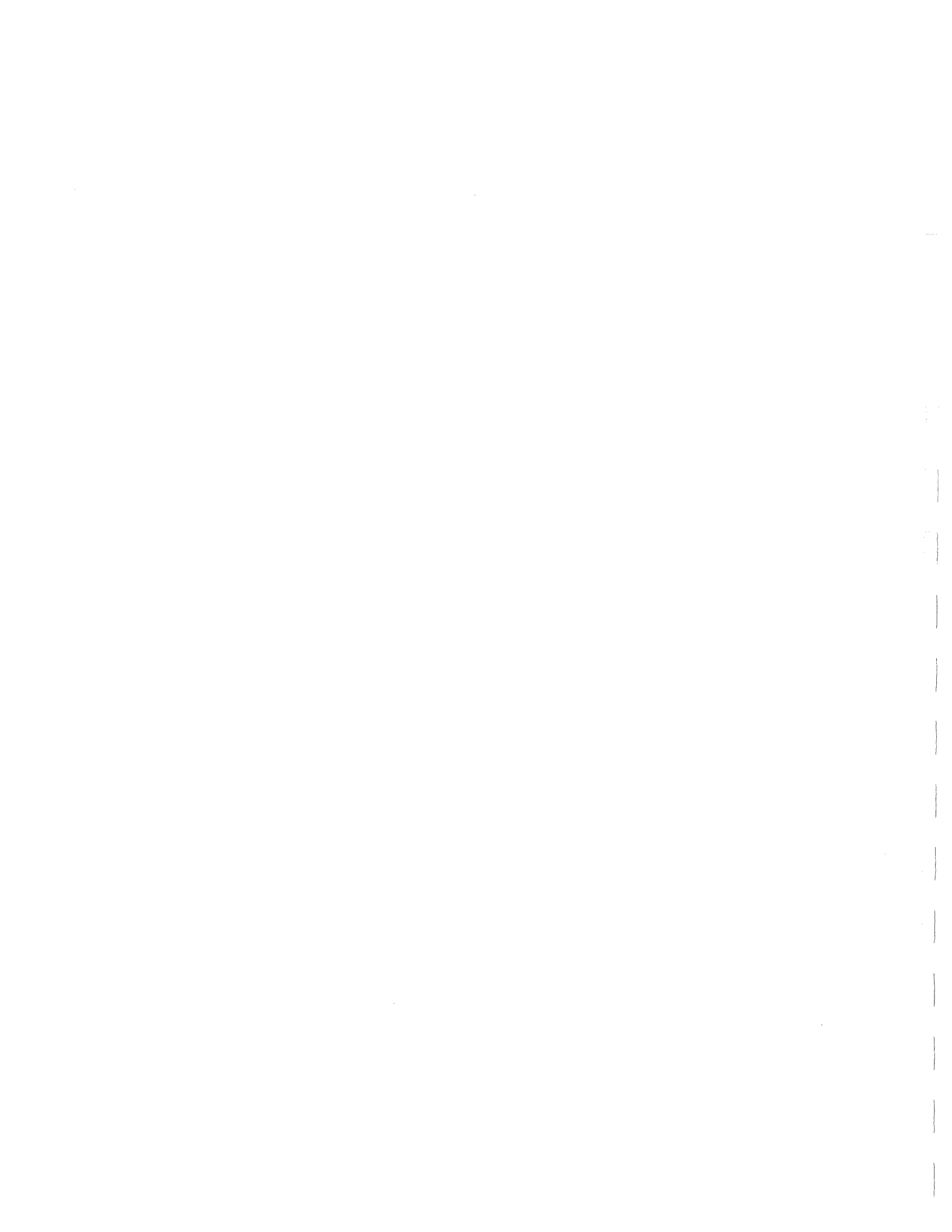
BIG PINEY CREEK BOATERS STUDY

Submitted to:

**U.S. Forest Service
Ozark-St. Francis National Forests
Russellville, Arkansas
July 1996**

Prepared by:

**Theresa A. Herrick Ph.D.
Department of Parks, Recreation & Hospitality Administration
Arkansas Tech University**



EXECUTIVE SUMMARY

Reported are the results of a survey of boaters on Big Piney Creek, a national scenic river in Arkansas. Three hundred and twenty boaters were contacted by mail using a list provided by Moore Outdoors, the only outfitting business on Big Piney Creek. One hundred and thirty-two boaters responded by completing the questionnaire and returning it for a 41 percent response rate.

The purpose of the study was to obtain information from boaters about their river experiences and their preferences for management of Big Piney Creek. The objectives of the study were: (1) to find out which sections of the river were being used by boaters; (2) to find out when boating use was occurring; (3) to discover what type(s) of watercraft were being used; (4) find out why people were floating the river; (5) find out the experience level of boaters on Big Piney Creek and other rivers; (6) find out what added to or detracted from boaters' whitewater experience on Big Piney Creek; (7) identify boaters' perceptions of crowding; (8) discover boaters' perceptions of environmental conditions on the river; (9) obtain boaters' preferences for management actions on Big Piney Creek; (10) obtain socioeconomic and demographic information about Piney Creek boaters.

