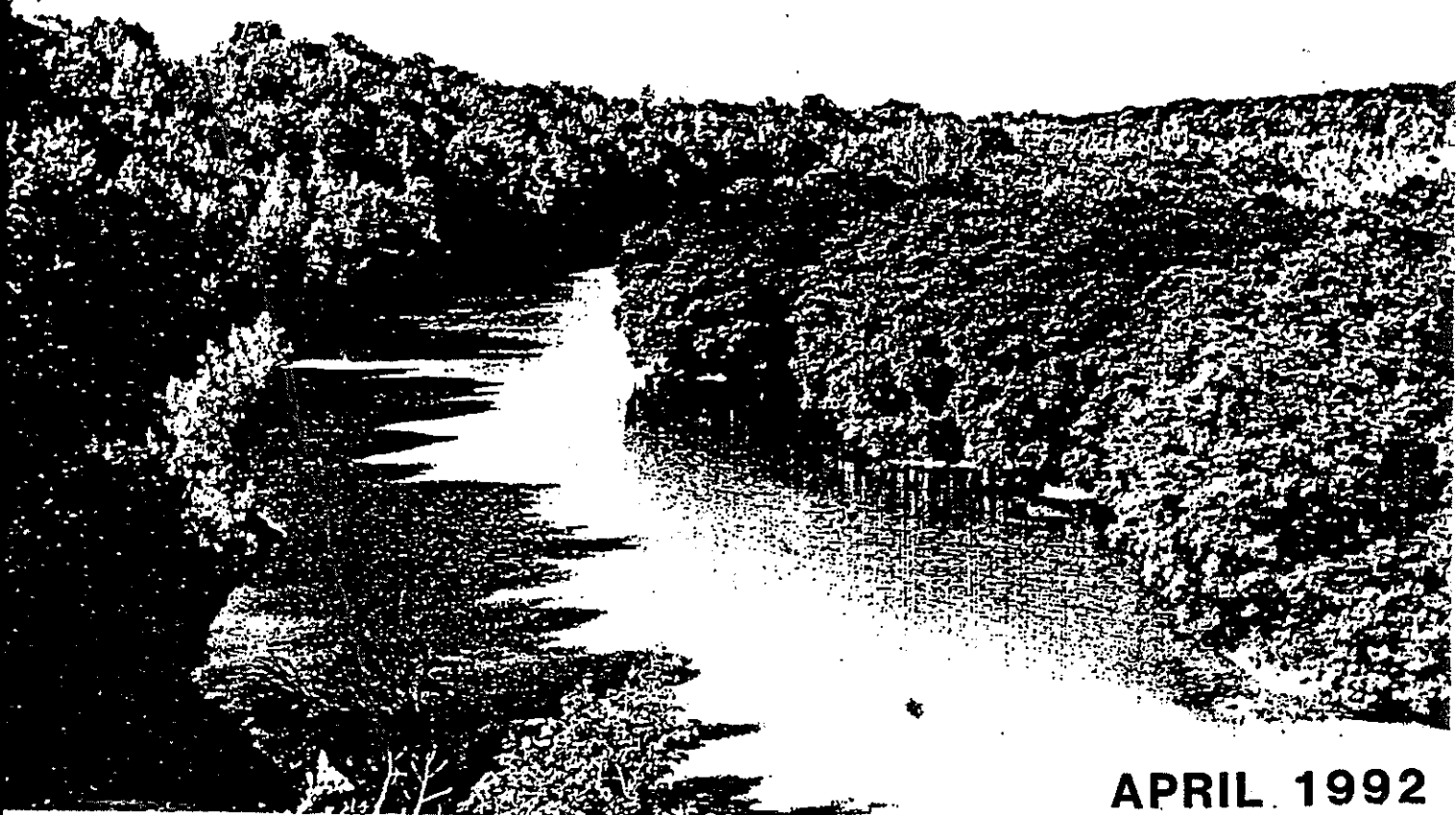


CORRIDOR MANAGEMENT PLAN

**MIDDLE FORK OF THE
VERMILION RIVER**

**NATIONAL
WILD & SCENIC RIVER SYSTEM**



APRIL 1992

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**CORRIDOR MANAGEMENT PLAN
FOR THE MIDDLE FORK OF THE VERMILION RIVER,
STATE AND NATIONAL SCENIC RIVER**

State of Illinois
Department of Conservation
524 South Second Street
Springfield, Il 62701

April, 1992

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PREFACE

This document presents a corridor management plan for the protection of the ecological, scenic, recreational and cultural values for the portion of the Middle Fork of the Vermilion River designated as a State and National Scenic River under the authority of Public Law 90-542, the National Wild and Scenic Rivers Act of 1968. A copy of this law is in Appendix A.

In August of 1987, Governor James R. Thompson applied for national designation. In May of 1989, Secretary of the Interior Manuel Lujan granted National Scenic River status to the Middle Fork. A copy of these letters and the Federal Register notice are found in Appendix B. The letter of application accompanied the document "Middle Fork of the Vermilion River in Illinois, National Wild and Scenic River System Application." This corridor management plan is based on the "Plan of Action" outlined in that application document and approved by the National Park Service.

By State law (P.L. 84-1257, a copy of which is Appendix C), the Department of Conservation was named as administrator of the Middle Fork River and its corridor. As such, the Department will use this plan to explain and define the management restrictions of this special river corridor. This Corridor Management Plan covers all properties within the National Scenic River Corridor of which the Department holds an interest in the form of a lease, easement or title, or of which another State Agency holds title.

CORRIDOR MANAGEMENT PLAN FOR THE MIDDLE FORK RIVER

PART ONE: CORRIDOR MANAGEMENT PLAN

CHAPTER ONE: INTRODUCTION

Part One of this Plan consists of five chapters: (1) "Introduction" describes the purpose of the Corridor Management Plan, and defines the river corridor location and land ownership in the corridor; (2) "Protection Coordination" outlines the State's protection mechanisms - State laws, State agency authorities, and permitting procedures; (3) "Management Program" describes the management policies, goals and guidelines to be used for protection of the corridor values; (4) "Management Guidelines and Directives" outlines the do's and don'ts of development in the corridor; and (5) "Management Program Implementation" outlines implementation procedures.

Part Two of this document is nine chapters, and describes the values of the corridor which are to be protected. These values are: (1) scenic, (2) geologic, (3) aquatic habitat, (4) fish and wildlife, (5) terrestrial ecology, (6) natural areas, (7) threatened or endangered species, (8) archaeological and historic, and (9) recreational.

Part Three is the appendices which include documentation relevant to the National Scenic River designation, the federal act and associated guidelines, as well as species listings for the corridor.

This Corridor Management Plan includes all the contents required for a state-administered river in the National Wild and Scenic Rivers System in order to protect the values of the river that qualify it for national designation.

In terms of the diversity of values exhibited in the Middle Fork River corridor, it is clearly one of Illinois' finest. The types of values found in the corridor include outstanding ecological, recreational, historic, and fish and wildlife qualities that will be described in detail in this Corridor Plan. The shoreline of the river is largely undeveloped except for the area owned by the Illinois Power Company, but still maintains a natural character along most of the river.

The instream flow provides for excellent canoeing on an average of 230 days per year during the 260 day canoeing season. It is one of Illinois' most popular canoeing rivers. The flow of the river is also sufficient to support the state endangered fish species, the bluebreast darter, which has disappeared from other streams in the Wabash and Ohio river system. In Illinois, the darter is found only in the Vermilion River System's Middle Fork and Salt Fork Branches.

This Corridor Plan will demonstrate that the State can successfully manage this river corridor through its plan of action and existing State laws.

The Middle Fork River is an appropriate addition to the National Wild and Scenic Rivers System -- a high quality midwestern prairie stream.

Purpose of the Corridor Management Plan

The Corridor Management Plan is meant to guide future management of the corridor, establish procedures for making management, development, and permit decisions, and to establish implementation procedures. The Corridor Management Plan establishes policies and procedures for the protection of the river corridor values from degradation, and for enhancement of these values. These procedures involve the Department as corridor manager and landowner, various other local, state and federal agencies, and the Middle Fork River Corridor Review Committee (described in Chapter Five).

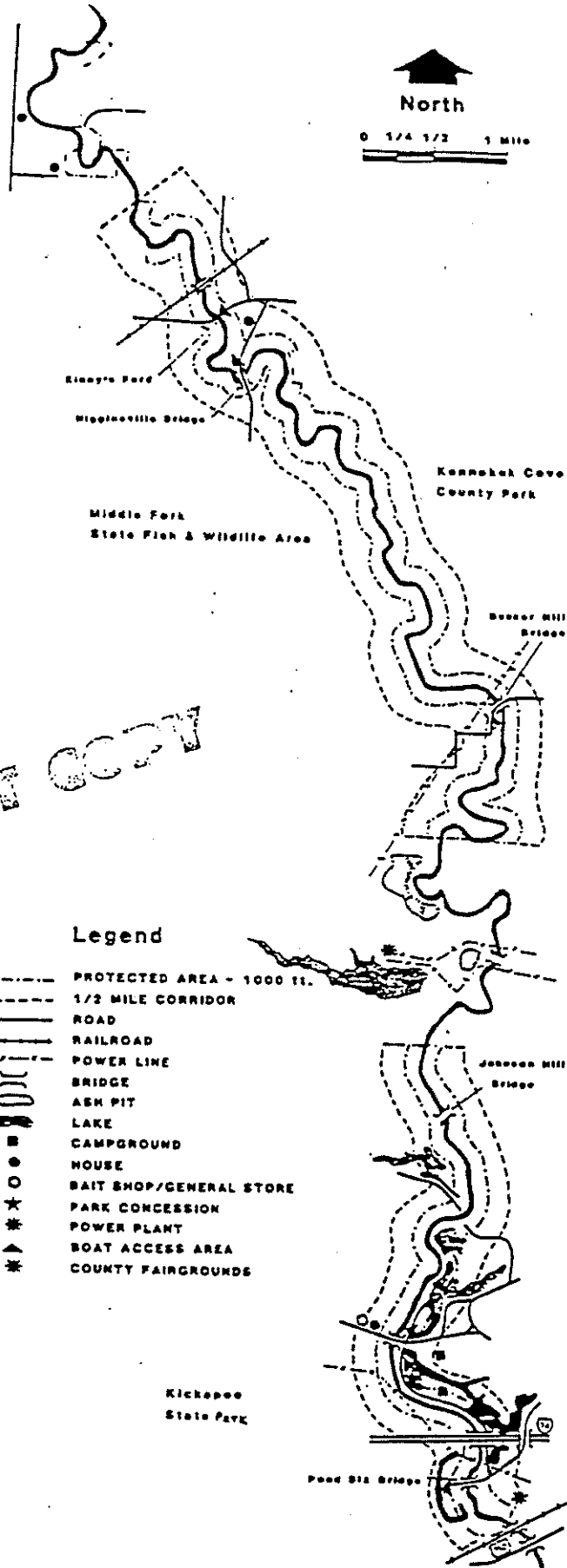
River Corridor Boundaries

The river corridor covered by this Corridor Management Plan is that portion of the Middle Fork of the Vermilion River which flows through land owned by the State of Illinois, Illinois Power Company, and the Vermilion County Conservation District within Vermilion County and includes such properties that are contiguous to the river (shown in Figure 1). The extent of the Corridor is from river mile 46.9 to river mile 29.8. Figure 2 defines the Corridor in the east-central region of the state, in the center of Vermilion County, and shows the Middle Fork River as part of the Vermilion River Basin.

Referring to Figure 1, the 1,000 foot wide protected area on public land and the 400 foot wide protected area on Illinois Power land make up the officially designated corridor of protection. This corridor extends parallel to the river, at 500 and 200 feet from the centerline, on both sides of the river.

A buffer corridor extends parallel to the river, at one quarter-mile from the centerline, on both sides of the river. The portion of the half-mile corridor that extends beyond the 500 and 200 foot corridor of protection serves as the official buffer area. Unless referring specifically to one of these corridors, references to the "Middle Fork River Corridor" refer to the river and the 1,000 and 400 foot protected corridor surrounding it. These corridor widths are consistent with the Vermilion County Conservation District's 1,000 foot wide easement and Illinois Power Company's 400 foot wide easement both granted to the Illinois Department of Conservation, and the National Park Service guidelines for consideration of the half-mile corridor in federal studies of rivers proposed for

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North

0 1/4 1/2 1 Mile

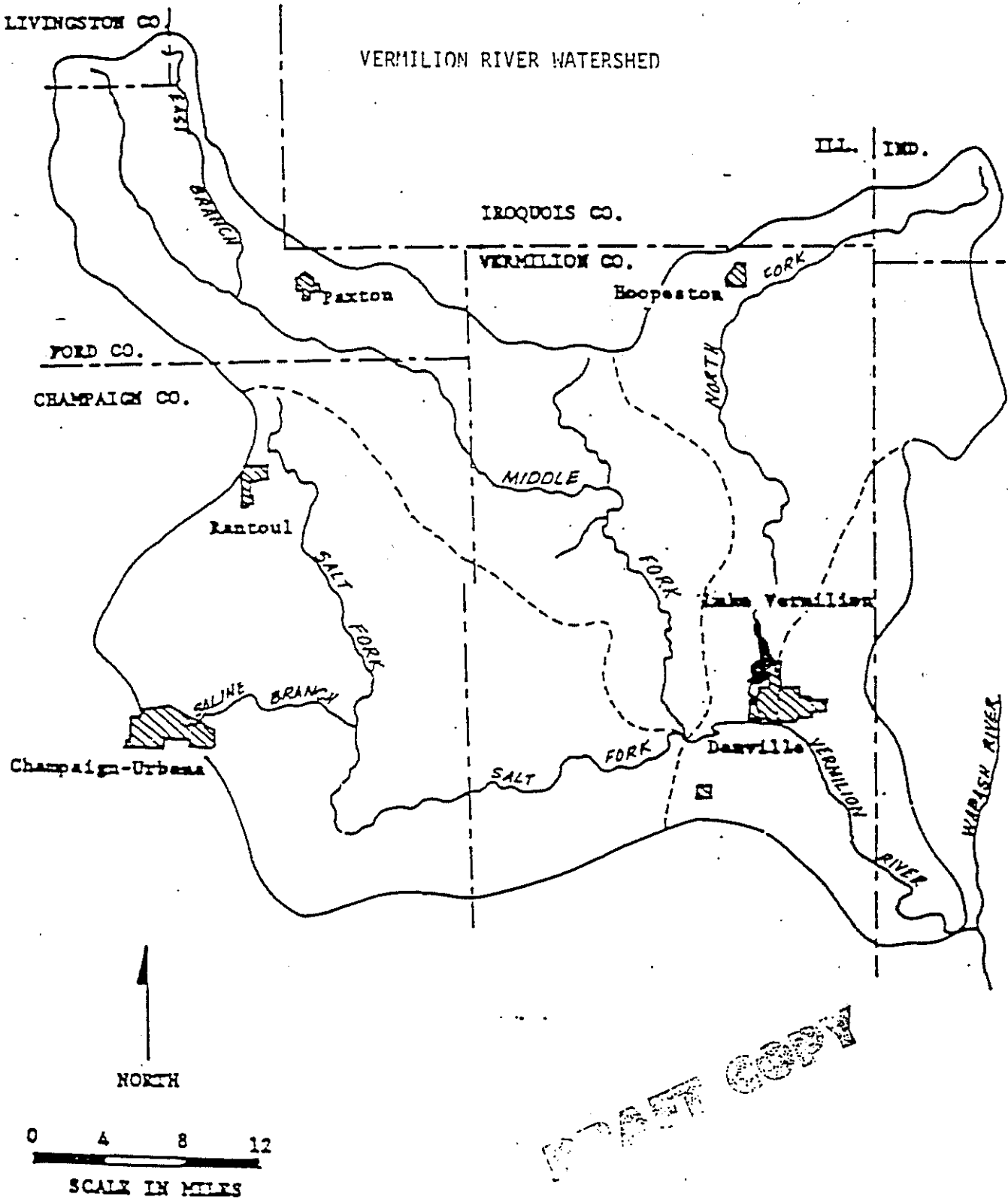
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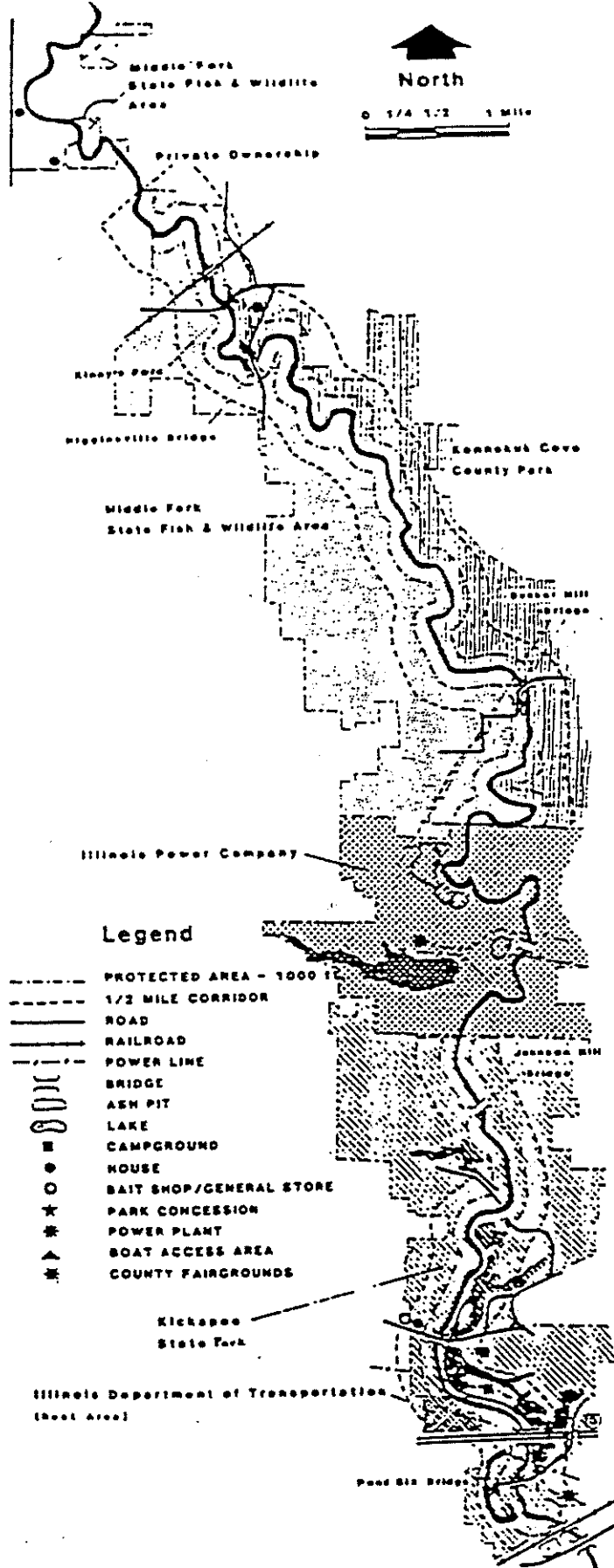
- PROTECTED AREA - 1000 ft.
- 1/2 MILE CORRIDOR
- ==== ROAD
- ==== RAILROAD
- POWER LINE
- ||| BRIDGE
- ASH PIT
- LAKE
- CAMPGROUND
- HOUSE
- BAIT SHOP/GENERAL STORE
- PARK CONCESSION
- POWER PLANT
- BOAT ACCESS AREA
- COUNTY FAIRGROUNDS

MIDDLE FORK RIVER

FIGURE 1

FIGURE 2





ILLINOIS DEPARTMENT OF TRANSPORTATION
 DIVISION OF BOAT AND WATERWAYS

MIDDLE FORK RIVER LAND OWNERSHIP MAP

FIGURE 3

inclusion in the National Wild and Scenic Rivers System. While the designation of the protected corridor and buffer are delineated as lineal measurements in the Scenic River Document, the National Park Service Guidelines, and in the easements and memorandums of agreements, we do not propose to manage the corridor based on survey posts alone. The designation of the specified number of feet either side of the river does not constitute an ecologically relevant approach for riparian corridor or floodplain management. This approach will serve to address the protection of the river's "scenic" values, however, the river was not designated on this criteria alone. At any given point, the measured, predetermined, corridor width may prove adequate or lacking when considering vegetation or wildlife management criteria of that corridor location. When such management options include lands within the buffer or protected corridor and are not inconsistent with the scenic and resource enhancement parameters of the corridor, the boundaries of the land management option will reflect the characteristics of the site's natural conditions, such as topography, soil type or endemic plant community. At no time, however, will incongruous activities be allowed to encroach within the "measured" protected corridor or buffer where they could adversely impact the integrity of the corridor's scenic values.

River Corridor Land Ownership

Most of the land within the 17.1 miles of the Middle Fork River Corridor is publicly owned, although some private lands are also located in the corridor. Figure 3 illustrates the ownership boundaries in the corridor. The Illinois Department of Conservation owns the land in Kickapoo State Park and Middle Fork State Fish and Wildlife Area. The Vermilion County Conservation District owns Kennekuk Cove County Park mainly on the east side of the river. The Illinois Department of Transportation owns a rest area at the southern tip of the corridor. The Vermilion County Highway Department owns land at Higgensville Bridge. The private land in the center of the Middle Fork River Corridor is owned by Illinois Power Company.

Department of Conservation Authority in the Corridor

The Illinois Department of Conservation was given authority by State legislation to administer the Middle Fork River Corridor in accordance with the National Wild and Scenic Rivers Act (found in Appendix A). The State legislation (P.A. 84-1257), found in Appendix C, also gave the Department the responsibility for applying for national designation and for writing a management plan for the corridor for the purpose of permanently protecting the corridor and its values. The Department also holds a conservation easement on Vermilion County Conservation District and Illinois Power Company lands in the corridor, and owns and has jurisdiction over Kickapoo State Park and Middle Fork State Fish and Wildlife Area. A copy of the Conservation easements are in Appendix D.

Various State laws (the Civil Administrative Code of 1917 and various laws amending the Code) govern the authorities of the Illinois Department of Conservation. This enabling legislation gives the Department the right to enforce State laws and Department rules and regulations in or on Department lands, whether owned, leased, or managed by the Department. This right also encompasses State Nature Preserves. The enabling legislation also gives the Department the right to acquire land, easements, or any less than fee interests in order to preserve areas of natural scenic beauty, or to enhance the recreational value of adjoining lands, or to enhance the conservation of natural resources. The Department also has the right to take necessary measures to prevent the pollution of rivers, lakes, and streams in order to protect flora and fauna.

CHAPTER TWO: PROTECTION COORDINATION

Introduction

This chapter discusses the agencies in addition to the Illinois Department of Conservation that have jurisdiction over the Middle Fork River. The Illinois Department of Conservation's authority was discussed in the previous chapter. Both Federal and State agencies are involved with rivers in Illinois. The laws and authorities that will serve to protect the Middle Fork River and the values that qualified it for inclusion in the National Wild and Scenic Rivers System are described in this chapter.

Federal Protections

Under Section 404 of the **Federal Water Pollution Control Act of 1972** (also known as the Clean Water Act), a permit must be granted by the U.S. Army Corps of Engineers for construction or fill operations in rivers, lakes or wetlands. The Act requires that the Corps, in implementing its regulatory program, consult with the U.S. Fish and Wildlife Service and the Illinois Department of Conservation. The National Park Service also reviews these permit applications for potential environmental impacts on National Wild and Scenic Rivers and rivers listed in the Nationwide Rivers Inventory. National Park Service comments are provided to the Corps through the U.S. Fish and Wildlife Service.

Section 401 of the Act requires State certification from the Illinois Environmental Protection Agency. This certification, if issued, will express the Agency's opinion that the proposed dredge or fill operations will not violate State water quality standards.

Section 402 of this Act establishes a permit system regulating point source discharges into any waters of the United States. This permit system is implemented by the U.S. Environmental Protection Agency.

In addition to being consulted by the U.S. Army Corps of Engineers on fill projects, the U.S. Fish and Wildlife Service has other responsibilities in the corridor relating to the Migratory Bird Conservation Act of 1965 and the Endangered Species Act of 1973. The **Migratory Bird Conservation Act** authorized the establishment of a committee to select areas to be purchased as bird sanctuaries. The **Endangered Species Act** requires Federal agencies to assure that actions authorized, funded, or conducted by them do not jeopardize federally designated threatened or endangered species or their habitats. The U. S. Fish and Wildlife Service is consulted in disputed cases.

Under Section 7(a) of the **Wild and Scenic Rivers Act of 1968**, as amended, the Federal Energy Regulatory Commission may not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act on or directly affecting any river in the National Wild and Scenic Rivers System. In addition, no Federal department or agency shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have direct and adverse effect on the values for which a river was designated part of the national system. The National Park Service and the Department of Conservation are responsible, on behalf of the Secretary of the Interior, for making determinations regarding direct and adverse effect.

State Protections

The **Illinois Environmental Protection Act of 1970** provides for the regulation of air, land, and water pollution through the Illinois Environmental Protection Agency and the Illinois Pollution Control Board. This Act requires permits for the construction, operation, and installation of facilities potentially causing pollution.

The **Illinois Endangered Species Protection Act** (Illinois Revised Statute - 1989, chapter 8, paragraph 341) requires that all State and local units of government consult with the Illinois Department of Conservation to insure that actions authorized, funded, or carried out by governmental units will not jeopardize the continued existence of State threatened or endangered species and their habitats. Actions that may have an adverse impact include construction and land management activities. There are various State threatened or endangered species in the Middle Fork River Corridor.

The **Illinois Natural Areas Preservation Act** provides for the establishment of the State Nature Preserves system. It affords certain forms of protection for registered natural areas and designated State Nature Preserves. The Illinois Department of Conservation enforces this Act and the rules promulgated thereunder. The Illinois Nature Preserves Commission was created by this Act and given the power to formulate and adopt policies relating to the development, maintenance, acquisition, and protection of these areas. There are several natural areas and

State Nature Preserves in the Middle Fork River Corridor. The Governor's Executive Order #7 calls for an evaluation of adverse impact on Illinois registered Natural Areas and State or Federal threatened or endangered species or their habitat which could result from State financed construction projects. Projects having potential negative impacts will be reviewed by the Department of Conservation. Consultation between State agencies will be undertaken to resolve the situation.

The Illinois Historic Preservation Act of 1977 establishes the Illinois Historic Sites Advisory Council and the Illinois Register of Historic Places. The Council nominates sites to both the Illinois and National Historic registers. This Act is administered by the Illinois Historic Preservation Agency.

The Abandoned Mined Land and Water Reclamation Act of 1980 establishes a Reclamation Council which administers a program for the reclamation of abandoned mined lands and waters in Illinois. The Act provides for the reclamation of land and water affected by the processes of coal mining. The Council determines which lands shall be acquired for the purpose of this Act. The lands designated for reclamation are restored to constructive uses, such as forests, grasses, row crops, wildlife and aquatic reserves, and recreational, residential, or industrial sites. (Some reclamation work has been done in the past within the Middle Fork River Corridor.)

The Conservation District Act of 1963 provides for the organization of conservation districts in Illinois. In the Middle Fork River Corridor, some land is owned and managed by the Vermilion County Conservation District. The main purpose of conservation districts is to acquire, preserve, and maintain wildland, open lands, and scenic pathways. The property thus held will be managed so as to leave it unimpaired for the benefit of future generations. These districts shall also promote the conservation of native flora and fauna, natural environment, and natural resources of their district.

The Interagency Wetland Policy Act of 1989 is a State law which requires all state agency or state sponsored actions to comply to a "no net loss" policy. This means that any project constructed or funded by a State agency or even receiving State technical assistance is required to evaluate all feasible alternatives and select the one with the least adverse impact on wetlands. If there is potential adverse impact the project must develop a mitigation plan acceptable to the Illinois Department of Conservation according to the guidelines of the Act.

CHAPTER THREE: MANAGEMENT PROGRAM

Introduction

This chapter describes the management policies, goals, and

guidelines for the Middle Fork River Corridor. The management policies defined in this section will be used for day-to-day management of the corridor, making facility development decisions, designing approved developments, and reviewing permits. The "Management Policy Authority" section explains the basis and authority for the policies outlined.

Management Policy Authority

The management policies are derived from both the Middle Fork State Protected River legislation and the National Wild and Scenic Rivers Act. The National Wild and Scenic Rivers Act states in Section 10(a),

"Each component of the national wild and scenic rivers system shall be administered in such a 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 aesthetic, scenic, historic, archaeological, and scientific features."

Guidelines for implementing the National Wild and Scenic Rivers Act were published in the September 7, 1982 issue of the Federal Register. These guidelines are included in Appendix E. Regarding Section 10(a), these guidelines state,

"This section is interpreted as stating a nondegradation and enhancement policy for all designated river areas, regardless of classification. Each component will be managed to protect and enhance the values for which the river was designated, while providing for public recreation and resource uses which do not adversely impact or degrade those values. ... Land uses and developments on private lands within the river area which were in existence when the river was designated may be permitted to continue. New land uses must be evaluated for their compatibility with the purposes of the Act."

The guidelines further state that managing agencies will implement the following management principles to the fullest extent possible:

1. Carrying capacity evaluations shall be made periodically to assure quantity and mixture of recreation and other public use currently permitted will not adversely impact the resource values of the river area.
2. Public use will be regulated and distributed where necessary to protect and enhance (by allowing natural recovery where resources have been damaged) the resource values of the river area;
3. The managing agency may provide basic facilities. In scenic and recreational river areas, toilets, shelters, picnic

- tables, and trash receptacles are appropriate;
4. Major facilities such as developed campgrounds, visitor centers, and administrative headquarters will be located outside the river area whenever feasible;
 5. Resource management practices will be limited to those which are necessary for protection, conservation, rehabilitation, or enhancement of the river area values for which the river was designated;
 6. Water quality will be maintained to meet Federal and State standards. The managing agency will work toward abatement of activities within the river area which are degrading water quality;
 7. When conflicts exist between the provisions of the Wild and Scenic River Act and other acts applicable within the corridor, the more restrictive provisions that protect the corridor values shall apply.

The State legislation for the Middle Fork River states that the Illinois Department of Conservation "shall manage the land dedicated pursuant to this Act in accordance with the National Wild and Scenic Rivers Act and the regulations promulgated thereunder." As such, the management policies described in this section depend heavily on the National Wild and Scenic Rivers Act and guidelines for its implementation given by the U.S. Department of the Interior.

Management Goals

The management goals outlined here are directions for management of the corridor in order to abide by the general management principles outlined above. The general management goals are: (1) to preserve and enhance the corridor values that support its designation as a State Protected River and as a component of the National Wild and Scenic Rivers System, (2) to expand public awareness of the values of the corridor, (3) to minimize negative impacts to natural habitats from visitor use as much as feasible, and (4) to maintain and provide outdoor recreation opportunities in a near natural setting. Specific management goals are divided into the categories of land use, the Middle Fork River, and the corridor values of scenic, fish and wildlife, ecological, recreation, and archaeological and historic resources

• Land Use

The land use management goals are: (1) to manage the buffer area in the corridor so as to protect and enhance corridor values, (2) to prevent new land use developments in the protected river area that would cause negative impacts to the corridor values, and (3) to ensure the use of best land management and restoration practices consistent with the protection and enhancement of the corridor.

Restoration of the protected corridor and buffer will center on the restoration of presettlement vegetation and maintaining aesthetics and natural stability of the riparian corridor.

- **The Middle Fork River**

The goals for managing the river resource are: (1) to preserve the free-flowing character of the river, (2) to protect and enhance the essential aspects of stream habitat, which are water quality, instream flow, and the physical integrity of the channel form, bed, and banks, and (3) to preserve and enhance the scenic view from and of the river.

- **Scenic Resources**

The management goals for the scenic values of the corridor are: (1) to preserve and enhance the overall natural character of the river area, (2) to preserve the largely undeveloped shoreline by minimizing and controlling development within the protected river corridor, and (3) to minimize the evidence of man's activity within the protected corridor.

- **Fish and Wildlife**

In addition to previously outlined goals relating to fish and wildlife protection, the goals for management of the fish and wildlife values of the corridor are: (1) to enhance wildlife habitat, and (2) to prevent degradation of native fish and wildlife habitats.

- **Ecological Resources**

The goals for management of the ecological resources are discussed under the categories of habitats and vegetation, natural areas, and threatened and endangered species.

The goals for management of the ecological values of habitats and vegetation in the corridor are: (1) to protect and enhance the natural vegetation communities with special emphasis on presettlement plant communities, and (2) to prevent degradation of natural habitats and protect native vegetation from exotic plants.

The management goal for natural areas in the corridor is to further the protection of natural areas and State Nature Preserves in coordination with existing State programs.

The management goal for threatened and endangered species is to protect and enhance all rare, threatened, or endangered species in the corridor and their habitats. This will be done in coordination with existing State programs.

- **Recreational Resources**

The management of recreational resources in the corridor will be directed by these management goals: (1) to provide a variety of

compatible recreation opportunities, placing highest priority on those requiring quiet and a high-quality natural ecosystem, (2) to enhance visitor enjoyment of the natural resources in the corridor, and (3) to control recreational use so as not to exceed the carrying capacity of the river and its protected corridor.

- **Archaeological and Historic Resources**

The management goals for the archaeological and historic values of the corridor are (1) to enhance protection of historic sites in coordination with existing State programs, (2) to protect the historic integrity of the archaeological sites, and (3) to increase public awareness of the historic significance of the area. Since the Corridor has not been systematically surveyed for the presence of archaeological/cultural sites each development proposal will require specific site coordination until such time that a comprehensive assessment of these resources is completed. A comprehensive assessment of these resources is essential for developing effective and efficient management recommendations.

CHAPTER FOUR: MANAGEMENT GUIDELINES AND DIRECTIVES

Introduction

The management guidelines are to be used to guide future development decisions in the corridor. Procedures for carrying out these guidelines are outlined in Chapter Five, "Management Program Implementation."

Administration

Any new developments or major expansions proposed within the protected corridor must first be approved by a Middle Fork River Corridor Review Committee in consultation with an advisory committee (to be formed as part of the Management Program implementation), and may be reviewed by the National Park Service's regional office in Omaha, Nebraska. Developments not approved by the Review Committee do not need to be reviewed by the National Park Service. Once approved by the Review Committee, a recommendation, and the comments of the advisory committee, will be sent to the Director of the Illinois Department of Conservation for an approval signature. All such transmittals will be accompanied by the evidence supporting the finding that the development will not degrade the values for which the river was protected.

Land Acquisition

As indicated in the Middle Fork State Protected River legislation, additional land will be added to the State Protected River Corridor only with "explicit consent of the owners of such land." In such cases, a conservation easement or fee simple title will be transferred to the Illinois Department of Conservation. Once added to the protected river corridor, the lands held by the Department by title or in easement will be managed according to this document. If there are to be any exceptions to the Corridor Management Plan, they must be explicitly stated in the easement agreements, and the proposed easement agreement must be reviewed by the National Park Service. The easement agreements take precedence over guidelines included in this plan, where exceptions are explicitly stated in the agreement. The width of the easements acquired can vary; however, it is desirable to obtain at least a 200 foot easement and preferably a 500 foot easement, on each side of the river. The Department of Conservation will not actively pursue additional acquisitions at this time; however, the Department will cooperate with the Nature Preserves Commission to undertake landowner contact with owners of private lands in the area. The goal of the landowner contact is to inform landowners of the existence of important natural resources on their land and to encourage them to protect these lands using any or a variety of land protection methods.

Development Review Guidelines

No new development will be allowed within the Middle Fork River Corridor that would cause the removal of the river from the National Wild and Scenic Rivers System or result in a lowering of its classification from "scenic" to "recreational". In evaluating development proposals, the Review Committee will protect and enhance the values of the corridor which qualify it for inclusion in the National Wild and Scenic Rivers System in order to preserve the National Scenic River designation.

Certain developments have been identified by the Department of the Interior as being likely to cause such severe negative impacts on river areas that they could foreclose future scenic river designation of rivers in the Nationwide Rivers Inventory. These developments are listed in the Department of the Interior's Procedures for Interagency Consultation to Avoid or Mitigate Adverse Effects on Rivers in the Nationwide Rivers Inventory appendix titled, "Guide for Identifying Potential Adverse Impacts." (These procedures were published to assist federal officials to comply with the President's directive of August, 1979.) Although this list was developed to evaluate predesignation conditions, the Review Committee will use this list as a guideline and not allow these future developments unless there is absolutely no other alternative. These prohibited developments are listed in Table 1. The lists, however, are not exhaustive and may be added to by the Review Committee or the National Park Service. The lists do not refer in any way to existing developments in the corridor.

Other "discouraged" developments have been identified by the Department of the Interior as possibly causing adverse impacts on river areas in the Nationwide Rivers Inventory. Since new developments of this type would also be contrary to the purposes of the State and National designation of the Middle Fork River, these developments shall be located outside of the Middle Fork River Corridor. These "discouraged" developments are also listed in Table 1.

Some developments the Department of the Interior considers compatible with National Scenic river designation are simple comfort and convenience facilities such as toilets, shelters, fireplaces, picnic tables and refuse containers. These, when placed within the river area, will be judiciously located to protect the values of popular areas from the impacts of public use. Major public use facilities such as developed campgrounds, major visitor centers and administrative headquarters will, where feasible, be located outside the river area. If such facilities are necessary to provide for public use and/or to protect the river resource, and location outside the river area is infeasible, such facilities may be located within the river area provided they do not have an adverse effect on the values for which the river areas was designated.