The most popular starting location for Big Piney Creek float trips was Helton's Farm where 78 percent of boaters put-in; followed by Long Pool Recreation Area where 18 percent of boaters put-in. The most popular put-in time was 10:00 a.m. on Saturday. The most popular location to end their river trip was Long Pool Recreation Area, where 65 percent of boaters took out, followed by Twin Bridges where 21 percent of boaters completed their river trip. Take-out times were mixed with 14 percent of boaters ending their river trip at 3:00 p.m., 18 percent taking out at 4:00 p.m and 15 percent completing their river trip at 5:00 p.m. Over 50 percent of

respondents prefer to travel the Helton's Farm to Long Pool section of the river; while over 25 percent frequent the Long Pool to Twin Bridges section of the river. Twenty-three percent of boaters traveled in groups of 4 persons; while 22 percent preferred groups with 2 persons. The average number per watercraft was 2.2 persons. Forty-five percent of the boater respondents preferred commercial canoes; while another one-third preferred private canoes.

The most important reasons for visiting Big Piney Creek, as indicated by boaters: to have fun; to be in a natural setting; to view the scenery; to experience the excitement of running rapids; to be with friends or family; to get away from crowds of people; to take chances in exciting situations; to test my abilities; to be with people having similar interests; to develop my whitewater skills; to do some camping; and to learn new skills.

Over ninety percent of boaters had previous whitewater experience, averaging 11 years of whitewater experience among them. Boaters floated on average 5 times per year, with an average 65 trips among them. Over 70 percent of boaters had previous experience on Big Piney Creek, averaging 3 times per year, with an average of 8 years experience on this river. Piney Creek boaters averaged 17 total whitewater trips on Piney Creek. Nearly half of the boater respondents considered Big Piney Creek better than most of the other rivers they run; while over one-third indicated Big Piney Creek was about the same as most of the other rivers. The majority of Big Piney Creek boaters considered their whitewater skill level to be either intermediate or advanced.

The recreational activities participated in by most boaters were; sightseeing, swimming/sunbathing, camping, picnicking, and hiking.

The majority of Big Piney Creek boater respondents rated their float trip excellent or very good. The situations that added to boaters' river experience were: large amount of watercraft in

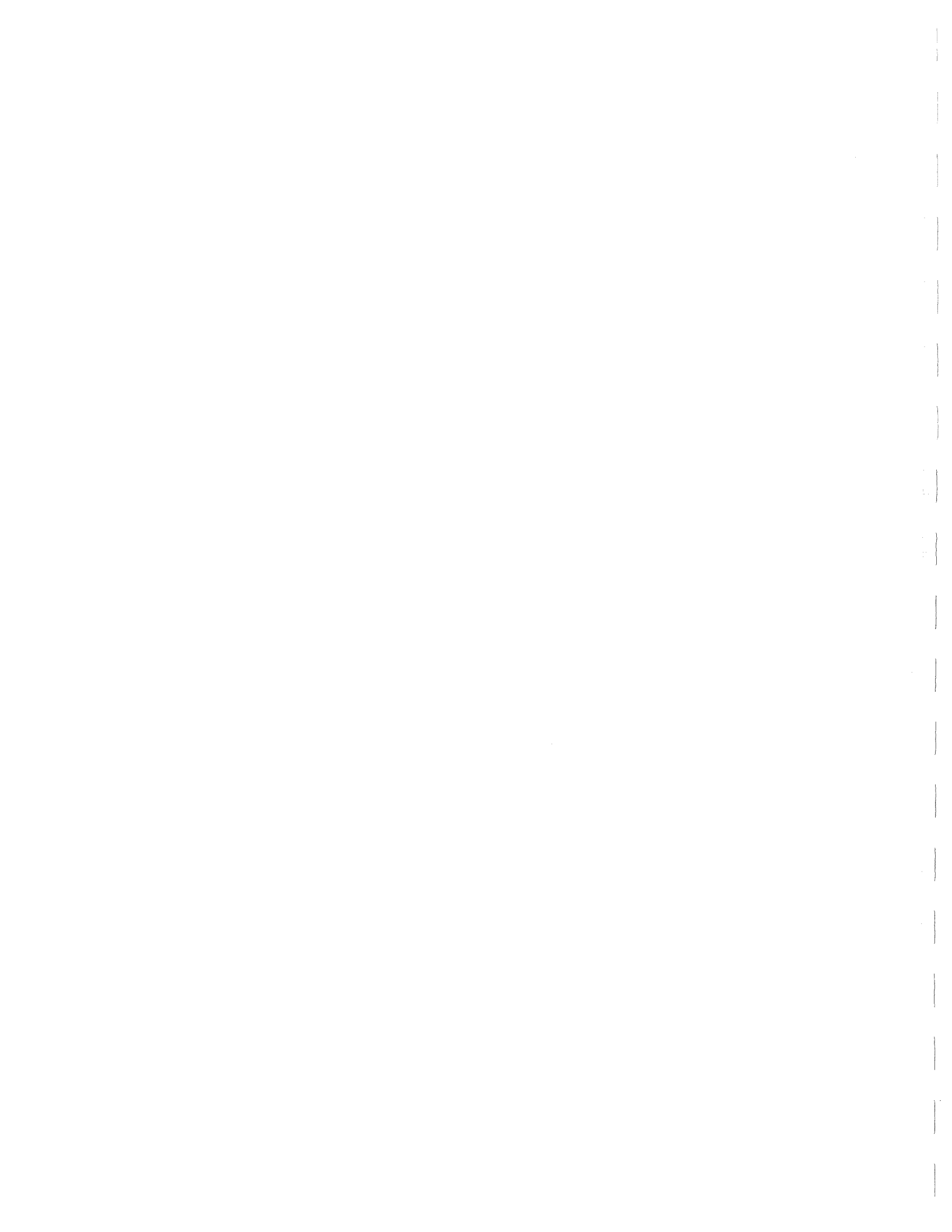
river; number and length of rapids; difficulty of rapids; watching other people come through rapids; opportunity to leisurely swim during river trip; number of watercraft in your group; behavior of other boaters in your group; accessibility of take-out site; size of take-out parking area; number of people in your specific watercraft; number of kayakers on the river; number of watercraft you saw while on the river; behavior of boaters outside your group; and availability of parking along road along the river. Over 90 percent of boaters indicated that they did not feel crowded on the day of their Piney Creek float trip either while on the river, at the put-in location or the take-out site. Some boaters (62 %) indicated they had to wait for other boaters to get through, on average, 2 rapids during their trip. Over one-half of respondents had to wait while other boaters put-in, but not while they were taking-out. Fifty-six percent of respondents were day trippers, choosing not to camp as part of their river trip, either on the river or at the put-in or take-out locations. Those boaters that did camp (44%) stayed, on average, 2 nights.