Table 1

PROHIBITED AND DISCOURAGED DEVELOPMENTS

FOR

THE MIDDLE FORK RIVER CORRIDOR

Prohibited Future Developments

Airport	Instream or surface mining
Channelization	Landfill
Commercial dock	Lock and dam
Factory	Marina
Gas or oil field	Power plant
Highway	Railroad yard plant
Housing development	Sewage treatment
Impoundment	Shopping Center
Industrial Park	

Discouraged Future Developments

Bank stabilization	Irrigation canal
Bridge	Levee or dike
Building	Pipeline
Clear-cut timber harvest	Power substation
Clearing and snagging	Quarry
Diversion structure	Radio tower
Dock	Railroad
Drainage canal, culvert, or outfall	Riprap
Dredging or filling	Road
Dump or junkyard	Transmission line
Ford	Gas, oil or water

Source: "Guide for Identifying Potential Adverse Impacts," an appendix in Procedures for Interagency Consultation to Avoid or Mitigate Adverse Effects on Rivers in the Nationwide Inventory, U.S. Department of the Interior.

Carrying Capacity

It is important in managing the river corridor to recognize that there is a recreation carrying capacity. Recreation carrying capacity is the concept that the river corridor can accommodate a certain quantity of recreation without adverse impacts on the values of the corridor or the recreation experience. If the carrying capacity is exceeded, the results are degradation of the corridor values or the recreation experience.

There are several types of carrying capacity. There is the carrying capacity of the environment, the capacity of public facilities, the physical capacity of the recreation resource, and the social carrying capacity of the recreationists' experience.

The social carrying capacity refers to the level of quality of the recreational experience. At some level the carrying capacity is exceeded, and the recreation is no longer enjoyable due to occasional overcrowding.

The physical carrying capacity refers to the number of recreationists that the river can physically accommodate. For example, there is a physical limit to the number of bank fishermen that can be lined up along the bank at one time. Normally, the social carrying capacity of the recreationists' experience is the more limiting factor of these two.

The carrying capacity of public facilities is also indicated by overcrowding. It is evident, for example, when parking lots are full, or when there are long lines waiting to use a boat access site. In some cases, this exceeded capacity can be alleviated by expansion of existing facilities or by building new facilities.

The carrying capacity of the environment is the level of recreation the natural resources can tolerate without physical or biological degradation. The result of having exceeded the carrying capacity of the environment are such things as areas denuded of vegetation, or soil compaction caused by too many hikers, increased bank or soil erosion due to hiking or horseback riding and increased litter reducing the scenic quality of the resource. All landowners and the Department of Conservation as administrator of the corridor, will closely monitor this carrying capacity of the environment to protect and preserve the values of the Middle Fork River Corridor which qualify it for National Scenic River designation. The Department of Conservation will take whatever action necessary to ensure that use changes occur before overuse manifests itself.

Some remedies of having exceeded carrying capacity may need to be used in the corridor. Evidence of exceeded capacity indicated by overcrowding will be alleviated by publicizing lesser used areas, limiting group size, making access to sensitive areas more difficult, restricting the types of activities allowed in certain areas, or enlarging public facilities when appropriate. Where erosion indicates capacity has been exceeded, the management tools that will be used to alleviate the problem include rotating allowed

uses among various sites in the corridor, planting stabilizing native vegetation, building new trails, hardening trail surfaces with gravel or other surfaces, or directing recreational uses away from sensitive or damaged areas with fences or barrier plantings. Where vegetation has been impacted or destroyed, reducing use or temporarily closing the impacted or damaged area to allow rehabilitation will be used. Where litter may be a problem, management will require a carry-in-carry-out litter policy, rearrange trash receptacles, provide more trash receptacles, or provide staff and volunteers for cleaning up litter.

In order to prevent future negative impacts by exceeding capacity of the river, a study of canoe access (one example of a major stream based activity) needs must be completed by the Department and specific sites identified. The results of the study will then be considered by the Review Committee. Existing boat access sites may then be maintained, upgraded (within defined limits) altered or closed. Any new sites will be developed according to Development Design Guidelines.

Development Design Guidelines

All new developments must fit into the natural surroundings in a manner that does not degrade the values for which the river area was protected. Public facilities, such as campgrounds, rest rooms, parking areas, and visitor centers, should be judiciously located to protect the values of popular areas from the impacts of public use...where feasible, located outside the river area. If such facilities are necessary to provide for public use and/or to protect the river resource, and location outside the river area is infeasible, such facilities may be located within the river area provided they do not have an adverse effect on the values for which the river area was designated. All public facilities must have trash receptacles to reduce litter in the corridor. All access points to the river must have at least one trash receptacle. All development plans should include site landscaping based on presettlement vegetation.

Construction of developments will be designed to minimize negative impacts to the environment. Removal of trees and other natural vegetation shall be kept to an absolute minimum. Erosion shall be minimized both during and after construction by appropriate erosion control techniques and proper site location and design.

We will respect the tendency of the river to meander by eroding its banks. However, it may be necessary for the protection and enhancement of the values for which the river area was protected to correct existing condition of human-induced bank erosion. In such cases, streambank restabilization and erosion control may be permitted, such as for protection of an eroding levee or where past human activity has eliminated the natural vegetated riparian zone; however, the project must follow National Park Service guidelines. In general, riprap and other water diversion control structures are not compatible with National Scenic River designation. The

National Park Service recognizes that measures to protect and restore unnatural eroding banks sometimes are necessary. For these instances, the National Park Service recommends the placement of natural materials (trees and other woody vegetation obtained from areas away from the river) along the base of eroding banks to slow river currents, thereby retarding excessive bank erosion and causing deposition of sediment by the river to restore the bank. Other less natural bank stabilization measures will be evaluated on a case by case basis. Where rock is needed as a stabilizing measure, natural river rock shall be used as the top layer. This minimizes visual impacts, yet allows for a base layer that is more stabilizing. The rock will be obtained from an off site, permitted, rock/gravel mine.

When construction or development is necessary on or immediately adjacent to the river, the guidelines recommended by the National Park Service are as follows: trees and other woody vegetation should not be removed from the riverbank. Construction "scars" should be seeded with grasses and revegetated as soon as possible after construction to stabilize the exposed ground. Any necessary fill should be obtained from areas away from the river. All excess excavated material should be removed away from the river and disposed of. Any fill below the ordinary high water level should be stabilized as soon as possible according to the guidelines outlined above for bank stabilization.

Where screening of a road, building or parking area is needed, native trees and other woody vegetation shall be used. Where the ground needs to be stabilized to prevent erosion, native grasses shall be used. A list of typical native plants to be used within the corridor for these purposes is shown in Table 2 "Recommended Plant Types." A list of more uncommon Illinois plant species is provided in Appendix H.

In no way do these guidelines infer that existing structures and developments must be modified to agree with these guidelines. Where feasible, however, these guidelines will be implemented when repairs or other modifications occur on existing structures.

Canoe access improvements shall be designed to minimize impact to the natural and scenic qualities of the river. Improvements such as adequate parking, sanitary facilities, trash receptacles, and native vegetation to screen sites from view of the river, shall be located as far back from the riverbank as reasonable. In particular, parking lots should be sized consistent with the carrying capacity of the river, and located several hundred feet back from the (much smaller) unloading area.

CHAPTER FIVE: MANAGEMENT PROGRAM IMPLEMENTATION

Coordination

The Illinois Department of Conservation will coordinate with and

Table 2
Recommended Native Plant Types

Prairie Grasses:

Big Bluestem
Little Bluestem
Prairie Wild Rye
Side Oats Grama
Indian Grass
Switch Grass
Northern Dropseed
Virginia Wild Rye

Andropogon gerardi
Andropogon scoparius
Elymus canadensis
Bouteloua curtipendula
Sorghastrum nutans
Panicum virgatum
Sporobolus aspera
Elymus virginicus

Other Grasses:

Redtop

Agrostis alba

Prairie Forbs:

Lead Plant and Inoculant
Smooth Aster
New England Aster
New Jersey Tea
Prairie Coreopsis
Pale Purple Coneflower
Rattlesnake Master
Prairie Blazing Star
Prairie Bergamot
Prairie Quinine
White Prairie Clover
Purple Prairie Clover
Prairie Cinquefoil
Yellow Coneflower
Black-eyed Susan
Sweet coneflower
Compass Plant
Prairie Dock
Rigid Goldenrod

Amorpha canescens
Aster laevis
Aster novae-angliae
Ceanothus americanus
Coreopsis palmata
Echinacea pallida
Eryngium yuccifolium
Liatris pycnostachya
Monarda fistulosa
Parthenium integrifolium
Petalostemum candidum
Petalostemum purpureum
Potentilla arguta
Ratibida pinnata
Rudbeckia hirta
Rudbeckia subtomentosa
Silphium laciniatum
Silphium terebinthinaceum
Solidago rigida

Woody Plants of the Middle Fork Corridor:

Boxelder
Silver Maple
Sugar Maple
Ohio Buckeye
Paw Paw
Bitternut Hickory
Shagbark Hickory
Hackberry
Redbud
Rough-leaved Dogwood

Acer negundo
Acer saccharinum
Acer saccharum
Aesculus glabra
Asimina triloba
Carya coridiformis
Carya ovata
Celtis occidentalis
Ceris canadensis
Cornus drummondii

Table 2 (cont.)

Flowering Dogwood	<i>Cordus florida</i>
Red Osier Dogwood	<i>Cornus stolonifer</i>
Cock-spur Thorn	<i>Crataegus crus-galli</i>
Red Haw	<i>Crataegus mollis</i>
White Ash	<i>Fraxinus americana</i>
Green Ash	<i>Fraxinus pennsylvanica</i>
Honey Locust	<i>Gleditsia triacanthos</i>
Black Walnut	<i>Juglans nigra</i>
Red Cedar	<i>Juniper virginiana</i>
Iowa Crabapple	<i>Malus ioensis</i>
Red Mulberry	<i>Morus rubra</i>
Hop Hornbeam	<i>Ostrya virginiana</i>
Sycamore	<i>Platanu occidentalis</i>
Cottonwood	<i>Populus deltoides</i>
Wild Plum	<i>Prunus americana</i>
Black Cherry	<i>Prunus serotino</i>
White Oak	<i>Quercus alba</i>
Shingle Oak	<i>Quercus imbricaria</i>
Bur Oak	<i>Quercus macrocarpa</i>
Northern Red Oak	<i>Quercus rubra</i>
Black Oak	<i>Quercus velutina</i>
Smooth Sumac	<i>Rhus glabra</i>
Black Locust	<i>Robinia pseudoacacia</i>
Sandbar Willow	<i>Salix interior</i>
Black Willow	<i>Salix nigra</i>
Sassafras	<i>Sassafras albidum</i>
Basswood	<i>Tilia americana</i>
Slippery Elm	<i>Ulmus rubra</i>
Black Haw	<i>Viburnum prunifolium</i>

Note: Oats or annual rye may be added to a prairie mix to get quicker cover.

inform State agencies, the Vermilion County Conservation District and the Illinois Power Company, concerning the management program for the Middle Fork River Corridor. The goal in doing so is to ensure that State, Conservation District, and Illinois Power programs and actions are consistent with the protection of the corridor values which qualified the Middle Fork for National Scenic River designation. The management program will be implemented to the fullest extent possible under State authorities. The most restrictive State or federal laws toward preserving the corridor values will be used.

The Illinois Department of Conservation will coordinate management with the National Park Service regarding review of proposed new developments. National Park Service recommendations and guidelines will be followed for all new developments in the corridor, except for specific exceptions which have been identified in official easement agreements held by the Department of Conservation.

As administrator of the Middle Fork River Corridor, the Illinois Department of Conservation will consult with other landowners in the protected river area and with river users as necessary to address specific management issues. The concerns of landowners and users will be incorporated into the management program as long as they do not compromise protection of the preservation values of the corridor.

Permit Review and Program Advocacy

The Department, in reviewing State and federal permit applications and in advocating state and federal programs for water related projects on the Middle Fork River and its watershed, will make recommendations as necessary to protect the preservation values of the Middle Fork River Corridor. Special emphasis will be placed on recommendations for prevention of the degradation of the following values: water quality, instream flow, and channel form and bed. These characteristics are singled out because they are vital to the fish and wildlife of the river, and associated the riparian vegetation and wildlife.

Recommendations on permit applications on any part of the Middle Fork River will be made to minimize negative environmental impacts affecting the Middle Fork River Corridor, and to mitigate any unavoidable impacts. This interest in projects upstream and downstream of the corridor is based on Section 7 of the National Wild and Scenic Rivers Act. This section of the Act states that water resource projects will not be assisted by any Federal agency if the project is located above or below a National Scenic River, and the project would invade the protected river segment or unreasonably diminish the scenic, recreational, and fish and wildlife values in the protected river corridor.

Review of Proposed Developments

The Illinois Department of Conservation Review Committee for the

Middle Fork River Corridor will be formed for reviewing proposed developments. The Review Committee will consist of Department staff only. Committee members will be assigned to insure that the Committee contains members with the appropriate expertise to make review decisions necessary to protect the values of the Middle Fork River Corridor. Individuals from outside the Illinois Department of Conservation will be consulted on occasion if specific information or expertise is required for making particular review decisions.

An **Advisory Committee** of representatives of landowners in the National Scenic River Corridor and public groups interested in the protection of the Corridor will be formed by Department invitation. The Advisory Committee will review proposed projects and provide comments to the Department's Review Committee. The Advisory Committee may also comment on general policies of the Department as they relate to the Middle Fork River Corridor.

Review Committee

The purpose of the Middle Fork River Corridor Review Committee is to evaluate all proposed man-made changes within the National Scenic River corridor, and to make recommendations as needed to ensure the protection and enhancement of the corridor values recognized by State and federal law and described in Part Two of this Plan. The Review Committee will review projects within these areas:

- in the Middle Fork State Fish and Wildlife Area and Kickapoo State Park,
- 500 feet from the river centerline in Kennekuk County Park,
- 500 feet from the river centerline in the State rest area along I-74, and
- 200 feet from the river centerline on both sides of the river on Illinois Power Company's property.

The Review Committee will not deal with routine maintenance of the properties within the corridor, so long as such practices are consistent with the nondegradation and enhancement principles applying to the lower. The Review Committee will not deal with prescribed management of State Natural Areas or Nature Preserves within the corridor, although the Review Committee will review projects for potential impacts to these areas.

Committee membership will include one designated staff member from each of the following Department of Conservation Divisions: Planning, Technical Services, Fisheries, Wildlife, Forestry, Land Management, and Natural Heritage. The representative from Land Management should be the Kickapoo State Park Site Superintendent, however, the ranger or site superintendent from the Middle Fork

Fish & Wildlife Area and regional land manager may attend. The representative from the Division of Planning should be the Streams Planning Program Manager who will serve as the Review Committee chair, however, the Planning Division Landscape Architect in charge of the Master Management Plan and Regional Landscape Architect may also attend. Each Division head for these Divisions will officially appoint their Division's representative.

The Review Committee should meet at least once each year to review annual site recommendations. Additional meetings or written comments will be requested as needed by the chair. It will be the responsibility of Illinois Power, Vermilion County Conservation District, the Kickapoo State Park Site Superintendent, and IDOT to notify the Review Committee of any proposed projects on their properties requiring review by the Review Committee. Proponents of any and all development within the protected corridor and buffer will publicly provide such evidence to demonstrate that their proposed action will not degrade the value for which the river was protected. The Review Committee shall review all proposed capital projects and any other projects that would directly impact the river corridor at the earliest planning stage. A Review Committee recommendation for each project reviewed will be forwarded by the Division of Planning to Division heads represented on the Review Committee. This interdivisional review is to identify inappropriate development within the corridor, and to provide input into the design phase of projects by proposing construction or location alternatives. The Review Committee recommendation and Division head comments, if any, will be forwarded to the Office of Planning and Development.

Once a project is approved and listed in the capital budget through the normal budget process, but before the project is bid, the committee will more closely evaluate projects within the Middle Fork River Corridor or other projects that may directly impact the river. The Review Committee will work with other staff involved in the design and construction of the project to consider alternatives available to ensure protection of the Middle Fork River Corridor. This review will include evaluations for impacts to endangered species, historic and archaeological sites, natural areas, nature preserves, and the river's values identified in the Middle Fork River Corridor Management Plan.

The Review Committee project approvals will outline agreements made for revisions to projects and the outcome of natural resource evaluations in memo form under the Office of Planning and Development Director's signature to Division heads, executive staff, and all other concerned staff after all necessary evaluations have been completed.

Review Committee recommendations for any project may concern location, aesthetics, and design as they relate to the protection and enhancement of the values of the river corridor as described in Part Two of this Plan. The Review Committee shall reject proposals that would have substantial adverse impact on these values, or require project revisions in order to prevent adverse

impact. On private property, easement documents may already define some allowed or prohibited projects. Existing easement agreements with Illinois Power and Vermillion County Conservation District are included in Appendix D.

The Review Committee must approve any changes to this Corridor Management Plan, as well as any revisions to the Master Management Plan (MMP) as they directly relate to the management of the National Scenic River Corridor.

Advisory Committee

The purpose of the Middle Fork River Corridor Advisory Committee is to provide timely outside input to the Department of Conservation, through the Review Committee, concerning management of the corridor and design of projects proposed within the corridor. The Advisory Committee should comment as needed to insure the protection of corridor values as defined in Part Two of this Plan and protected by State and federal law. The Advisory Committee shall be requested by the Review Committee Chair to provide timely comment on at least all development projects approved by the Review Committee. Advisory Committee comments may be requested by the Review Committee Chair for other projects as well, or on projects for which an approval decision has not yet been made. The Review Committee Chair will also accept comments from the Advisory Committee on any other Department management decision that relates to the Middle Fork National Scenic River Corridor.

Membership of the Advisory Committee will at this time consist of representatives from the following groups, agencies, or companies upon invitation by the Review Committee Chair: Illinois Power Company, Vermillion County Conservation District, Illinois Department of Transportation, The Committee on the Middle Fork of the Vermillion River, Middle Fork Valley Partners, and other such user organizations as deemed appropriate by the Review Committee. Representation is on a voluntary basis. Any group may decide not to be represented if they so wish. The Advisory Committee shall choose a chair annually who will coordinate communications between the Review Committee Chair and the Advisory Committee, and who will call meetings of the Advisory Committee as needed. It will be the policy of the review committee chair to invite the advisory committee chair, or full committee, to attend review committee meetings deemed appropriate or to expedite the committee's comment.

Management Studies

In order to manage the Middle Fork Scenic River Corridor properly, there are several studies that need to be undertaken, preferably before final revisions are made to the Master Management Plan (MMP). In revising the MMP, the recommendations of these studies should be incorporated, in addition to the completion of a compliance check of the existing MMP with this Corridor Management Plan.

The six suggested studies to be conducted in the Middle Fork Scenic River Corridor are:

- 1) A detailed survey of the river and its banks to determine any erosion problems requiring erosion controls, any areas needing trash removal, or any areas being damaged by uncontrolled access at sites not designated for access (as for motorized vehicles, canoes, or horses). Corrective management actions will be recommended at identified problem sites.
- 2) A canoe access study to determine current use levels at existing access sites, any limitations to access, and improvements needed at existing sites. Recommendations will be made concerning improvements or changes at existing sites, and the need, if any, for additional sites.
- 3) A study to determine the public interest in a long distance trail within the corridor. Assessment of this need will include the derivation of use estimates by both type and number of users. If a need is identified, a route should be proposed.
- 4) A detailed survey of MMP identified ecological units, as well as other areas identified by environmental groups. Any additional areas identified would be added to the MMP. The study should also determine what specific management practices are needed to preserve all existing and newly added ecological units.
- 5) A survey of all existing bridges and fords and their level and type of use to determine if any could be removed, or public access blocked with gates.

Identification of completion dates and assignment of study coordinators will be a first order of business for the Review Committee.

Completion of these studies would help to focus and direct recreational development of the Middle Fork National Scenic River Corridor. The studies do not need to be exhaustive, but careful thought, field work, and coordination among the Department's Divisions will be required. Each study should be assigned to a lead Division. That Division would be responsible for conducting the study and writing the study results and recommendations. Other Divisions would be asked to provide expertise during the study, as well as to review the study report and recommendations. Study recommendations shall have Review Committee approval and would be used during the MMP revision process.

Specific Management Actions

Certain management actions need to be completed in order to make management of the corridor easier, to give management direction, and to fulfill the obligations of the National Wild and Scenic River system guidelines.

The management actions to be implemented as soon as feasible are:

- 1) to delineate presettlement vegetation patterns within the protected corridor and buffer in order to immediately assist in the long term revegetation goal to restore native forest, wetland or prairie vegetation.
- 2) to continue working with Illinois Power Company toward dedication of Orchid Hill natural heritage landmark as a State Nature Preserve,
- 3) to move agricultural production as far from the river as reasonable, outside of the 1000 foot protected corridor and restore presettlement vegetation. Consideration of reestablishing agricultural leases on fallow land in the buffer area to balance acreage lost is possible (a boundary identification survey of the protected corridor will assist in the field realignments).
- 4) to put up National Scenic River signs on I-74, at bridge crossings, access sites and at the park entrances, and to utilize the National Scenic River logo on appropriate publications,
- 5) to pursue an administrative rule to allow only unmotorized water craft on the river, except by emergency personnel,
- 6) to evaluate the options of dispersed backpack or canoe camping and a designated canoe camping area; and to quickly enforce the existing preservation rule of no camping except at designated campgrounds,
- 7) to pursue an administrative rule change to address the safe issues relative to wading/swimming on the river,
- 8) to prepare and distribute high quality maps of the area to encourage hiking and facilitate visitor enjoyment of the area.
- 9) to mark bridge piers to indicate river stage (in feet ms/l), to provide a basis for individual determinations of safety, travel times, etc.

PART TWO: DESCRIPTION OF THE CORRIDOR VALUES

Part Two of this Plan identifies the key preservation values of the Middle Fork of the Vermilion River and its associated corridor which are identified in the State Law (P.A. 84-1257) and which qualified the river for inclusion in the National Wild and Scenic Rivers System. The values identified are scenic, geologic, fish and wildlife, ecological, recreational, and historic values. These values are summarized in this section. Detailed descriptions and documentation of these values are included in the appendices at the end of this plan.

CHAPTER ONE: SCENIC VALUES

Introduction

The scenic values described here are those used to define a scenic river in the National Wild and Scenic Rivers System. The Middle Fork River is a free flowing river, free of impoundments. A diversion was done on the southern segment of the river in the 1930's; however, this area has since revegetated and does not appear significantly different from the rest of the river.

Scenic Characteristics

The river is accessible by only six roads within the protected length. (Refer to Figure 1.) Only three of these have bridges open to vehicle traffic to cross the river, and these roads are used mainly for local or recreational traffic. Interstate 74 also crosses the river, but it does not provide access to the river. The ford is crossable only at low stream flows. The remaining roads either do not cross the river, or are open only to foot traffic. The one railroad that crosses the river within the corridor is not heavily used, and notice has been filed by the railroad company of its intent to abandon the railroad. Few of the roads open to vehicle traffic are visible from the river except at bridges. All roads are inconspicuous, being well screened from view by trees or other vegetation or bluffs. The atmosphere on the river is quiet and serene throughout most of the corridor, most noises being the rushing water, the birds, and occasional hikers or canoeists. This is due to the largely undeveloped shorelines.

The floodplain of the river is mostly old agricultural fields, forests, or forested wetlands. Some of the old fields are now revegetated with shrubs and perennial grasses. There are only a few buildings located within the half mile corridor, several houses and a bait shop. In the summer the only building easily seen from the river is the Illinois Power company power plant, which is more than one-quarter mile from the river and thus outside the corridor. Most of the view from the river is of trees, bluffs, or open fields.

It is this undeveloped character of the Middle Fork River Corridor that is to be protected from degradation. Physically this translates to few bridge crossings, few buildings, or roads visible from the river, and little motor vehicle traffic within the Corridor boundaries.

CHAPTER TWO: GEOLOGIC VALUES

Introduction

The natural setting discussed in this chapter refers to the development of the corridor over time. These are the characteristics that set the stage for the development of the unique flora and fauna of the Middle Fork River Corridor. The characteristics described in this section are the physiographic history and geology.

Physiographic History

In Illinois during the Pleistocene Epoch, there were four major advances of continental glaciers beginning about 1,000,000 years ago and ending about 10,000 years ago. The glaciations are called Nebraskan, Kansan, Illinoisan and Wisconsinan in their order of occurrence. The recession of the Wisconsinan glacier was characterized by numerous readvances which were of sufficient duration to construct terminal moraines. The moraines strongly influenced the development of a new drainage system by acting as drainage divides. The Middle Champaign Moraine, the oldest in the Vermilion River Basin, defines the southern edge of the Basin. The next moraine, called the Inner Champaign, separated the Little Vermilion watershed from the Vermilion. The Bloomington Moraine formed the boundary between the Middle Fork and the Salt Fork. A north trending moraine, the Urbana, separated the Upper Salt Fork watershed from the Saline Branch. Another north trending moraine, the Yankee Ridge, distinguished the western portion of the Vermilion Basin from the Sangamon drainage system. Finally, the northern boundary of the Basin was defined by the Chatsworth Moraine. This is illustrated by the Glacial Map of Illinois (Figure 4).

The recession of the Wisconsinan glacier was accompanied by severe wind erosion on the freshly exposed outwash and valley train deposits. Fine materials were carried many miles by the wind resulting in the deposit of several feet of fine silt and clay over the newly exposed drift. This deposit, called loess, was an excellent parent material for agricultural soils.

Lakes existed for a time in some of the broad shallow depressions on the basin landscape. Fine materials, carried into the waters of the lakes during runoff periods, settled to form silt and clay deposits. Eventually, natural erosion at the outlet progressed to the point where the lake was drained. Small deep depressions which

CHAPTER THREE: AQUATIC HABITAT VALUES

Hydrology and Habitat

The Middle Fork River is considered to be an upper perennial stream, which in Illinois is uncommon in the central part of the state. The average gradient of the Middle Fork River is 2.9 feet per mile. The river has sand, gravel, and rubble bottom with occasional boulders, many riffles and deep pools, and numerous sand and gravel bars. From a biological standpoint, the Middle Fork River is one of the finest streams in Illinois, supporting diverse fish and aquatic insect species in abundance. The Illinois Natural History Survey has classified it as one of the twelve best streams in the state.

The stream flow of the river has been measured at the Illinois Environmental Protection Agency station BPK07 at rates ranging from 10 to 3,990 cubic feet per second (CFS). This range is the minimum and maximum of point-in-time measures over eight years (1979-1986). The average stream flow in 1983 was 473 cfs. The lowest stream flows usually occur in the fall, September to December. The 7 day 10 year low flow for the Middle Fork River within the protected corridor is 4.0 cfs. The highest stream flows generally occur in the spring, March to June.

The Illinois Environmental Protection Agency and the Illinois Department of Conservation are using a recently developed measure of the quality of stream aquatic communities called "biological stream characterization" (BSC), whereby streams are given a rating ranging from "A" (unique aquatic resource) to "E" (restricted aquatic resource). The Middle Fork River has received a biological stream categorization of "A".

The "Index of Biotic Integrity" (IBI) described by James R. Karr, is an index of the quality of an aquatic resource as defined by the health of the fish community present. IBI values can range from 12 to 60. The index is calculated from data on the number and type of species and individuals found. The Illinois Department of Conservation has calculated IBI values of 50 and 51 for two stations on the Middle Fork River sampled in 1986. The Figure 5 map shows the station locations.

In 1986, habitat information was also collected at the two stations sampled for fish. Substrate (bottom type) at the northern station (BPK 10), was determined to be 17 percent silt, 6 percent sand, 34 percent gravel, 39 percent rubble, and 4 percent boulders. At the southern station (BPK07), substrate was 10 percent silt, 40 percent sand, 40 percent gravel, and 10 percent rubble. The proportions of substrate coarser than sand are greater than normally found in central Illinois streams. This type of substrate is highly conducive to a diverse natural fishery.

The river shore cover is dominated by deciduous trees. Riparian

were incapable of being drained evolved into swamps, then into marshes, and finally into wet prairies.

Marsh and prairie grasses were the dominant vegetation to spread over the poorly drained uplands while timber was confined to the river bottoms or to occasional well-drained knolls in the prairie. The annual cycles of growth and decay of the prairie and marsh vegetation converted the silts and clays into dark, fertile soils.

In general, the present land surface is a flat, hummocky plain broken occasionally by the low morainal ridges. Stream channels in the headwaters are usually poorly developed. Only in the lower portions of the streams, where a large part of the erosional work was accomplished by melt water during the recession of the Wisconsin glacier, are the valleys well developed and incised.

Geology

In the Middle Fork Basin, a thin mantle of wind deposited and water worked loess material overlies a comparatively thin deposit of Wisconsin glacial drift. The glacial drift has been deposited in terminal glacial moraines or intermediate ground moraines composed of compact glacial till which is oftentimes overlain by glacial outwash deposits of variable thickness and extent. The outwash materials are usually variably textured, but consist of predominately coarser-grained soils such as silts, sands and gravels. The underlying glacial till may also be variably textured, but it is primarily a heterogeneous mixture of sands, gravels and pebbles bound in a compact clay to silt matrix. Boulders up to several feet in diameter may exist within the glacial till. Recently deposited river and stream alluvium of variable texture, consistency and density comprise most of the surface soils in the river valley and its tributaries.

The Wisconsin glacial drift and its underlying older counterparts, Illinoisan, Kansan, and possibly Nebraskan glacial drift, extend to bedrock of Pennsylvanian Age which generally consists of interbedded limestone, sandstone and shale. Bedrock may occur as a surface outcrop or exist at a depth of several feet below the ground surface.

The Higginsville Geologic Area lies adjacent to the river. This area is used for educational purposes and has been studied extensively due to the outstanding exposure of the local geological characteristics in the large bluff. The formation has been radio-carbon dated at more than 50,000 years. This area is to be preserved for its geologic significance. It is a State Natural Area and is already being managed for preservation.

It is this undeveloped character of the Middle Fork River Corridor that is to be protected from degradation. Physically this translates to few bridge crossings, few buildings, or roads visible from the river, and little motor vehicle traffic within the Corridor boundaries.

CHAPTER TWO: GEOLOGIC VALUES

Introduction

The natural setting discussed in this chapter refers to the development of the corridor over time. These are the characteristics that set the stage for the development of the unique flora and fauna of the Middle Fork River Corridor. The characteristics described in this section are the physiographic history and geology.











Physiographic History

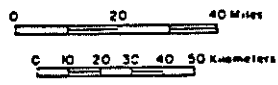
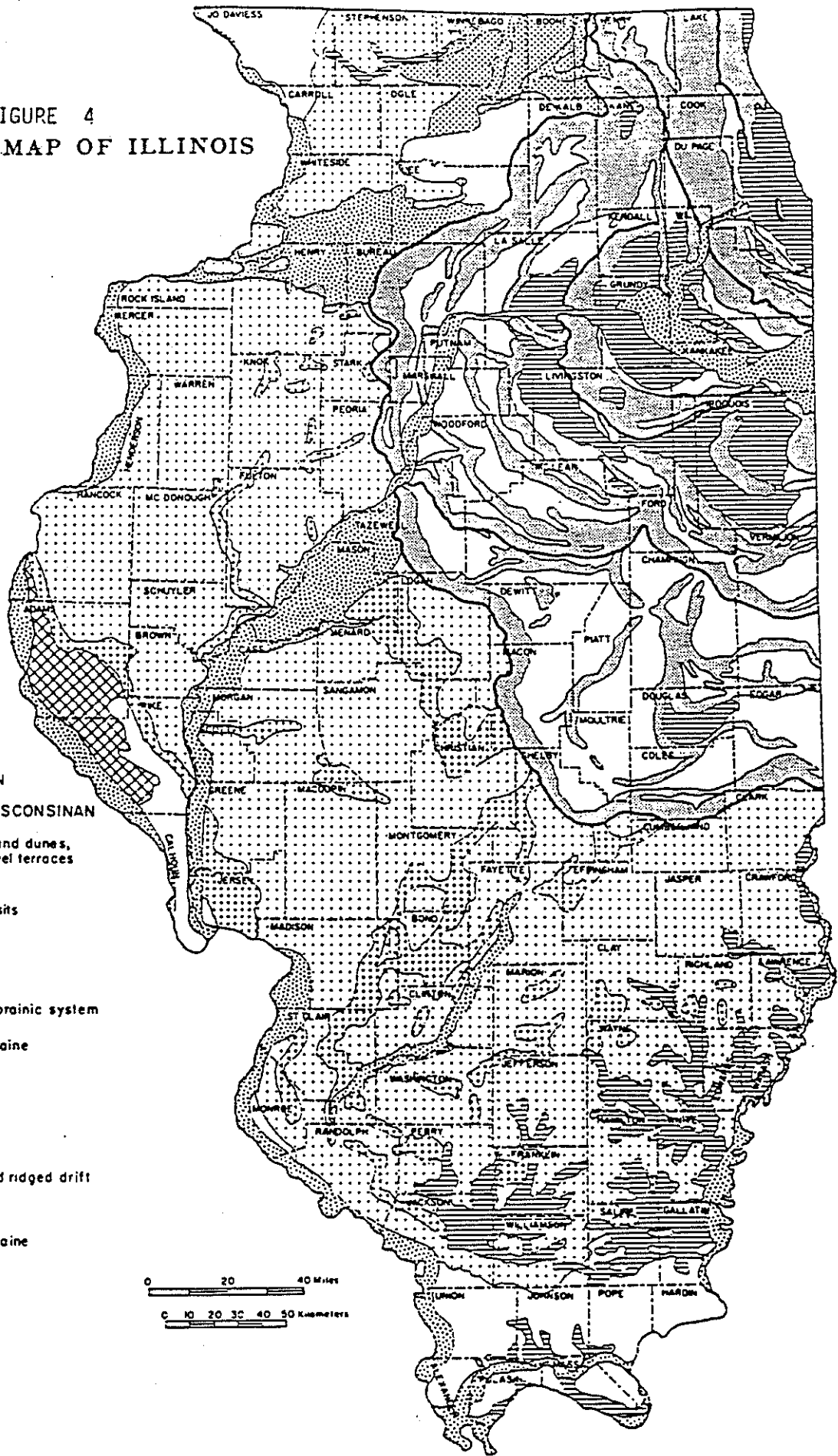
In Illinois during the Pleistocene Epoch, there were four major advances of continental glaciers beginning about 1,000,000 years ago and ending about 10,000 years ago. The glaciations are called Nebraskan, Kansan, Illinoisan and Wisconsinan in their order of occurrence. The recession of the Wisconsinan glacier was characterized by numerous readvances which were of sufficient duration to construct terminal moraines. The moraines strongly influenced the development of a new drainage system by acting as drainage divides. The Middle Champaign Moraine, the oldest in the Vermilion River Basin, defines the southern edge of the Basin. The next moraine, called the Inner Champaign, separated the Little Vermilion watershed from the Vermilion. The Bloomington Moraine formed the boundary between the Middle Fork and the Salt Fork. A north trending moraine, the Urbana, separated the Upper Salt Fork watershed from the Saline Branch. Another north trending moraine, the Yankee Ridge, distinguished the western portion of the Vermilion Basin from the Sangamon drainage system. Finally, the northern boundary of the Basin was defined by the Chatsworth Moraine. This is illustrated by the Glacial Map of Illinois (Figure 4).

The recession of the Wisconsinan glacier was accompanied by severe wind erosion on the freshly exposed outwash and valley train deposits. Fine materials were carried many miles by the wind resulting in the deposit of several feet of fine silt and clay over the newly exposed drift. This deposit, called loess, was an excellent parent material for agricultural soils.

Lakes existed for a time in some of the broad shallow depressions on the basin landscape. Fine materials, carried into the waters of the lakes during runoff periods, settled to form silt and clay deposits. Eventually, natural erosion at the outlet progressed to the point where the lake was drained. Small deep depressions which

FIGURE 4
GLACIAL MAP OF ILLINOIS

- EXPLANATION
- HOLOCENE AND WISCONSINAN**
-  Alluvium, sand dunes, and gravel terraces
- WISCONSINAN**
-  Lake deposits
- WOODFORDIAN**
-  Moraine
 -  Front of moranic system
 -  Groundmoraine
- ALTONIAN**
-  Till plain
- ILLINOIAN**
-  Moraine and ridged drift
 -  Groundmoraine
- KANSAN**
-  Till plain
- DRIFTLESS**
- 



State Park showing Sampling Locations on the Middle Fork River.