Boaters on Big Piney Creek indicated they found only inadequate toilet facilities along the river between put-in and take-out points to be a problem and this was only a slight problem. Boater respondents supported the following proposed management actions: prohibit the use of glass containers; require people to carry out their own trash; improve put-in and take-out areas; post signs along the river warning and advising of hazards and rapids; provide more parking at put-in and take-out points; provide garbage containers; provide more information (signs, displays) at put-in and take-out points; and allow use to continue without controls. Over 90 percent of boater respondents on Big Piney Creek indicated there were no conflicts between different river activities at the present time, but only 55 percent felt no management actions were needed now to protect the river and its surroundings from being damaged by recreational use.

The following is a profile of boater respondents on Big Piney Creek; the majority of respondents were male (82%), averaging 35.5 years of age and over 15 years of education, with a fairly wide distribution of income levels, although over one-third of respondents had a household income of \$60,000 or greater. Respondents lived, on average, 160 miles from the river and the majority worked in professional or administrative occupations.

APPENDIX IX

SCENIC RIVER ACT



WILD AND SCENIC RIVERS ACT

¹An Act

To provide for a National Wild and Scenic Rivers System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that

SEC. 1. (a) This Act; may be cited as the "Wild and Scenic Rivers Act".

(b) 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. The Congress declares that the established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes.

(c) The purpose of this Act is to implement this policy by instituting a national wild and scenic rivers system, by designating the initial components of that system and by prescribing the methods by which and standards according to which additional components may be added to the system from time to time.

SEC. 2 (a) The national wild and scenic rivers system shall comprise rivers (i) that are authorized for inclusion therein by Act of Congress, or (ii) that are designated as wild, scenic or recreational rivers by or pursuant to an act of the legislature of the State or States through which they flow, that are to be permanently administered as wild, scenic or recreational rivers by an agency or political subdivision of the State or States concerned, that are found by the Secretary of the Interior, upon application of the Governor of the State or the Governors of the States concerned, or a person or persons thereunto duly appointed by him or them, to meet the criteria established in this Act and such criteria supplementary thereto as he may prescribe, and that are approved by him for inclusion in the system... Upon receipt of an application under clause (ii) of this subsection, the Secretary shall notify the Federal Energy Regulatory Commission and publish such application in the Federal Register. Each river designated under clause (ii) shall be administered by the State or political subdivision thereof without expense to the United States other than for administration and management of federally owned lands. For purposes of the preceding sentence, amounts made available to any State or political subdivision under the Land and Water Conservation Act of 1965 or any other provision of law shall not be treated as an expense to the United States. Nothing in this subsection shall be construed to provide for the transfer to, or administration by, a State or local authority of any federally owned lands which are within the boundaries of any river included within the system under clause (ii).

¹ The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287) consists of Public Law 90-542 (October 2, 1968) as amended. P.L. 99-590 (October 30, 1986) was the last Act that added generic amendments to the Act. Additional footnotes can be found following the text of the Act. (Provisions of the Wild and Scenic Rivers Act that are applicable only to specific rivers have been deleted from this version of the Act in the interest of brevity. The Federal Power Commission is now the Federal Energy Regulatory Commission).

b) A wild, scenic or recreational river area eligible to be included in the system is a free-flowing stream and the related adjacent land area that possesses one or more of the values referred to in Section 1, subsection (b) of this Act. Every wild, scenic or recreational river in its free-flowing condition, or upon restoration to this condition, shall be considered eligible for inclusion in the national wild and scenic rivers system and, if included, shall be classified, designated, administered as one of the following:

(1) 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.

(2) 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.

(3) 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. 3 (A) The following rivers and the land adjacent thereto are hereby designated as components of the national wild and scenic rivers system:

(Designation language for individual W&S rivers)(116 listed)

(b) The agency charged with the administration of each component of the national wild and scenic rivers system designated by subsection (a) of this section shall, within one year from the date of designation of such component under subsection (a) (except where a different date is provided in subsection (a)) establish detailed boundaries therefore; which boundaries shall include an average of not more than 320 acres of land per miles measured from the ordinary high water mark on both sides of the river); determine which of the classes outlined in section 2, subsection (b), of this Act best fit the river or its various segments. Notice of the availability of the boundaries and classification, and of subsequent boundary amendments shall be published in the Federal Register and shall not become effective until ninety days after they have been forwarded to the President of the Senate and the Speaker of the House of Representatives.

(c) Maps of all boundaries and descriptions of the classifications of the designated river segments, and subsequent boundary amendments to such boundaries, shall be available for public inspection in the offices of the administering agency in the District of Columbia and in locations convenient to the designated river.

(d) (1) For rivers designated on or after January 1, 1986, the Federal agency charged with the administration of each component on the National Wild and Scenic Rivers System shall prepare a comprehensive management plan for such river segment to provide for the protection of the river values. The plan shall address resource protection, development of lands and facilities, user capacities, and other management practices necessary or desirable to achieve the purposes of this Act. The plan shall be coordinated with and may be incorporated into resource management planning for affected adjacent Federal lands. The plan shall be prepared, after consultation with State and local governments and the interested public within three full fiscal years after the date of designation. Notice of the completion and availability of such plans shall be published in the Federal Register.

(2) For rivers designated before January 1, 1986, all boundaries, classifications, and plans shall be reviewed for conformity within the requirements of this subsection within 10 years through regular agency planning processes.

SEC. 4 (a) The Secretary of the Interior or, where national forest lands are involved, the Secretary of Agriculture, or, in appropriate cases, the two Secretaries jointly shall study and submit to the President reports on the suitability or unsuitability for addition to the national wild and scenic rivers system of rivers which are designated herein or hereafter by the Congress as potential additions to such system. The President shall report to the Congress his recommendations and proposals with respect to the designation of each such river or section thereof under this Act.... In conducting these studies the Secretary of the Interior and the Secretary of Agriculture shall give priority to those rivers (i) with respect to which there is the greatest likelihood of developments which, if undertaken, would render the rivers unsuitable for inclusion in the national wild and

scenic rivers system, and (ii) which possess the greatest proportion of private lands within their areas. Every such study and plan shall be coordinated with any water resources planning involving the same river which is being conducted pursuant to the Water Resources Planning Act (79 Stat. 244; 42 U.S.C. 1962 et seq.).

Each report, including maps and illustrations, shall show among other things the area included within the report; the characteristics which do or do not make the area a worthy addition to the system; the current status of land ownership and use in the area; the reasonably foreseeable potential uses of the land and water which would be enhanced, foreclosed, or curtailed if the area were included in the national wild and scenic rivers system; the Federal agency (which in the case of a river which is wholly or substantially within a national forest, shall be the Department of Agriculture) by which it is proposed the area, should it be added to the system, be administered; the extent to which it is proposed that such administration, including the costs thereof, be shared by State and local agencies; and the estimated cost to the United States of acquiring necessary land and interests in land and of administering the area, should it be added to the system. Each such report shall be printed as a Senate or House document.

(b) Before submitting any such report to the President and the Congress, copies of the proposed report shall, unless it was prepared jointly by the Secretary of the Interior and the Secretary of Agriculture, be submitted by the Secretary of the Interior to the Secretary of Agriculture or by the Secretary of Agriculture to the Secretary of the Interior, as the case may be, and to the Secretary of the Army, the Chairman of the Federal Power Commission, the head of any other affected Federal department or agency and, unless the lands proposed to be included in the area are already owned by the United States or have already been authorized for acquisition by Act of Congress; the Governor of the State or States in which they are located or an officer designated by the Governor to receive the same. Any recommendations or comments on the proposal which the said officials furnish the Secretary or Secretaries who prepared the report within ninety days of the date on which the report is submitted to them, together with the Secretary's or Secretaries' comments thereon, shall be included with the transmittal to the President and the Congress.

(c) Before approving or disapproving for inclusion in the national wild and scenic rivers system any river designated as a wild, scenic or recreational river by or pursuant to an act of a State legislature, the Secretary of the Interior shall submit the proposal to the Secretary of Agriculture, the Secretary of the Army, the Chairman of the Federal Power Commission, and the head of any other affected Federal department or agency and shall evaluate and give due weight to any recommendations or comments which the said officials furnish him within ninety days of the date of which it is submitted to them. If he approves the proposed inclusion, he shall publish notice thereof in the Federal Register.

(d) The boundaries of any river proposed in section 5(a) of this Act for potential addition to the National Wild and Scenic Rivers System shall generally comprise that area measured within one-quarter mile from the ordinary highwater mark on each side of the river. In the case of any designated river, prior to publication of boundaries pursuant to section 3(b) of this Act, the boundaries also shall comprise the same area. This subsection shall not be construed to limit the possible scope of the study report to address areas which may lie more than one-quarter mile from the ordinary high water mark on each side of the river.

SEC. 5. (a) The following rivers are hereby designated for potential addition to the national wild and scenic river system:

(designation language for individual W&S study rivers)

(b)(4) For the purposes of conducting the studies of rivers named in subsection (a) there are authorized to be appropriated such sums as necessary..