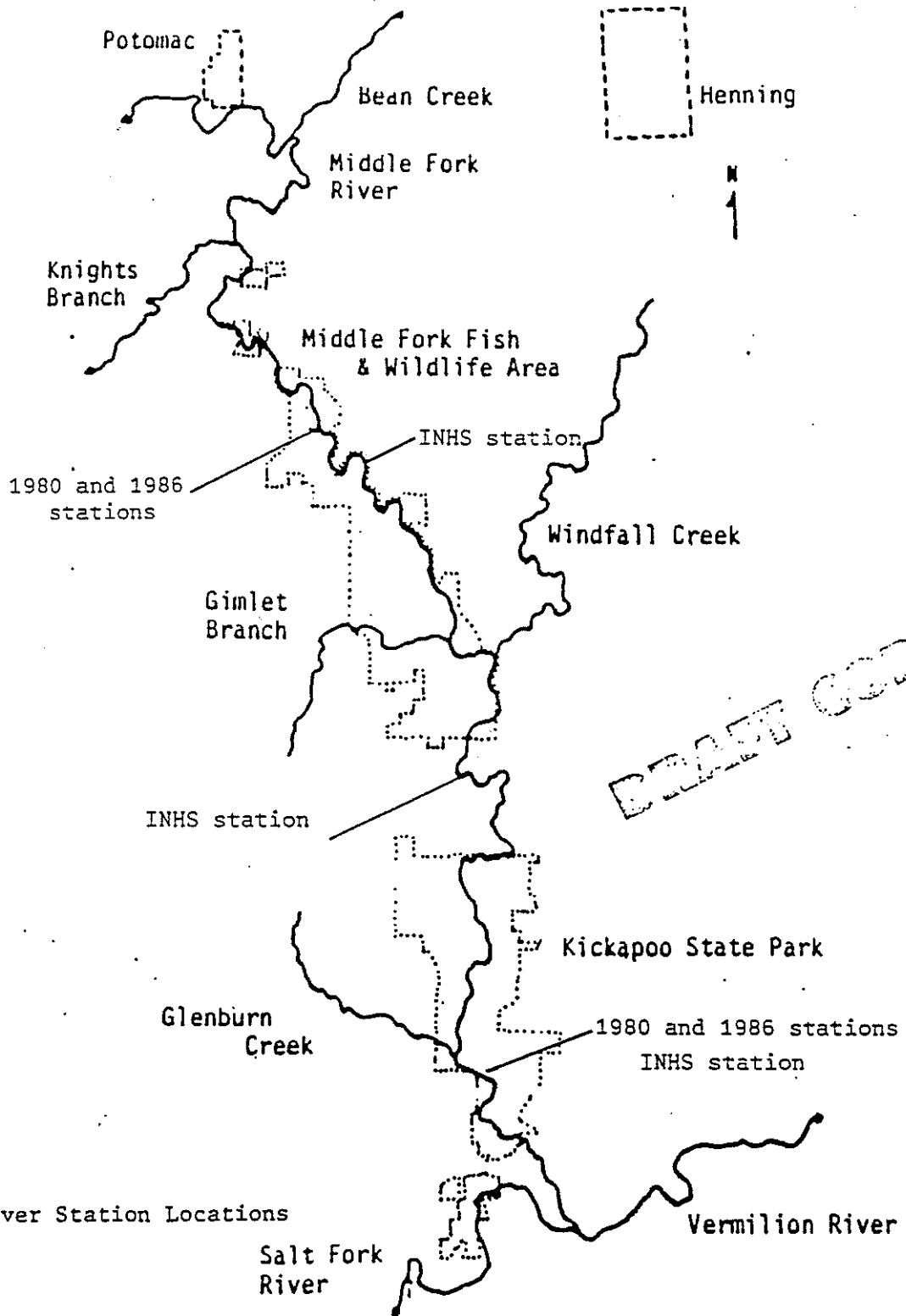


FIGURE 5

Middle Fork River Station Locations

vegetation at the northern station included 18 percent grasses, 13 percent shrubs, and 61 percent trees. At the southern station the shore cover included 10 percent grasses, 2 percent shrubs and 83 percent trees. This extensive shore coverage undoubtedly contributes to the high quality of the river as a fishery.

Water Quality

The Illinois Environmental Protection Agency (EPA) has designated the Middle Fork River as having minor effect or no known impairment or threat from non-point pollution sources in their 1989 Vermilion River Report. Based on State standards set by the Illinois EPA to calculate water quality index parameters, the water quality of the Middle Fork River is good to excellent. Table 3 shows the parameter value ranges found in the Middle Fork River at one Illinois EPA station site (BPOK7) from 1979 to 1986. The total phosphorous is normally .01 mg/liter to .06. The higher phosphorous levels (.01 - .57) evident in the table usually occur as a direct result of storm water run off. The only parameters that are occasionally below the water quality standard are fecal coliforms and several of the metals. Dissolved oxygen is always better than the standard of 5.0 mg/liter. The presence of such pollution-intolerant species as hellgrammites, stoneflies, unionid clams, and six species of darters indicates there is very little pollution in the river.

The river does receive some organic waste pollution, such as from cattle feedlot operations and domestic septic tanks. This causes somewhat elevated fecal coliform measurements at certain times of the year. Leaching of iron deposits and runoff from strip mine spoils cause some excesses of total iron content.

Most watersheds in Illinois are subject to soil erosion. Many streams in Illinois carry a considerable load of soil and other colloidal particles. In 1975, the approximate percentage of private farmland in the U.S. using some type of stabilization process to reduce erosion was 30 percent. In that same year, an estimated 75 percent of private farmland in Vermilion County was using some type of stabilization process. This stabilization has helped to reduce the sedimentation load in the Middle Fork River.

Wetlands

According to the Illinois Natural History Survey, there are 332 acres of forested wetlands in the corridor. There are also ponds, seeps, and other types of wetlands. Abandoned channels of the Middle Fork form sloughs which harbor plants not found elsewhere in the corridor. These wetland areas are high in plant and wildlife diversity. Forested wetlands of the corridor support 116 wildlife species, many of which are birds.

Plants characteristic of the forested wetlands in the corridor are swamp white oak, silver maple, pin oak, black ash, green ash, sycamore and willow. Other plants found in the corridor's wetlands

Table 3

Water Quality Parameters on the Middle Fork River

1979-1986

<u>Parameter</u>	<u>IEPA Standard*</u>		<u>Middle Fork **</u> <u>Value Range</u>
	<u>WQI = 20</u>	<u>WQI = 0</u>	
D.O. (mg/l)	5.0	11.0	6.9 - 17.6
ph -	6.5 - 10.0	7.5 - 9.0	6.6 - 9.2
Total Phosphorous (mg/l)	.10	0.0	0.01 - 0.57
Turbidity (Total suspended solids mg/l)	25	0.0	0.0 - 2650
Conductivity (umhos/cm)	750	0	230 - 1200
Unionized ammonia (mg/l)	.04	.001	0.001 - 0.003

* The Water Quality Index (WQI) value of 20 is the IEPA standard. The WQI value of zero indicates parameter values for better water quality than the IEPA standards. The parameters listing does not include temperature and metals toxicity which are part of the WQI.

Source: STORET Water Quality Database, IEPA.

** The value range is the minimum and maximum value measured at the IEPA station BPK 07 over eight years (1979 - 1986).

include ferns, sedges, wood reed grass, buttonbush, grass of parnassus and marsh marigold.

CHAPTER FOUR: FISH AND WILDLIFE VALUES

Introduction

Wildlife habitat in Illinois is mostly restricted to the more rolling and less agriculturally productive areas associated with major streams and rivers. In the Middle Fork River Corridor, game birds, raptors, and songbirds are common; game mammals, small mammals, and furbearers are numerous and widespread; and reptile and amphibian populations are diverse. Aquatic life is also prolific. There are many uncommon fish and aquatic insects found in the corridor. This river corridor is know for its species diversity. It is this diversity that is to be protected from degradation.

Terrestrial Wildlife

Woodlands provide habitat for many mammals. In the Middle Fork River Corridor, woodlands harbor mammals such as the raccoon, masked shrew, keens bat, gray fox, fox squirrel, and white-tailed deer. Birds using these forests include the brown creeper, American redstart, red-tailed hawk, great horned owl, red-headed woodpecker, great crested flycatcher, and tufted titmouse.

The corridor's transitional communities of grassland and shrubs harbor the least shrew, striped skunk, red fox, and woodchuck. Game birds found in these edge communities include bobwhite quail, woodcock, mourning dove, and ring-necked pheasant. Songbirds found are American goldfinch, red-winged blackbird, field sparrow, and eastern bluebird.

The riparian habitats along the Middle Fork River are used by mink, muskrat, and beaver. Birds found along the river include the wood duck, prothonotary warbler, bank swallow, spotted sandpiper, yellow-throated warbler, green-backed heron and belted kingfisher.

An example of one interesting specie of the Corridor is the lark sparrow which represents a unique, relict population. The occurrence of the eastern race of the lark sparrow has been documented by the Illinois Natural History Survey and the population identified as endemic and of rather low numbers. The range is illustrated on Figure 6.

Reptiles and Amphibians

Literature and investigations by the Illinois Natural History Survey indicate that numerous amphibian and reptile species have

been found within the corridor area. These are listed in Appendix F along with comments on relative abundance and primary habitat of each species. The more common amphibians include the American toad, Fowler's toad, leopard frog, and the spotted salamander. Reptile species common in the area include the eastern box turtle, red-eared turtle, blue racer, prairie king snake, eastern garter snake, and northern water snake.

Amphibians uncommon in Illinois and found in the Middle Fork River Corridor include the eastern wood frog, two-lined salamander, red-backed salamander, and slimy salamander. The silvery salamander (Ambystoma platineum), found in the Middle Fork River Corridor, represents a relict population. To date, this is still the only record of this species in Illinois.

Uncommon reptiles in Illinois which are found in the Middle Fork River Corridor include the northern ringneck snake, queen snake, midland painted turtle, Blanding's turtle, and the map turtle.

Aquatic Wildlife

• Fish

The bluebreast darter is a State endangered species found only in the Middle Fork River in Illinois. The dusky darter is found only in the Middle Fork and Embarras River basins in Illinois. The greenside darter populations have been decimated in Illinois. The largest concentrations of their populations are found in the Middle Fork and Embarras Rivers. Other rare fish found in the Middle Fork River are the brindled madtom and the river redhorse. A list of uncommon Illinois fish found in the Middle Fork River is in Appendix G.

Table 4 lists the 57 fish species collected at sample sites on the Middle Fork River in 1980, 1985, and 1986. This list reflects the diversity of fish species found in the Middle Fork River. Many of these species are rare or uncommon in Illinois, or indicator species of high water quality. Gamefish present in the Middle Fork River include an excellent population of smallmouth bass, as well as largemouth bass, spotted bass, channel catfish and a variety of sunfish species, including the Illinois State fish, the bluegill.

• Mussels

Several uncommon mussel species occur in the Middle Fork River. In 1985, the wavyrayed lampmussel, round hickory nut, purple lilliput, rainbow, and little spectacle case were collected by the Illinois Natural History Survey. Additionally, in 1986 two other species were collected by the Illinois Environmental Protection Agency: fluted shell and purple pimpleback. In 1989, some of these species were added to the State threatened or endangered species list. (Refer to Appendix J for species lists.)

• Aquatic Insects

There is an extremely rich diversity and population of aquatic insect life in the Middle Fork River. This is basically due to the number of diverse habitats found in the river, including sand and gravel bars, rubble-gravel and boulder riffles, exposures of bedrock, and clear pools. These habitats, in addition to the high water quality account for the diversity of aquatic insects.

In comparison to other streams in the state, the Middle Fork has been rated as exhibiting very high insect diversity by the Illinois Natural History Survey. There are only a few other streams in Illinois (such as Lusk Creek) where the diversity of aquatic insects is comparable to the diversity found in the Middle Fork River. The Middle Fork River supports species that exist nowhere else in the state.

During 1973, aquatic insects were sampled intensively along the course of the Middle Fork River by the Illinois Natural History Survey. The survey concentrated on five orders of insects: Megaloptera (dobsonflies), Neuroptera (spongillaflyies), Plecoptera (stoneflies), Hemiptera, suborder Heteroptera (water bugs), and Coleoptera (beetles). These five orders were surveyed because they contain species which are indicative of high quality ecosystem.

Twenty-three of the species identified in the survey are considered rare in Illinois (See Table 5). In terms of numbers of individuals, two orders represent the major portion of the aquatic insect biomass in the stream, the Trichoptera (caddisflies) and the Ephemeroptera (mayflies).

Five of the 23 species deserve special mention. Two are species of crawling water beetles: (1) the Haliphus variomaculatus is found only in the Middle Fork River Basin in Illinois, and (2) Haliphus tortilipenis is found only in relict habitats in northeastern Illinois and from the Middle Fork River Basin. The water boatman (Trichocorixa reticulata) has a wide distribution occurring primarily in coastal areas. It has been found in several locations in Illinois, including the Middle Fork River Basin. Biologists now believe the species also exists in isolated inland habitats. A fourth species, the beetle Copelatus chevrolati, subspecies renovatus, was collected from the Middle Fork River, representing the eastern-most record of this subspecies. Lastly, the predaceous diving beetle (Celina angustata) was collected from the Middle Fork River, adding a new species to the Illinois fauna. This genus normally has a southern U.S. distribution.

CHAPTER FIVE: TERRESTRIAL ECOLOGY VALUES

Natural Divisions

The Middle Fork River valley is a forested intrusion into the prairie grasslands of central Illinois, as illustrated by the

Table 4

Fish Species Collected in the Middle Fork River, 1980 - 1986

gizzard shad	golden redhorse
grass pickerel	shorthead redhorse
common stoneroller	black bullhead
goldfish	yellow bullhead
carp	channel catfish
silverjaw minnow	stonecat
golden shiner	tadpole madtom
emerald shiner	brindled madtom
striped shiner	blackstripe topminnow
bigmouth shiner	rock bass
red shiner	green sunfish
rosyface shiner	bluegill
spotfin shiner	longear sunfish
sand shiner	redeer sunfish
redfin shiner	smallmouth bass
mimic shiner	spotted bass
steelcolor shiner	largemouth bass
suckermouth minnow	white crappie
bluntnose minnow	greenside darter
creek chub	rainbow darter
river carpsucker	* bluebreast darter
quillback	fantail darter
highfin carpsucker	johnny darter
white sucker	orangethroat darter
northern hogsucker	loggerch
spotted sucker	blackside darter
silver redhorse	slenderhead darter
* river redhorse	dusky darter
black redhorse	

Note: This is a combined list of 57 fish species from samples collected by IDOC in 1980 and 1986 and by INHS in 1985, in June, July, and October respectively.

* State threatened or endangered species

Table 5

RARE OR UNUSUAL AQUATIC INSECTS OF THE MIDDLE FORK RIVER

Sisyridae: Spongillaflies
Sisyra fuscata
Sisyra vicaria

Corixidae: Water boatmen
Trichocorixa reticulata

Dryopidae: Long-toed water beetles
Helichus basalis
Helichus fastigiatus

Dytiscidae: Predaceous diving beetles
Laccophilus proximus
Desmopachria convexa
Celina angustata
Ilybius biguttatulus
Colymbetes sculptilis
Copelatus chevrolati renovatus

Gyrinidae: Whirligig beetles
Gyrinus lecontei
Gyrinus maculiventris

Haliplidae: Crawling water beetles
Haliplus fasciatus
Haliplus pantherinus
Haliplus tortilipenis
Haliplus variomaculatus
Peltodytes pendunculatus

Hydrophilidae: Water scavenger beetles
Berosus exiguus
Berosus striatus
Berosus fraternus

Limnichidae: Limnichid beetles
Lutrochus laticeps

Noteridae: Burrowing water beetles
Hydrocanthus irricolor

Source: Middle Fork Reservoir Environmental Assessment, 1975, based on a 1973 study by the Illinois Natural History Survey

Figure 7 map of the Natural Divisions of Illinois. The Middle Fork River is part of the Vermilion River Section (10C on the map) of the Wabash Border Natural Division. This is a largely forested area situated in the relatively flat expanse of the remainder of east-central Illinois which is in the Grand Prairie Natural Division (4a-e on the map). The natural divisions are used to classify the natural environments and biotic communities of Illinois based on physiography, flora, and fauna. This places the Middle Fork River Valley along a tension zone between the Grand Prairie and Wabash Border Natural Divisions. This tension zone exists only in a six-county area equally divided between Indiana and Illinois. As a result, the environmental character of the Middle Fork River Basin is drawn from both natural divisions.

The Wabash Border Division includes the bottomlands of the Wabash River and its major tributaries, the loess-covered uplands bordering the Wabash River, and the forests along water sources such as the Vermilion River, Little Vermilion River, and Crab Apple Creek. This is a region of lowland oak forests also containing beech, tuliptree, and other trees typical of the forests to the east of Illinois.

The topography of the Wabash Border Division is relatively gentle. The Southern Uplands Section is a low, eroded till plain with bluffs above the bottomlands. The Vermilion River Section has more rugged topography resulting from erosion of its streams into Wisconsin drift. The rivers have broad flood plains formed by glacial lakes, which include terrace deposits and many meander scars.

Habitats

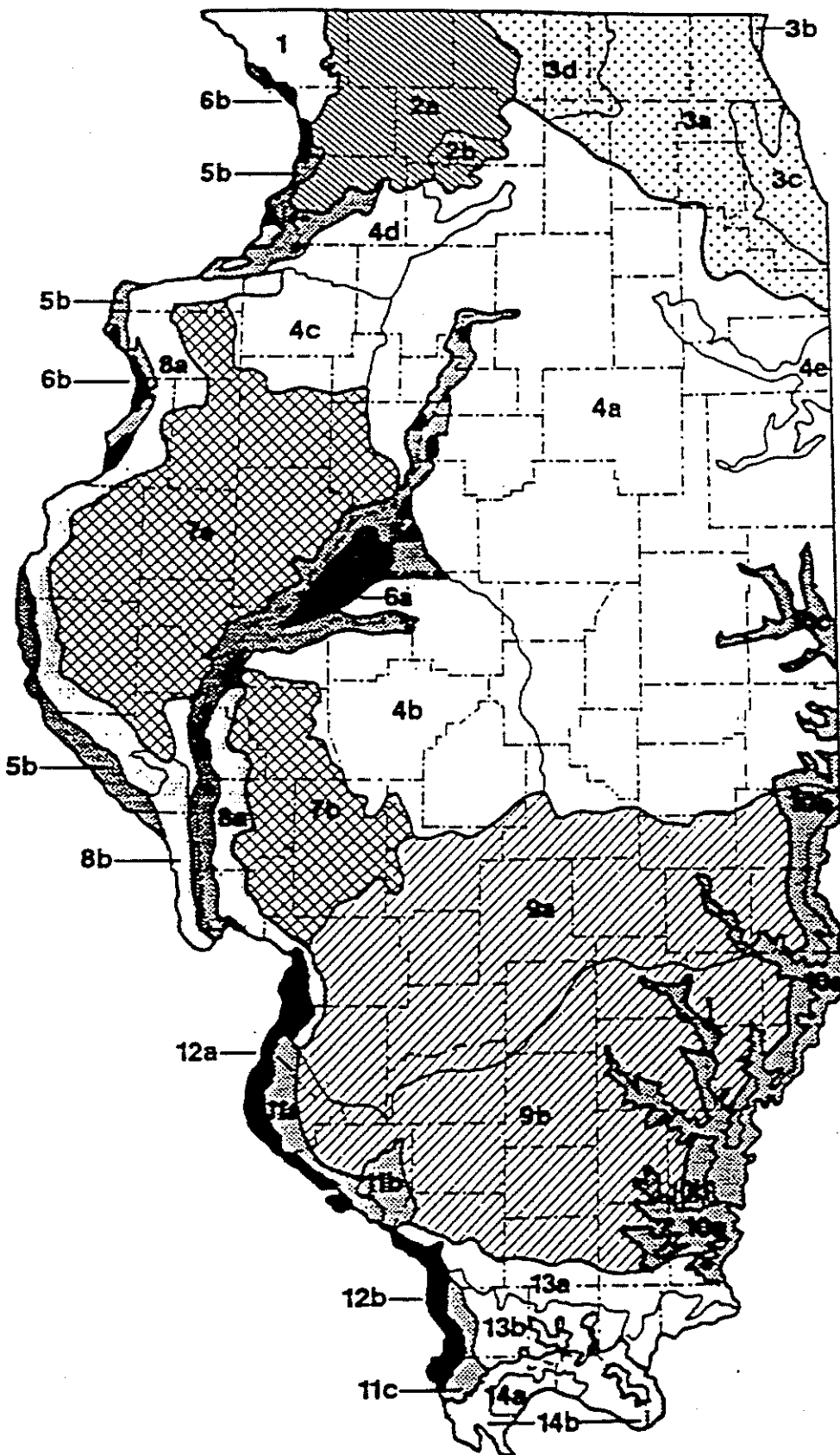
This setting provides for a variety of habitats. There are upland forest, forested wetlands, seeps, and hill prairies. The habitat classifications represented are dry to mesic upland forests, floodplain forests, dry to mesic upland prairie, mesic floodplain prairie, seep springs, and streams. These natural communities of various types and native plant species are to be protected from degradation.