(c) The study of any of said rivers shall be pursued in as close cooperation with appropriate agencies of the affected State and its political subdivisions as possible, shall be carried on jointly with such agencies if request for such joint study is made by the State, and shall include a determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national wild and scenic rivers system.

(d)(1) In all planning for the use and development of water and related land resources, consideration shall be given by all Federal agencies involved to potential national wild, scenic and recreational river areas, and all river basin and project plan reports submitted to the Congress shall consider and discuss any such potentials. The Secretary of the Interior and the Secretary of Agriculture shall make specific studies and

investigations to determine which additional wild, scenic and recreational river areas within the United States shall be evaluated in planning reports by all Federal agencies as potential alternative uses of the water and related land resources involved.

(2) The Congress finds that the Secretary of the Interior, in preparing the Nationwide Rivers Inventory as a specific study for possible additions to the National Wild and Scenic Rivers System, identified the Upper Klamath River from below the John Boyle Dam to the Oregon-California State line. The Secretary, acting through the Bureau of Land Management, is authorized under this subsection to complete a study of the eligibility of such segment for potential addition to the National Wild and Scenic Rivers System. Such study shall be completed, and a report containing the results of the study shall be submitted to Congress by April 1, 1990. Nothing in this paragraph shall affect the authority or responsibilities of any other Federal agency with respect to activities or action on this segment and its immediate environment.

SEC. 6. (a) (1) The Secretary of the Interior and the Secretary of Agriculture are each authorized to acquire lands and interests in land within the authorized boundaries of any component of the national wild and scenic rivers system designated in section 3 of this Act, or hereafter designated for inclusion in the system by Act of Congress, which is administered by him, but he shall not acquire fee title to an average of more than 100 acres per mile on both sides of the river. Lands owned by a State may be acquired only by donation or by exchange in accordance with subsection (d) of this section. Lands owned by an Indian tribe or a political subdivision of a State may not be acquired without the consent of the appropriate governing body thereof as long as the Indian tribe or political subdivision is following a plan for management and protection of the lands which the Secretary finds protects the land and assures its use for purposes consistent with this Act. Money appropriated for Federal purposes from the land water conservation fund shall, without prejudice to the use of appropriations from other sources, be available to Federal departments and agencies for the acquisition of property for the purposes of this Act.

(2) When a tract of land lies partially within and partially outside the boundaries of a component of the National Wild and Scenic System, the appropriate Secretary may, with the consent of the land owners for the portion outside of the boundaries, acquire the entire tract. The land or interest therein so acquired outside the boundaries shall not be counted against the average one-hundred-acre-per-mile fee title limitation of subsection (a)(1). The lands or interests therein outside such boundaries, shall be disposed of, consistent with existing authorities of law, by sale, lease, or exchange.

(b). If 50 per centum or more of the entire acreage outside the ordinary high water mark on both sides of the river within a federally administered wild, scenic or recreational river area is owned in fee title by the United States, by the State or States within which it lies, or by political subdivisions of those States, neither Secretary shall acquire fee title to any lands by condemnation under authority of this Act. Nothing contained in this section, however, shall preclude the use of condemnation when necessary to clear title or to acquire scenic easements or such other easements as are reasonably necessary to give the public access to the river and to permit its members to traverse the length of the area or of selected segments thereof.

(c) Neither the Secretary of the Interior nor the Secretary of Agriculture may acquire lands by condemnation, for the purpose of including such lands in any national wild, scenic or recreational river area, if such lands are located within any incorporated city, village, or borough which has in force and applicable to such lands a duly adopted, valid zoning ordinance that conforms with the purposes of this Act. In order to carry out the provisions of this subsection, the appropriate Secretary shall issue guidelines, specifying standards for local zoning ordinances, which are consistent with the purposes of this Act. The standards specified in such guidelines shall have the object of (A) prohibiting new commercial or industrial uses other than commercial or industrial uses which are consistent with the purposes of this Act, and (B) the protection of the bank lands by means of acreage, frontage, and setback requirements on development.

(d) The appropriate Secretary is authorized to accept title to non-Federal property within the authorized boundaries of any federally administered component of the national wild and scenic rivers system designated in section 3 of this Act or hereafter designated for inclusion in the system by Act of Congress and, in exchange therefor, convey to the grantor any federally owned property which is under his jurisdiction within the State in which the component lies and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal or, if they are not approximately equal, shall be equalized by the payment of cash to the grantor or the Secretary as the circumstances require.

(e) The head of any Federal department or agency having administrative jurisdiction over any lands or interests in land within the authorized boundaries of any federally administered component of the national wild and scenic rivers system designated in section 3 of this Act or hereafter designated for inclusion in the system by Act of Congress is authorized to transfer to the appropriate Secretary jurisdiction over such lands for administration in accordance with the provision of this Act. Lands acquired by or transferred to the Secretary of Agriculture for the purposes of this Act within or adjacent to a national forest shall upon such acquisition or transfer become national forest lands.

(f) The appropriate Secretary is authorized to accept donations of land and interests in land, funds, and other property for use in connection with his administration of the national wild and scenic rivers system.

(g)(1) Any owner or owners (hereinafter in this subsection referred to as "owner") of improved property on the date of its acquisition, may retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, or the death of either or both of them. The owner shall elect the term to be reserved. The appropriate Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date retained by the owner.

(2) A right of use and occupancy retained pursuant to this subsection shall be subject to termination whenever the appropriate Secretary is given reasonable cause to find that such use and occupancy is being exercised in a manner which conflicts with the purposes of this Act. In event of such a finding, the Secretary shall tender to the holder of that right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination. Such right of use or occupancy shall terminate by operation of law upon tender of the fair market price.

(3) The term "improved property", as used in this Act, means a detached, one-family dwelling (hereinafter referred to as "dwelling"), the construction of which was begun before January 1, 1967, (except where a different date is specifically provided by law with respect to any particular river), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the appropriate Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 7. (a) The Federal Power Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.) on or directly affecting any river which is designated in section 3 of this Act as a component of the national wild and scenic rivers system or which is hereafter designated for inclusion in that system, and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above a wild, scenic or recreational river area or on any stream tributary thereto which will not invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area on the date of designation of a river as a component of the National Wild and Scenic Rivers System. No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration, or request appropriations to begin construction of any such project, whether heretofore or hereafter authorized, without advising the Secretary of the Interior or the Secretary of Agriculture, as the case may be, in writing of its intention so to do at least sixty day in advance, and without specifically reporting to the Congress in writing at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of this Act and would effect the component and the values to be protected by it under this Act.

(b) The Federal Power Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act, as amended on or directly affecting any river which is listed in section 5, subsection (a), of this Act, and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water

resources project that would have a direct and adverse effect on the values for which such river might be designated, as determined by the Secretary charged responsible for its study or approval—

(i) during the ten-year period following enactment of this Act or for a three complete fiscal year period following any Act of Congress designating any river for potential addition to the national wild and scenic rivers system, whichever is later, unless, prior to the expiration of the relevant period, the Secretary of the Interior and, where national forest lands are involved, the Secretary of Agriculture, on the basis of study, determine that such river should not be included in the national wild and scenic river system and notify the Committees on Interior and Insular Affairs of the United States Congress, in writing, including a copy of the study upon which the determination was made, at least one hundred and eighty days while Congress is in session prior to publishing notice to that effect in the Federal Register: *Provided*, That if any Act designating any river or rivers for potential addition to the national wild and scenic river system provides a period for the study or studies which exceeds such three complete fiscal year period the period provided for in such Act shall be substituted for the three complete fiscal year period in the provisions of this clause (i); and

(ii) during such interim period from the date a report is due and the time a report is actually submitted to Congress; and

(iii) during such additional period thereafter as, in the case of any river the report for which is submitted to the President and the Congress for inclusion in the national wild and scenic rivers system, is necessary for congressional consideration thereof or, in the case of any river recommended to the Secretary of the Interior under section 2(a)(ii) of this Act, is necessary for the Secretary's consideration thereof, which additional period, however, shall not exceed three years in the first case and one year in the second.

Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above a potential wild, scenic or recreational river area or on any stream tributary thereto which will not invade the area or diminish the scenic, recreational, and fish and wildlife values present in the potential wild, scenic or recreational river area on the date of designation of a river for study as provided by section 5 of this Act. No department or agency of the United States shall, during the periods hereinbefore specified, recommend authorization of any water resources project on any such river or request appropriations to begin construction of any such project, whether heretofore or hereafter authorized, without advising the Secretary of the Interior and, where national forest lands are involved, the Secretary of Agriculture in writing of its intention so to do at least sixty days in advance of doing so and without specifically reporting to the Congress in writing at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of this Act and would affect the component and the values to be protected by it under this Act.

(c) The Federal Power Commission and all other Federal agencies shall, promptly upon enactment of this Act, inform the Secretary of the Interior and, where national forest lands are involved, the Secretary of Agriculture, of any proceedings, studies, or other activities within their jurisdiction which are now in progress and which affect or may affect any of the rivers specified in section 5, subsection (a), of this Act. They shall likewise inform him of any such proceedings, studies, or other activities which are hereafter commenced or resumed before they are commenced or resumed.

(d) Nothing in this section with respect to the making of a loan or grant shall apply to grants made under the Land and Water Conservation Act of 1965 (78 Stat. 897; 16 U.S.C. 4601-5 et seq.).

SEC. 8. (a) All public lands within the authorized boundaries of any component of the national wild and scenic rivers system which is designated in section 3 of this Act or which is hereafter designated for inclusion in that system are hereby withdrawn from entry, sale, or other disposition under the public land laws of the United States. This subsection shall not be construed to limit the authorities granted in section 6(d) or 14A of this Act.

(b) All public lands which constitute the bed or bank, or are within one-quarter mile of the bank, of any river which is listed in section 5, subsection (a), of this Act are hereby withdrawn from entry, sale, or other disposition under the public land laws of the United States for the periods specified in section 7, subsection (b), of this Act....