• Forests

The forests are dominated by white and black oaks, but there are also American beech and flowering dogwood which reach their range limits at the Middle Fork River. The site supports an unusual mixture of forest trees ranging from swamp white oak in wet depressions to black oak, shagbark hickory, and shingle oak in adjacent dry areas. Black haw, hazelnut and arrow wood are the common shrubs. The bottomland forests consist of true forested floodplain and wooded sloughs. These areas support silver maple, walnut, black ash, and sycamore. The sycamores and maples often serve as den trees for small mammals, woodpeckers, and owls.

Forests of the Middle Fork are typified by rich herbaceous

THE NATURAL DIVISIONS OF ILLINOIS



- 1 Wisconsin Driftless Division
- 2 Rock River Hill Country Division
 - a Freeport Section
 - b Oregon Section
- 3 Northeastern Morainal Division
 - a Morainal Section
 - b Lake Michigan Dunes Section
 - c Chicago Lake Plain Section
 - d Winnebago Section
- 4 Grand Prairie Division
 - a Grand Prairie Section
 - b Springfield Section
 - c Western Section
 - d Green River Lowland Section
 - e Kankakee Sand Area Section
- 5 Upper Mississippi River and Illinois River Bottomlands Division
 - a Illinois River Section
 - b Mississippi River Section
- 6 Illinois River and Mississippi River Sand Areas Division
 - a Illinois River Section
 - b Mississippi River Section
- 7 Western Forest-Prairie Division
 - a Galesburg Section
 - b Carlinville Section
- 8 Middle Mississippi Border Division
 - a Glaciated Section
 - b Driftless Section
- 9 Southern Till Plain Division
 - a Effingham Plain Section
 - b Mt. Vernon Hill Country Section
- 10 Wabash Border Division
 - a Bottomlands Section
 - b Southern Uplands Section
 - c Vermilion River Section
- 11 Ozark Division
 - a Northern Section
 - b Central Section
 - c Southern Section
- 12 Lower Mississippi River Bottomlands Division
 - a Northern Section
 - b Southern Section
- 13 Shawnee Hills Division
 - a Greater Shawnee Hills Section
 - b Lesser Shawnee Hills Section
- 14 Coastal Plain Division
 - a Cretaceous Hills Section
 - b Bottomlands Section

communities with a number of uncommon species, which combine to make the community distinct from similar woodlands in other natural divisions. Herbaceous species present which are restricted to rich mesic forest habitats include squirrel corn, Gleason's trillium, twinleaf, hepatica, and green violet. Species present which are of extremely limited occurrence in Illinois include squaw root, fire pink, yellow lady's slipper orchid, and beech drops, a parasite of the equally restricted American beech. Common herbaceous species include pinesap, false foxglove, lady fern, and broad beech fern. Sensitive fern, wood reed grass, buttonbush, and sedges are found in wet depressions.

- **Prairie**

There are excellent unique prairie remnants in the corridor totalling approximately 40 acres. This is 1.6% of the remaining prairie acreage in the State. The prairie habitats in this corridor are dominated by grasses representative of the midwestern prairie such as little bluestem and sideoats grama. A lowland prairie area contains Indian grass and tall gayfeather. Other than grasses, there are also prairie dock, purple prairie clover, purple coneflower, blazing stars, and ladies' tresses orchids. At least 62 prairie plant species are found in the corridor (Appendix I). Sandy loam prairies covered some of the terraces immediately above the Middle Fork River. Most of these floodplain prairies have disappeared but could be reestablished as part of the site's plan for reestablishment of presettlement vegetation.

- **Seeps**

The seeps are highly calcareous and support a variety of notable plants. Forested seeps support green ash (Fraxinus pennsylvanica) and the locally rare black ash (Fraxinus nigra). Other seep habitats contain grass of parnassus, swamp wood betony and Loessel's twayblade orchid all uncommon in Illinois. A complete list of uncommon Illinois plants found in the Middle Fork Corridor is in Appendix H.

CHAPTER SIX: NATURAL AREAS

Introduction

In 1978, the Illinois Natural Areas Inventory was completed. The 1,089 natural areas identified in the inventory represent Illinois' presettlement natural communities and natural habitat for rare, relict, threatened, or endangered species of plants and animals, and serve as sites for environmental education and scientific studies and harbor exceptional geologic formations. In the Middle Fork River Corridor there are six natural areas; Middle Fork Woods, Windfall Prairie, Orchid Hill, Higginville Geologic Area, Horseshoe Bottom, and the Middle Fork River itself. Figures 8 and 9 show these area locations.

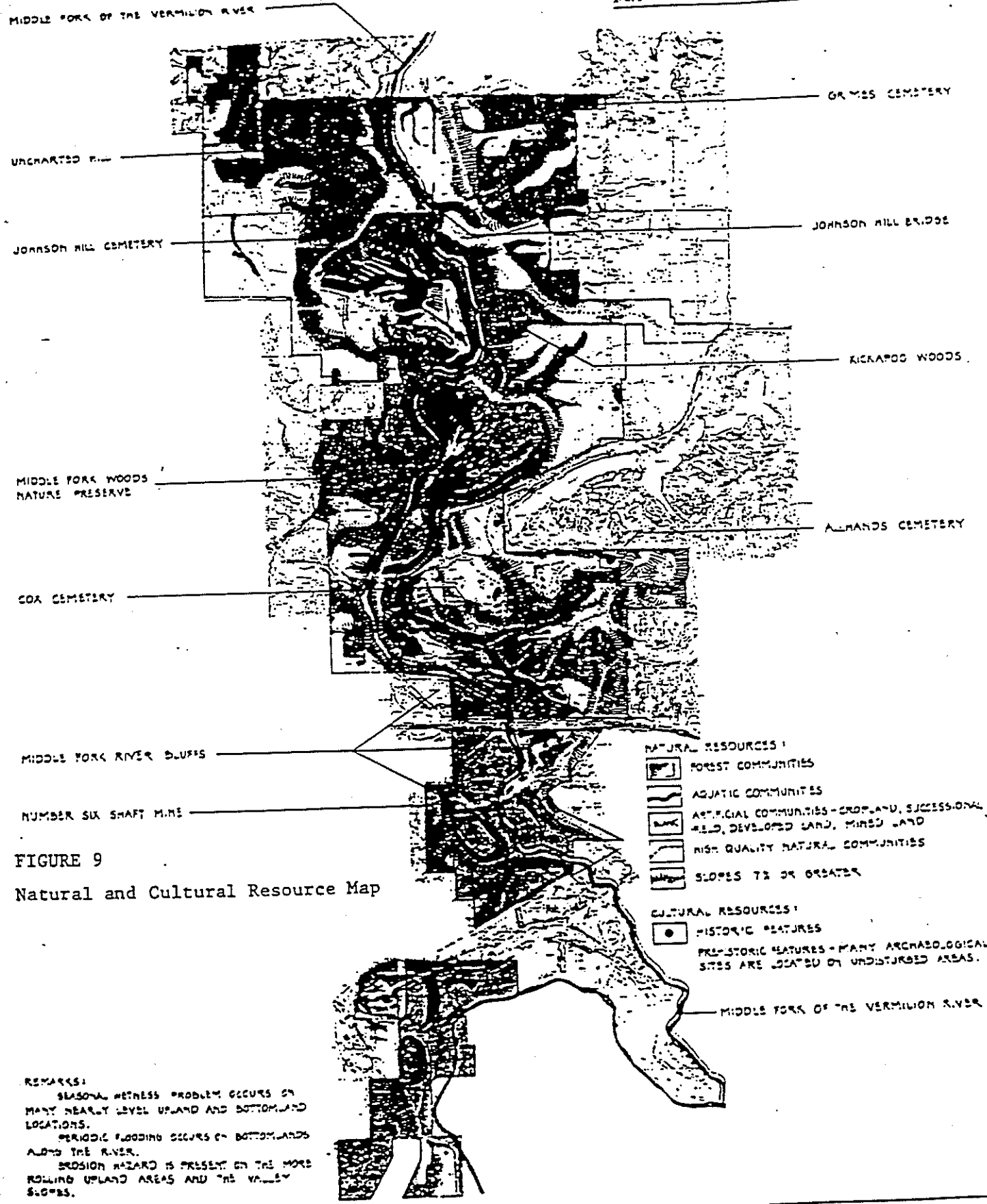








FIGURE 9
 Natural and Cultural Resource Map

- NATURAL RESOURCES:**
-  FOREST COMMUNITIES
 -  AQUATIC COMMUNITIES
 -  ARTIFICIAL COMMUNITIES - CROPLAND, SUCCESSIONAL FIELD, DEVELOPED LAND, MINED LAND
 -  HIGH QUALITY NATURAL COMMUNITIES
 -  SLOPES 7% OR GREATER
- CULTURAL RESOURCES:**
-  HISTORIC FEATURES
 - PREHISTORIC FEATURES - MANY ARCHAEOLOGICAL SITES ARE LOCATED THROUGHOUT THE SITE

REMARKS:

- SEASONAL WETNESS PROBLEM OCCURS ON MANY NEARLY LEVEL UPLAND AND BOTTOMLAND LOCATIONS.
- PERIODIC FLOODING OCCURS ON BOTTOMLANDS ALONG THE RIVER.
- EROSION HAZARD IS PRESENT ON THE MORE ROLLING UPLAND AREAS AND THE VALLEY SLOPES.

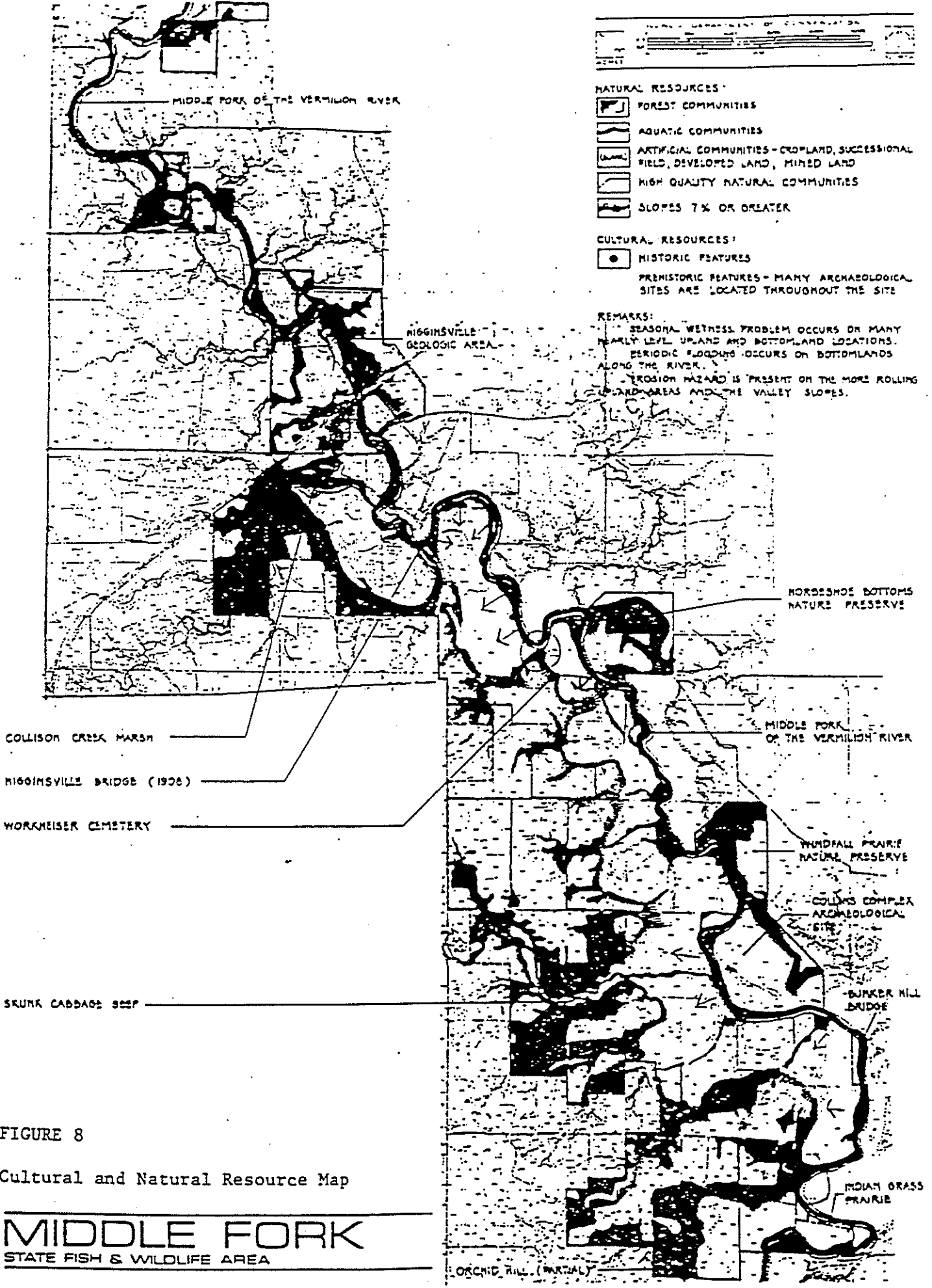


FIGURE 8
 Cultural and Natural Resource Map

MIDDLE FORK
 STATE FISH & WILDLIFE AREA

In addition to the natural areas identified by the Illinois Natural Areas Inventory, Illinois has a State Nature Preserves system. A Nature Preserve is an area of land or water that is formally dedicated in agreement with the landowner, the Illinois Nature Preserves Commission, and the Governor to be maintained in its natural state. Uses of State Nature Preserves must be in harmony with their preservation. There are 198 dedicated nature preserves in Illinois. There are three State Nature Preserves in the Middle Fork River Corridor: Middle Fork Woods, Windfall Prairie, and Horseshoe Bottom. The Middle Fork River, discussed in Section Two, was identified in the Illinois Natural Areas Inventory as an outstanding example of the rivers of the Wabash and Ohio River watershed. The other sites are described in more detail below.

Middle Fork Woods

Middle Fork Woods is the most significant forested natural area on the Middle Fork River. Its 83 acres include high quality mesic upland forest, ephemeral ponds, seep springs, and ravines showing notable exposures of glacial till and bedrock.

The forest largely consists of red, white and black oaks, shagbark hickory, and shingle oak. Swamp white oak is found in the wettest areas. Understory vegetation include ironwood, redbud, sassafras, blue beech, slippery elm, hawthorn, white ash, and dogwood. Ground cover includes lady fern and broad beech fern. Herbaceous plants of note include squirrel corn, green violet, Gleason's trillium, firepink, and squawroot. A glacial period relict species, wild sarsaparilla (*Aralia nudicaulis*), is also found here. In addition, this is the only known site in Illinois of the State endangered silvery salamander.

Windfall Prairie

Windfall Prairie is a 61 acre site characterized by a hill prairie and calcareous seeps, which overlooks the Middle Fork River.

The hill prairie bluff has interesting prairie flora in which little bluestem and sideoats grama are predominant. This area also supports Indian grass, prairie dock, and such wildflowers as Indian paint brush, pale purple coneflower, and butterfly weed. A total of 62 prairie plant species have been identified at this prairie site by Illinois Natural History Survey and Illinois Department of Conservation. A complete list of these prairie plant species is in Appendix I.

The calcareous seeps support a mixture of prairie and marsh plants. There is black willow, common horsetail, Indian plantain, and grass of parnassus. The forested areas predominantly contain black and white oak and hickory.

Orchid Hill

Orchid Hill is a 144 acre natural area characterized by forest, wet-mesic floodplain forest, eroding bluff and ravine, seeps and an intermittent stream. A large portion of this site is owned by the Illinois Power Company. The rest is owned by the Illinois Department of Conservation. Recently Illinois Power Company dedicated their portion of Orchid Hill as a Natural Heritage Landmark in a management agreement with the Department of Conservation.

Trees found on the site include white and red oak, hickory, and eastern red cedar. Silver maple and American elm are found in the bottomland area.

The seeps support such plants as marsh marigold, spikemoss, stiff gentian, and grass-of-Parnassus.

Orchid Hill provides habitat for many species of uncommon orchids. The presence of these orchids has been documented by Dr. Charles Sheviak of the Botanical Museum of Harvard University and described in the 1973 report by the Illinois Nature Preserves Commission. Orchids that have been found on the site include late coral root orchid (Corallorhiza odontorhiza), long bracted orchid (Habenaria viridis), nodding ladies' tresses orchid (Spiranthes cernua), slender ladies' tresses orchid (Spiranthes lacera), and yellow lady's slipper (Cypripedium calceolus). This is the southernmost location in Illinois where the long-bracted orchid is found. The nodding ladies' tresses orchid is unusual this far north.

Higginsville Geologic Area

The Higginsville Geologic Area is a natural area because of its unique geology. The geologic section is a large bluff that exposes outstanding Illinoian and Wisconsinan formations and contains an almost complete fill sequence for the upper part of the stratigraphic section. The geology formation here has been radio-carbon dated at more than 50,000 years.

The soil was developed between the Illinoian and Wisconsinan glacial stages. Unexpectedly, the wood samples collected were identified as Bald Cypress, a tree representative of a warmer climate. This area has been written about extensively and is used for educational purposes due to its unusual geologic characteristics. Some of the findings have been published in William H. Johnson's Stratigraphy of East-Central Illinois.

Horseshoe Bottom

This State Nature Preserve has several diverse plant communities and interesting geology, making it a most unusual site, unlike any other Nature Preserve in Illinois. It is 88 acres in size. The Middle Fork River forms its western boundary. The site is

characterized by a horseshoe shaped floodplain bordered by bluffs. Portions of the preserve in various stages of old field succession serve as a buffer area. This area contains floodplain forest, hill prairies, steep bluffs, and a large spring-fed slough. The slough supports swamp white oak, willows, pin oak, buttonbush, and marsh marigold. The floodplain forest contains black ash and pin oak. This is the only site in the Middle Fork River valley where black ash grows.