SEC. 9. (a) Nothing in this Act shall affect the applicability of the United States mining and mineral leasing laws within components of the national wild and scenic rivers system except that –

(i) all prospecting, mining operations, and other activities on mining claims which, in the case of a component of the system designated in section 3 of this Act, have not heretofore been perfected or which, in the case of a component hereafter designated pursuant to this Act or any other Act of Congress, are not perfected before its inclusion in the system and all mining operations and other activities under a mineral lease, license, or permit issued or renewed after inclusion of a component in the system shall be subject to such regulations as the Secretary of the Interior or, in the case of national forest lands, the Secretary of Agriculture may prescribe to effectuate the purposes of this Act;

(ii) subject to valid existing rights, the perfection of, or issuance of a patent to, any mining claim affecting lands within the system shall confer or convey a right or title only to the mineral deposits and such rights only to the use of the surface and the surface resources as are reasonably required to carrying on prospecting or mining operations and are consistent with such regulations as may be prescribed by the Secretary of the Interior or, in the case of national forest lands, by the Secretary of Agriculture; and

(iii) subject to valid existing rights, the minerals in Federal lands which are part of the system and constitute the bed or bank or are situated within one-quarter mile of the bank of any river designated a wild river under this Act or any subsequent Act are hereby withdrawn from all forms of appropriation under the mining laws and from operation of the mineral leasing laws including, in both cases, amendments thereto.

Regulations issued pursuant to paragraphs (i) and (ii) of this subsection shall, among other things, provide safeguards against pollution of the river involved and unnecessary impairment of the scenery within the components in question.

(b) The minerals in any Federal lands which constitute the bed or bank or are situated within one-quarter mile of the bank of any river which is listed in section 5, subsection (a) of this Act are hereby withdrawn from all forms of appropriation under the mining laws during the periods specified in section 7, subsection (b) of this Act. Nothing contained in this subsection shall be construed to forbid prospecting or the issuance of leases, licenses, and permits under the mineral leasing laws subject to such conditions as the Secretary of the Interior and, in the case of national forest lands, the Secretary of Agriculture find appropriate to safeguard the area in the event it is subsequently included in the system....

SEC. 10 (a) Each component of the national wild and scenic rivers system shall be administered in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration primary emphasis shall be given to protecting its esthetic, scenic, historic, archeologic, and scientific features. Management plans for any such component may establish varying degrees of intensity for its protection and development, based on the special attributes of the area.

(b) Any portion of a component of the national wild and scenic rivers system that is within the national wilderness preservation system, as established by or pursuant to the Act of September 3, 1964 (78 Stat. 890; 16 U.S.C., ch. 23), shall be subject to the provision of both the Wilderness Act and this Act with respect to preservation of such river and its immediate environment, and in case of conflict between the provisions of these Acts the more restrictive provisions shall apply.

(c) Any component of the national wild and scenic rivers system that is administered by the Secretary of the Interior through the National Park Service shall become a part of the national park system, and any such component that is administered by the Secretary through the Fish and Wildlife Service shall become a part of the national wildlife refuge system. The lands involved shall be subject to the provisions of this Act and the Acts under which the national park system or national wildlife refuge system, as the case may be, is administered, and in the case of conflict between the provisions of these Acts, the more restrictive provisions shall apply. The Secretary of the Interior, in his administration of any component of the national wild and scenic rivers system, may utilize such general statutory authorities relating to areas of the national park system and such general statutory authorities otherwise available to him for recreation and preservation

purposes and for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(d) The Secretary of Agriculture, in his administration of any component of the national wild and scenic rivers system area, may utilize the general statutory authorities relating to the national forest in such manner as he deems appropriate to carry out the purposes of this Act.

(e) The Federal agency charged with the administration of any component of the national wild and scenic rivers system may enter into written cooperative agreements with the Governor of a State, the head of any State agency, or the appropriate official of a political subdivision of a State for State or local governmental participation in the administration of the component. The States and their political subdivisions shall be encouraged to cooperate in the planning and administration of components of the system which include or adjoin State- or County-owned lands.

SEC. 11. (a) The Secretary of the Interior shall encourage and assist the States to consider, in formulating and carrying out their comprehensive statewide outdoor recreation plans and proposals for financing assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), needs and opportunities for establishing State and local wild, scenic and recreational river areas.

(b) (1) The Secretary of the Interior, the Secretary of Agriculture, or the head of any Federal agency, shall assist, advise, and cooperate with States or their political subdivisions, landowners, private organizations, or individuals to plan, protect, and manage river resources. Such assistance, advice, and cooperation may be through written agreements or otherwise. This authority applies within or outside a federally administered area and applies to rivers which are components of the Wild and Scenic Rivers System and to other rivers. Any agreement under this section may include provisions for limited financial or other assistance to encourage participation in the acquisition, protection and management of river resources.

(2) Whenever appropriate in furtherance of this Act, the Secretary of Agriculture and the Secretary of the Interior are authorized and encouraged to utilize the following:

(A) For activities on federally owned land, the Volunteers in the Parks Act of 1969 (16 U.S.C. 18g-j) and the Volunteers in the Forest Act of 1972 (16 U.S.C. 558a-558d).

(B) For activities on all other lands, section 6 of the Land and Water Conservation Fund Act of 1965 (relating to the development of statewide comprehensive outdoor recreation plans).

(3) For purposes of this subsection, the appropriate Secretary or the head of any Federal agency may utilize and make available Federal facilities, equipment, tools, and technical assistance to volunteers and volunteer organizations, subject to such limitations and restrictions as the appropriate Secretary or the head of any Federal agency deem necessary or desirable.

(4) No permit or other authorization provided for under provision of any other Federal law shall be conditioned on the existence of any agreement provided for in this section.