CHAPTER SEVEN: THREATENED OR ENDANGERED SPECIES

Mammals

There are no threatened or endangered mammal species known to occur in the Middle Fork River Corridor; however, within their ranges there is suitable habitat in the corridor for the Illinois threatened bobcat (Felis rufus) and the Federally endangered Indiana bat (Myotis sodalis).

Birds

There are 17 species of state threatened or endangered birds which use the Middle Fork River Corridor sometime during the year (Appendix J). Of these, 7 species have attempted breeding in the area. These include: pied-billed grebe, least bittern, northern harrier, Cooper's hawk, long-eared owl, veery, and Henslow's sparrow.

Amphibians

The State endangered silvery salamander (Ambystoma platineum) lives in two ponds adjacent to the Middle Fork River and in a wooded ravine extending down to the river. This is the only known site of occurrence for this species in Illinois. First discovered in the corridor in 1973, this species was previously found in a few localities in Ohio, Michigan, Indiana, Massachusetts, and New Jersey. The Illinois Natural History Survey, in a 1975 letter to the Department of Conservation, has identified this colony of salamanders to be of inestimable value in scientific research.

Fish

The State endangered fish, bluebreast darter (Etheostoma camurum), is found in the Middle Fork River. This is the only known site in Illinois and its westernmost occurrence in the United States. The range of the bluebreast darter is illustrated in Figure 10. Its occurrence in the Middle Fork River was most recently established in July, 1986 by the Illinois Department of Conservation. It was first reported in 1930 by the Illinois Natural History Survey. Its

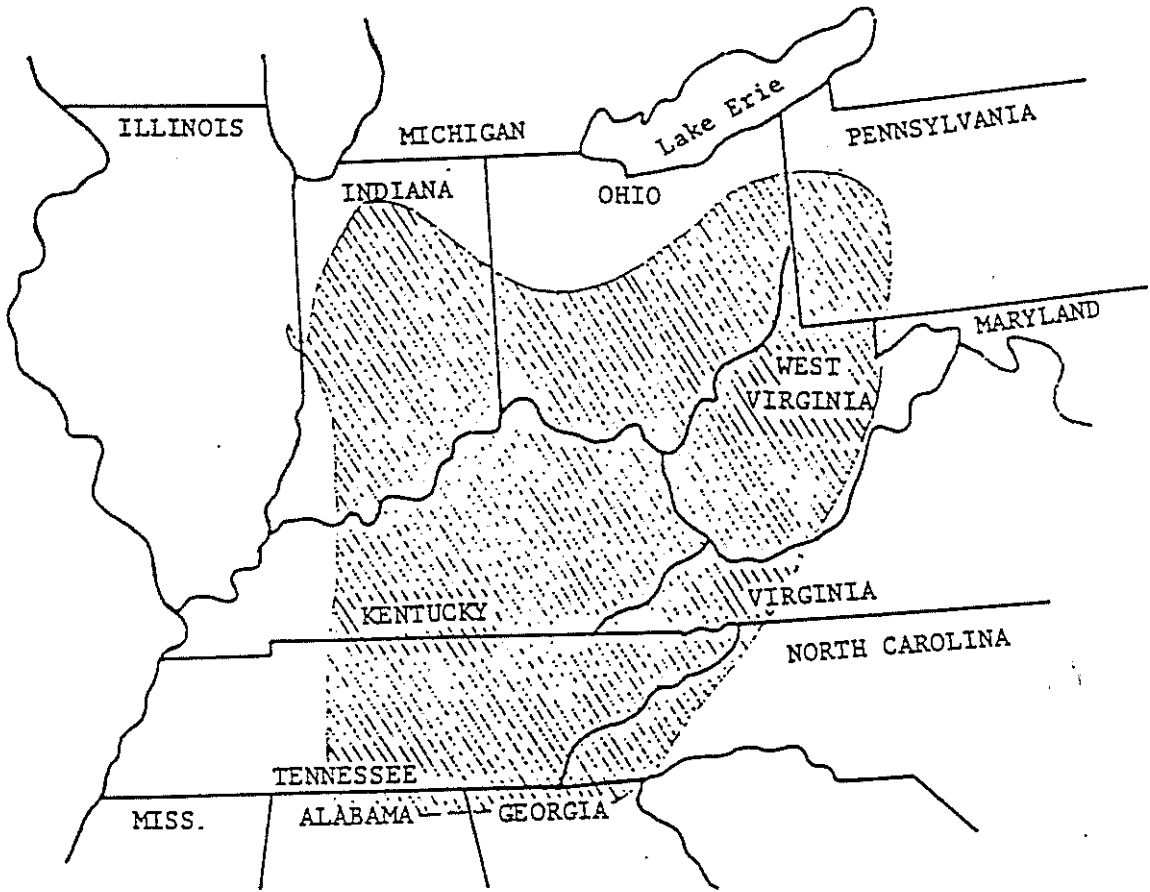


FIGURE 10

DISTRIBUTION MAP - BLUEBREAST DARTER

habitat is restricted to swift gravelly riffles containing large boulders. The river redhorse is a State threatened species found in the Middle Fork.

Mussels

There are 6 State endangered species and one threatened species of mussels found in the Middle Fork River. These species were all added to the State list in 1989. A species list is provided in Appendix J.

CHAPTER EIGHT: ARCHAEOLOGICAL AND HISTORIC RESOURCES

Introduction

The Middle Fork River Corridor is rich in archaeological sites. One-hundred prehistoric sites, representing 6,000 years of Illinois prehistory, were recorded during the 1975 State survey of the area. The earlier sites date from the middle of the Archaic stage. More numerous than the Middle Archaic sites, are the Late Archaic sites dated about 1500 B.C. The most well know archaeological site is the Collins complex of the Late Woodland period. It is possible that some of the 100 sites are the habitations of the followers of Kennekuk, the nineteenth century Indian prophet who maintained a settlement on the river from 1812 to 1832. Others may relate to earlier historic Indian occupations in east-central Illinois.

In addition to the Indian habitation of the area, five Indian trails are recorded to have crossed the Middle Fork River. The exact locations of these trails is uncertain. The Hopkin's trace may have been located within the current corridor. The other four trails are the Sauk and Kickapoo trace, the Detroit trace, the G.S. Hubbard trace, and Beckwith's trail.

Collins Archaeological Site

The Collins Archaeological Site is actually a complex of several sites. It is included on the National Register of Historic Places. It is a Late Woodland ceremonial center dated 900-1100 A.D., and was first investigated by professional archaeologists in 1957. It is an important cultural resource which can provide data pertinent to the study of prehistory.

The ceremonial nature of the Collins complex is significant. It is known that the historic Miami tribe considered the Middle Fork River valley sacred and brought their dead to be buried there. Perhaps prehistoric man had similar beliefs which led him to choose the Middle Fork valley for burial and ceremonial purposes. There is evidence of some acceptance of Mississippian religious forms of winter solstice celebrations. Indians apparently gathered here to cremate and bury their dead, and perhaps hold feasts.

This site may require special management to prevent encroachment of woody plants, which could damage the strata of historic remains. Recreational use in the area and interpretive visits must be designed to avoid damaging this site. Close coordination of management of this site should involve Vermilion County Conservation District, IDOC's staff archaeologist, and the Historic Preservation Agency to ensure protection of this important site.

CHAPTER NINE: RECREATIONAL RESOURCES VALUES

Introduction

Besides the Middle Fork River itself, recreation in the corridor is provided at three publicly owned areas: Kickapoo State Park, Middle Fork State Fish and Wildlife Area, and Kennekuk Cove County Park. A wide variety of outdoor recreation opportunities are provided within these recreation areas, which together comprise over 8,700 acres of land and water. Each of the three parks is first discussed individually, then a recreational demand analysis for the region is given.

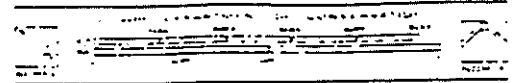
Kickapoo State Park

The State Park encompasses 2,843 acres. About half of the park was strip mined for coal in the 1930's. Since that time, the land has regenerated. This previously strip-mined area is now covered with cottonwoods, ash, haws, and wild cherry trees. The 30 stripmine ponds and lakes now provide habitat for aquatic plants and insects, amphibians, and fish. A wide variety of plant and animal life can be found in the park including forests of oaks, beech, maples and dogwoods, wildflowers such as, jack-in-the-pulpits, bluebells, sweet williams and dutchman's breeches, and wildlife such as white-tailed deer, raccoons, beaver, muskrats, squirrels, and an abundance of birds.

This park is used for nature hikes, bird watching, photography, hunting, camping, picnicking and fishing. The Figure 11 map shows most of the facilities in the park. There are about 200 surface acres of water in lakes and ponds and 50 surface acres of the Middle Fork River in the park. The lakes and river provide fishing for largemouth and smallmouth bass, bluegill, channel catfish, crappie, and rainbow trout. There are 13 boat launching ramps on nine lakes and two river access sites in the park. Two handicapped-access fishing areas are provided. Boat and canoe rentals are available, but only electric motors are allowed. Scuba diving is allowed in two lakes in the park.

Canoeing the Middle Fork River is a popular activity. The river is well suited for both novice and experienced canoeists since it rages at high flows, but is much meeker at low flows. There is a

MIDDLE FORK OF THE VERMILION RIVER



JOHNSON HILL BRIDGE

NORTH HUNTING UNIT
1016 ACRES

LAKES & PONDS (30)
200± SURFACE ACRES
20± BOAT LAUNCH RAMP (18)

ORGANIZED
GROUP CAMPGROUND

STAFF RESIDENCE

SERVICE CENTER

DAY-USE UNITS :

- 1 CYPRESS
- 2 SOUTH CLEAR LAKE
- 3 IRONWOOD
- 4 THE MEADOW
- 5 MAPLE
- 6 WALNUT
- 7 WHITE TAIL
- 8 PAVILION
- 9 ALLIANCE
- 10 NORTH RISE LAKE
- 11 SOUTH RISE LAKE
- 12 NUMBER SIX LAKE

SITE OFFICE

CONCESSION

HIKING TRAILS :

- WHITE OAK SELF-BUILD NATIVE TRAIL
0.5 MILE
- IRON LAKE TRAIL
0.35 MILE

CANOE ACCESS / MAIN PARK ROAD BRIDGE

BOAT RENTAL CONCESSION

WHITE OAK CAMPGROUND

65 CLASS D SITES
14 CLASS C SITES

REDSAR CAMPGROUND

30 CLASS C SITES

KICKAPOO PROPERTY
2,843 ACRES

FIGURE 11

Existing Facilities

ROUTE 160

MIDDLE FORK OF THE VERMILION RIVER

SOUTH HUNTING UNIT
121 ACRES

SALF FORK OF THE VERMILION RIVER

variety of scenery and plant and animal life to keep any canoeist interested. The pools and many riffles also heighten the quality of the canoe trip. A person canoeing a 12-mile trip ending in the park will pass under two bridges. Only one of these bridges is open to vehicle traffic. There are various sand and gravel bars for restive stops. Figure 12 is a map showing the canoe access site locations on the Middle Fork River.

The canoe rental concession shows for 1985, 690 half-day canoe trips and 230 full-day trips. (Figures are not available for privately owned canoe usage.)

In 1990 the attendance at the park was 583,425. Camping and picnicking are very popular in the park. There are three main picnic areas in the park with tables, stoves, water, and playground equipment. Three campground areas provide for camping in tents and trailers. A sanitary dump station and electrical hookups are also available.

Hunting is available on 1,237 acres of the park. During the hunting season of 1989-90, there were 1,253 hunting trips taken in the park. Shotgun hunting is permitted for squirrel, pheasant, deer, coyote, quail, rabbit, dove, and woodcock. Archery hunting for coyote and deer and night hunting with rifles for raccoon, opossum, coyote and striped skunk are also permitted.

In winter, ice skating, ice fishing, and sledding are popular activities in the park.

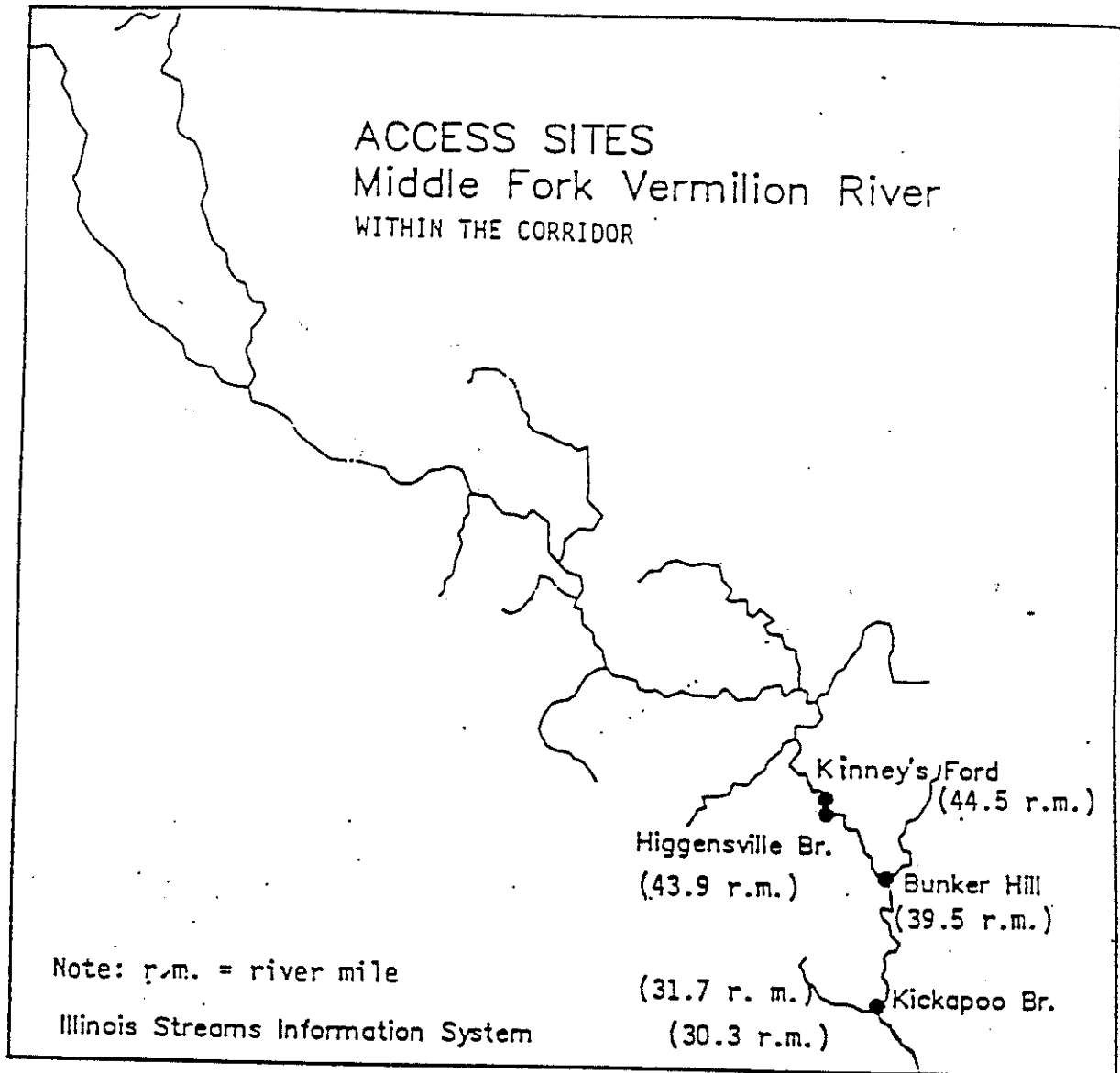
Middle Fork State Fish and Wildlife Area

The 2,700 acre Middle Fork State Fish and Wildlife Area largely serves as a hunting and equestrian use area. Figure 13 is a map showing existing facilities. Shotgun hunting is permitted for deer, squirrel, pheasant, quail, rabbit, dove, woodcock, and coyote. Archery hunting for coyote and deer and night hunting with rifles for coyote, raccoon, opossum, and striped skunk are also permitted. There are also 35 miles of equestrian trails that can be used for hiking. In addition, there is an equestrian campground with picnic facilities. There are also 17 miles of trail available for snowmobiling and six miles maintained for cross-country skiing. The 1990 attendance at the site was 46,843.

Large populations of upland game make this a popular hunting area. During the hunting season of 1989-90, the site provided 1,375 hunter use days that occurred, yielding 7,707 units of harvested game. There are good game populations at the site of pheasant, quail, rabbit, squirrel, and deer.

The Middle Fork River provides excellent fishing opportunities for smallmouth bass, bluegill, sunfish, crappie, channel cat, and bullheads. There are 108 surface acres of the Middle Fork River within this site. Access to the river is by footpaths and by three undeveloped boat access sites. No boat ramps are provided, but

FIGURE 12



canoes or small boats can be carried down to the river at these sites. Putting in at the northernmost access site in the Corridor at Kinny's Ford and taking out at the southernmost access site in Kickapoo State Park provides a 12.8 mile canoe trip.

Kennekuk Cove County Park

This Vermilion County Conservation District park lies on the east side of the Middle Fork River, directly across the river from the Middle Fork State Fish and Wildlife Area. This park contains about 2,900 acres. Lake Mingo is a 170 acre lake on Windfall Creek in the park with boat ramps and docks provided. There is also a large swimming beach on the lake. Several ponds in the park also provide fishing. There are several picnic areas, some with shelters and playgrounds. The park has six trail loops for hiking and a nature center. In winter, the park offers ice skating, ice fishing, and sledding. Figure 14 is a map of the site.

The park also contains Vermilion Church, a National Historic Site, built in 1886. It contains the original podium, bell, and stove. Replicas of the reed organ, pews, and kerosene lamps have been added for authenticity.

Recreational Demand and Carrying Capacity Analysis

As a recreational resource the Middle Fork River mainly serves to provide canoeing and fishing. In east-central Illinois (Region 3 B in Figure 15), there is great demand for these activities. This region's demand for fishing, when compared to the state's other six regions, is third highest with a demand level in 1985 of 5,720,000 person activity days. (Table 6 shows the data comparisons by region.)

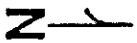
The river receives only light fishing in its upper reaches, but fishing activity increases further downstream. At Kickapoo State Park, fishing activity on the river is heavy. The river is known for its excellent smallmouth bass fishing. In the 1975 Illinois Department of Conservation study, it was estimated that a Middle Fork River Corridor park would supply 58,000 person activity days of fishing.

Canoeing demand in the region is also high. The east-central region's demand for canoeing in 1985 was 212,132 person activity days, fourth out of the seven regions in the state. (Table 6 shows the data comparisons by region.)