SEC. 12 (a) The Secretary of the Interior, the Secretary of Agriculture, and the head of any other Federal department or agency having jurisdiction over any lands which include, border upon, or are adjacent to, any river included within the National Wild and Scenic Rivers System or under consideration for such inclusion in accordance with section 2(a)(ii), 3(a), or 5(a), shall take such action respecting management policies, regulations, contracts, plans, affecting such lands, following the date of enactment of this sentence, as may be necessary to protect such rivers in accordance with the purposes of this Act. Such Secretary or other department or agency head shall, where appropriate, enter into written cooperative agreements with the appropriate State or local official for the planning, administration, and management of Federal lands which are within the boundaries of any rivers which approval has been granted under section 2(a)(ii). Particular attention shall be given to scheduled timber harvesting, road construction, and similar activities which might be contrary to the purposes of this Act.

(b) Nothing in this section shall be construed to abrogate any existing rights, privileges, or contracts affecting Federal lands held by any private party without the consent of said party.

(c) The head of any agency administering a component of the national wild and scenic rivers system shall cooperate with the Administrator, Environmental Protection Agency and with the appropriate State water pollution control agencies for the purpose of eliminating or diminishing the pollution of waters of the river.

SEC. 13 (a) Nothing in this Act shall affect the jurisdiction or responsibilities of the States with respect to fish and wildlife. Hunting and fishing shall be permitted on lands and waters administered as parts of the system under applicable State and Federal laws and regulations unless, in the case of hunting, those lands or waters are within a national park or monument. The administering Secretary may, however, designate zones where, and establish periods when, no hunting is permitted for reasons of public safety, administration, or public use and enjoyment and shall issue appropriate regulations after consultation with the wildlife agency of the State or States affected.

(b) The jurisdiction of the States and the United States over waters of any stream included in a national wild, scenic or recreational river area shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of a water right which is vested under either State or Federal law at the time such river is included in the national wild and scenic rivers system shall entitle the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(c) Designation of any stream or portion thereof as a national wild, scenic or recreational river area shall not be construed as a reservation of the waters of such streams for purposes other than those specified in this Act, or in quantities greater than necessary to accomplish these purposes.

(d) The jurisdiction of the States over waters of any stream included in a national wild, scenic or recreational river area shall be unaffected by this Act to the extent that such jurisdiction may be exercised without impairing the purposes of this Act or its administration.

(e) Nothing contained in this Act shall be construed to alter, amend, repeal, interpret, modify, or be in conflict with any interstate compact made by any States which contain any portion of the national wild and scenic rivers system.

(f) Nothing in this Act shall affect existing rights of any State, including the right of access, with respect to the beds of navigable streams, tributaries, or rivers (or segments thereof) located in a national wild, scenic or recreational river area.

(g) The Secretary of the Interior or the Secretary of Agriculture, as the case may be, may grant easements and right-of-way upon, over, under, across, or through any component of the national wild and scenic rivers system in accordance with the laws applicable to the national park system and the national forest system, respectively: Provided, That any conditions precedent to granting such easements and rights-of-way shall be related to the policy and purpose of this Act.

SEC. 14 (a) The claim and allowance of the value of an easement as a charitable contribution under section 170 and title 26, United States Code, or as a gift under section 2522 of said title shall constitute an agreement by the donor on behalf of himself, his heirs, and assigns that, if the terms of the instrument creating the easement are violated, the donee or the United States may acquire the servient estate of its fair market value as of the time the easement was donated minus the value of the easement claimed and allowed as a charitable contribution or gift.

SEC. 14A. (a) Where appropriate in the discretion of the Secretary, he may lease federally owned land (or any interest therein) which is within the boundaries of any component of the National Wild and Scenic Rivers system and which has been acquired by the Secretary under this Act. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act.

(b) Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land immediately before its acquisition by the United States.

SEC. 15...*(applies to components of NW & S Rivers Alaska)*

SEC. 16. As used in this Act, the term--

(a) "River" means a flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, creeks, runs, kills, rills, and small lakes.

(b) "Free-flowing," as applied to any river or section of a river, means existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway.

The existence, however, of low dams, diversion works, and other minor structures at the time any river is proposed for inclusion in the national wild and scenic rivers system shall not automatically bar its consideration for such inclusion: *Provided*, That this shall not be construed to authorize, intend, or encourage future construction of such structures within components of the national wild and scenic rivers system.

(c) "Scenic easement" means the right to control the use of land (including the air space above such land) within the authorized boundaries of a component of the wild and scenic rivers system, for the purpose of protecting the natural qualities of a designated wild, scenic or recreational river area, but such control shall not affect, without the owner's consent, any regular use exercised prior to the acquisition of the easement. For any designated wild and scenic river, the appropriate Secretary shall treat the acquisition of fee title with the reservation of regular existing uses to the owner as a scenic easement for the purposes of this Act. Such an acquisition shall not constitute fee title ownership for purposes of section 6(b).

SEC. 17....(Appropriation language for specific rivers)>

Selected Laws Amending or Related to the Wild and Scenic Rivers Act:

92-560
93-621
94-199
94-486
95-87
96-312
96-487
99-590
99-663
100-33
100-150
100-412
100-552
100-534
100-557
100-605
100-633
100-677
101-175
101-612
101-628