The 1975 Illinois Department of Conservation study determined the canoeing season on the Middle Fork River to be March 15 to November 30. Since there are stream flow conditions too low or too high for safe or enjoyable canoeing, the study determined the average number of days per season when the river was either too high or too low for canoeing. During the canoeing season it was determined that on the average there remained 230 canoeable days on the Middle Fork River with an instream flow of at least 100 cubic feet per second. This same study also estimated that a Middle Fork River Corridor

KENNEKUK COVE COUNTY PARK

- LEGEND**
- ROADS **==** PARKING **—**
 - HIKING TRAILS **---**
 - 1 WOODLAND PRAIRIE
 - 2 RIVER BLUFF
 - 3 RACCOON RUN
 - 4 HIDDEN VALLEY
 - 5 EXERCISE COURSE
 - 6 LOOKOUT POINT
 - SHELTERS **▽**
 - PLAY GROUNDS **○**



KENNEKUK
1048

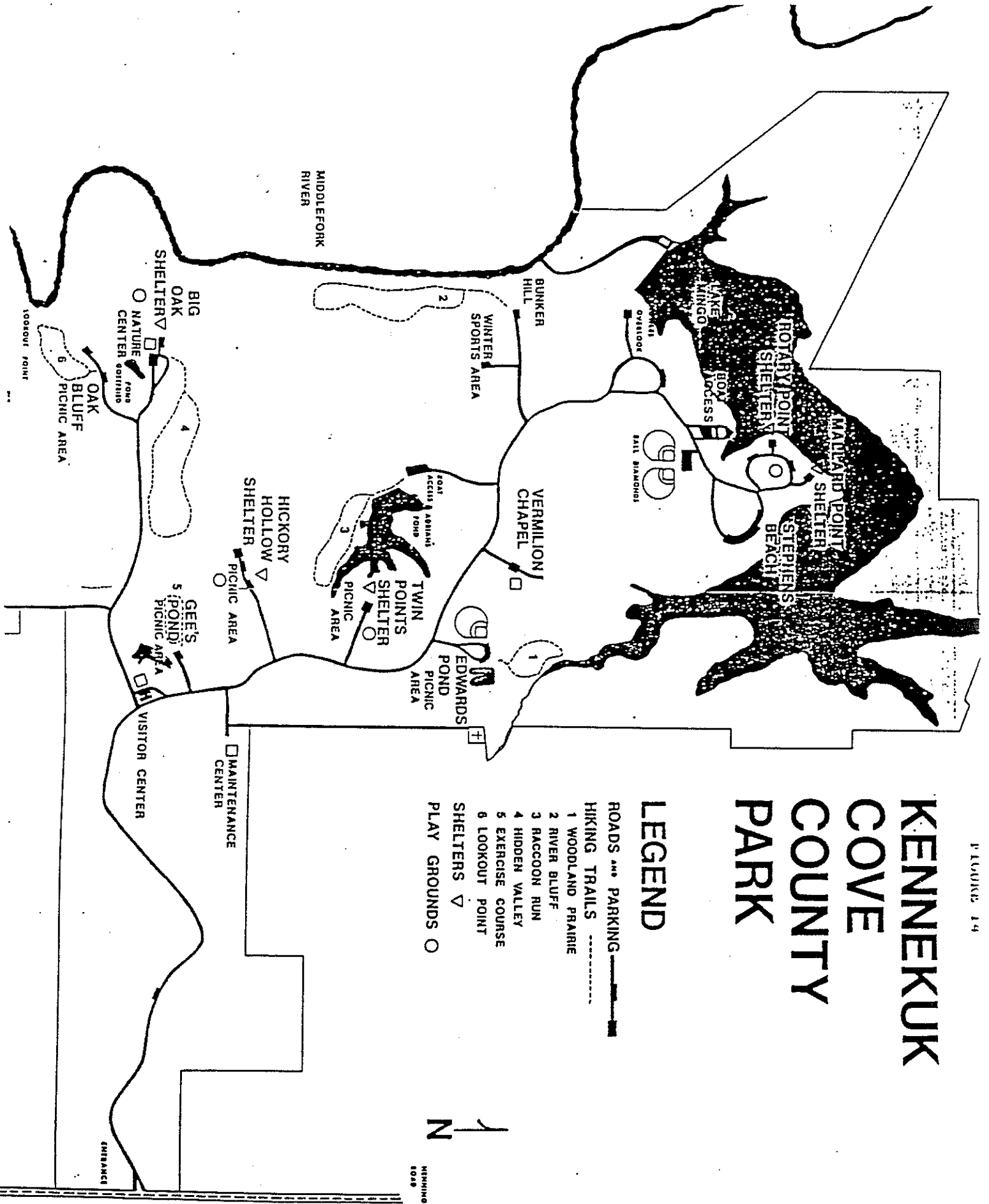


FIGURE 15

STATE PLANNING REGIONS

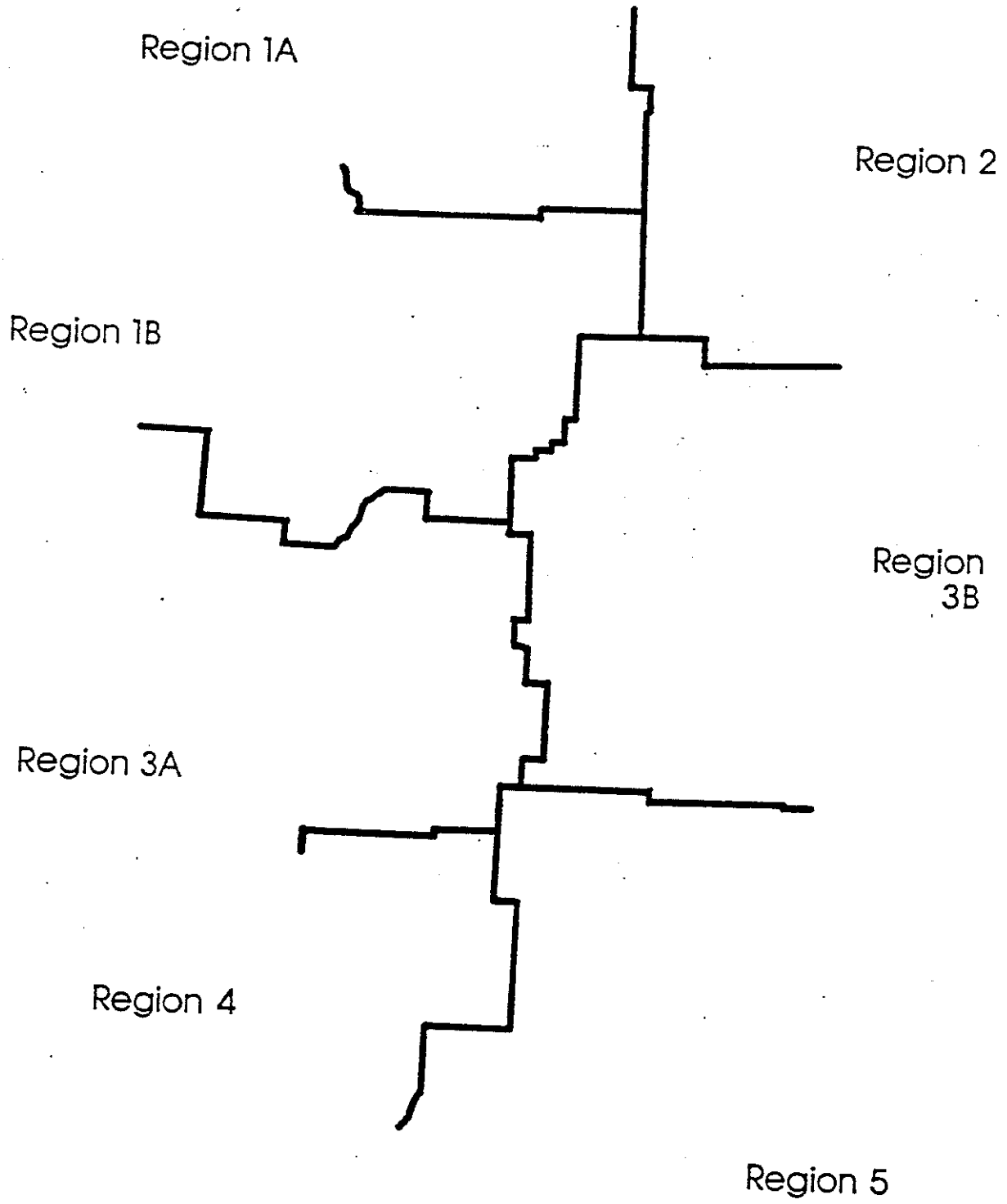


Table 6
REGIONAL RECREATION NEED FOR FISHING AND CANOEING

Fishing:

Region	Participation in Activity Days ¹		Supply ²	Relative Need Indicator ³		
	1985	1990		1985	Rank	1990
1A	3,680,000	4,070,000	2,950,000	730,000	4	1,120,000
1B	7,040,000	7,800,000	6,220,000	820,000	3	1,580,000
2	16,390,000	18,160,000	5,240,000	11,150,000	1	12,920,000
3A	4,220,000	4,680,000	7,210,000	(2,290,000)	7	(2,520,000)
3B	5,720,000	6,340,000	1,970,000	3,750,000	2	4,370,000
4	3,450,000	3,820,000	2,950,000	500,000	5	870,000
5	4,900,000	5,430,000	6,220,000	(1,320,000)	6	(790,000)
	45,400,000	50,300,000	32,760,000			

Canoeing:

Region	Participation in Activity Days ⁵		Supply ⁶	Relative Need Indicator ⁷		
	1985	1990		1985	Rank ⁴	1990
1A	123,029	139,736	183	672	6	764
1B	359,647	404,435	164	2,193	3	2,466
2	524,202	593,475	297	1,765	4	1,988
3A	29,777	31,887	193	154	7	165
3B	212,132	235,520	55	3,857	1	4,282
4	19,887	22,087	16	1,243	5	1,380
5	281,861	300,533	75	3,758	2	4,007
	12,926,531	14,362,727	770			

¹ Resident and non-resident sport fishing activity days.

² Supply of quality angling days.

³ Participation activity days minus supply in quality angling days.

⁴ Regions are ranked from relatively worst supplied (ranked 1) to relatively best supplied (ranked 7), in relation to participation.

⁵ Resident and non-resident canoeing on rivers and streams activity days.

⁶ Miles of publicly and privately provided rivers allowing canoeing.

⁷ Participation activity days divided by supply in miles of trail.

Source: Outdoor Recreation In Illinois: The 1983 Policy Plan, SCORP, Illinois Department of Conservation

park would provide 11,000 person activity days of canoeing per year. This translates to 48 people per day canoeing on the river on canoeable days. Assuming two people per canoe, this means twenty-four canoes per day. Demand and supply estimates for other recreation activities are given in Table 7.

Table 7
 REGION NEEDS IN REGION 3 B
 AND
 RECREATION PROVIDED BY MIDDLE FORK RIVER CORRIDOR PARK

Recreation Activity	Region 3 B Person Activity Days		Needs/ (Surplus)	Person Activity Days Provided by the Corridor
	Demand (1975)	Supply (1971)		
Picnicking	4,893,000	6,157,000	(1,264,000)	439,000
Camping <u>a/</u>	2,733,000	1,634,000	1,099,000	498,000
Family	--	--	--	85,000
Group	--	--	--	413,000
Swimming <u>b/</u>	11,041,000	4,808,000	6,233,000	294,000
Beach	--	--	--	294,000
Pools	--	--	--	--
Hunting <u>d/</u>	1,421,000	182,000	1,239,000	9,900
Golf <u>e/</u>	1,690,000	1,944,000	(254,000)	--
Fishing <u>c/f/</u>	4,148,000	705,000	3,443,000	58,000
Boat	--	--	--	25,000
Bank	--	--	--	33,000
Power boating <u>c/</u>	1,319,000	227,000	1,092,000	--
Water skiing <u>c/</u>	395,000	24,000	371,000	--
Canoeing, low-power, and row boating <u>c/</u>	2,093,000	1,144,000	949,000	221,000
Sailboating	1,714,000	463,000	1,251,000	--

-
- a/ Regional supply does not include group camp areas.
 - b/ Regional supply includes pools (no beaches).
 - c/ Supply based on effective acreage from 1972 Illinois SCORP.
 - d/ Supply includes public wildlife management lands and designated private hunting lands.
 - e/ Demand based on MRI annual participation estimate.
 - f/ Regional supply includes both boat and bank fishing.
 - Data not available.

Source: Illinois DOC and MRI, 1975 Middle Fork Reservoir Environmental Assessment.

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PART THREE: APPENDICES

APPENDIX A

Public Law 90-542
(16 U.S.C. 1271 et seq.)
WILD AND SCENIC RIVERS ACT
as amended
through P.L. 96-580, December 23, 1980

AN 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 (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 river 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, including, upon application of the Governor of the State concerned, the Allagash Wilderness Waterway, Maine; that segment of the Wolf River, Wisconsin, which flows through Langlade County; and that segment of the New River in North Carolina extending from its confluence with Dog Creek downstream approximately 26.5 miles to the Virginia State line. 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).

(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, and 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:

(1) CLEARWATER, MIDDLE FORK, IDAHO.--The Middle Fork from the town of Kooskia upstream to the town of Lowell; the Lochsa River from its junction with the Selway at Lowell forming the Middle Fork, upstream to the Powell Ranger Station; and the Selway River from Lowell upstream to its origin; to be administered by the Secretary of Agriculture.

(2) ELEVEN POINT, MISSOURI.--The segment of the river extending downstream from Thomasville to State Highway 142; to be administered by the Secretary of Agriculture.

(3) FEATHER, CALIFORNIA.--The entire Middle Fork downstream from the confluence of its tributary streams one kilometer south of Beckwourth, California; to be administered by the Secretary of Agriculture.

APPENDIX A

FEDERAL WILD AND SCENIC RIVERS ACT (P.L. 90-542)

(4) RIO GRANDE, NEW MEXICO.--The segment extending from the Colorado State line downstream to the State Highway 96 crossing, and the lower four miles of the Red River; to be administered by the Secretary of the Interior.

(5) ROGUE, OREGON.--The segment of the river extending from the mouth of the Applegate River downstream to the Lobster Creek Bridge; to be administered by agencies of the Departments of the Interior or Agriculture as agreed upon by the Secretaries of said Departments or as directed by the President.

(6) SAINT CROIX, MINNESOTA AND WISCONSIN.--The segment between the dam near Taylors Falls, Minnesota, and the dam near Gordon, Wisconsin, and its tributary, the Namekagon, from Lake Namekagon downstream to its confluence with the Saint Croix; to be administered by the Secretary of the Interior: Provided, That except as may be required in connection with items (a) and (b) of this paragraph, no funds available to carry out the provisions of this Act may be expended for the acquisition or development of lands in connection with, or for administration under this Act of, that portion of the Saint Croix River between the dam near Taylors Falls, Minnesota, and the upstream end of Big Island in Wisconsin, until sixty days after the date on which the Secretary has transmitted to the President of the Senate and Speaker of the House of Representatives a proposed cooperative agreement between the Northern States Power Company and the United States (a) whereby the company agrees to convey to the United States, without charge, appropriate interests in certain of its lands between the dam near Taylors Falls, Minnesota, and the upstream end of Big Island in Wisconsin, including the company's right, title, and interest to approximately one hundred acres per mile, and (b) providing for the use and development of other lands and interests in land retained by the company between said points adjacent to the river in a manner which shall complement and not be inconsistent with the purposes for which the lands and interests in land donated by the company are administered under this Act. Said agreement may also include provision for State or local governmental participation as authorized under subsection (e) of section 10 of this Act. A one-thousand-three-hundred-and eighty-acre portion of the area commonly known as the Velie Estate, located adjacent to the Saint Croix River in Douglas County, Wisconsin, as depicted on the map entitled "Boundary Map/Velie Estate--Saint Croix National Scenic Riverway", dated September 1980, and numbered 630-90,001, may be acquired by the Secretary without regard to any acreage limitation set forth in subsection (b) of this section or subsection (a) or (b) of section 6 of this Act.

(7) SALMON, MIDDLE FORK, IDAHO.--From its origin to its confluence with the main Salmon River; to be administered by the Secretary of Agriculture.

(8) WOLF, WISCONSIN.--From the Langlade-Menominee County line downstream to Keshena Falls; to be administered by the Secretary of the Interior.

(9) LOWER SAINT CROIX, MINNESOTA AND WISCONSIN.--The segment between the dam near Taylors Falls and its confluence with the Mississippi River: Provided, (i) That the upper twenty-seven miles of this river segment shall be administered by the Secretary of the Interior; and (ii) That the lower twenty-five miles shall be designated by the Secretary upon his approval of

an application for such designation made by the Governors of the States of Minnesota and Wisconsin.

(NOTE: The indented portion that follows was included in the legislation adding the Lower Saint Croix River to the System (P.L. 92-560), but not as an amendment to P.L. 90-542.)

SEC. 3. The Secretary of the Interior shall, within one year following the date of enactment of this Act, take, with respect to the Lower Saint Croix River segment, such action as is provided for under section 3(b) of the Wild and Scenic Rivers Act: Provided, That (a) the action required by such section shall be undertaken jointly by the Secretary and the appropriate agencies of the affected States; (b) the development plan required by such section shall be construed to be a comprehensive master plan which shall include, but not be limited to, a determination of the lands, waters, and interests therein to be acquired, developed, and administered by the agencies or political subdivisions of the affected States; and (c) such development plan shall provide for State administration of the lower twenty-five miles of the Lower Saint Croix River segment and for continued administration by the States of Minnesota and Wisconsin of such State parks and fish hatcheries as now lie within the twenty-seven-mile segment to be administered by the Secretary of the Interior.

SEC. 4. Notwithstanding any provision of the Wild and Scenic Rivers Act which limits acquisition authority within a river segment to be administered by a Federal agency, the States of Minnesota and Wisconsin may acquire within the twenty-seven-mile segment of the Lower Saint Croix River segment to be administered by the Secretary of the Interior such lands as may be proposed for their acquisition, development, operation, and maintenance pursuant to the development plan required by section 3 of this Act.

SEC. 5. Nothing in this Act shall be deemed to impair or otherwise affect such statutory authority as may be vested in the Secretary of the Department in which the Coast Guard is operating or the Secretary of the Army for the maintenance of navigation aids and navigation improvements.

SEC. 6. (a) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed \$7,275,000 for the acquisition and development of lands and interests therein within the boundaries of the twenty-seven-mile segment of the Lower Saint Croix River segment to be administered by the Secretary of the Interior.

(b) No funds otherwise authorized to be appropriated by this section shall be expended by the Secretary of the Interior until he has determined that the States of Minnesota and Wisconsin have

initiated such land acquisition and development as may be proposed pursuant to the development plan required by section 3 of this Act, and in no event shall the Secretary of the Interior expend more than \$2,550,000 of the funds authorized to be appropriated by this section in the first fiscal year following completion of the development plan required by section 3 of this Act. The balance of funds authorized to be appropriated by this section shall be expended by the Secretary of the Interior at such times as he finds that the States of Minnesota and Wisconsin have made satisfactory progress in their implementation of the development plan required by section 3 of this Act.

(10) CHATTOOGA, NORTH CAROLINA, SOUTH CAROLINA, GEORGIA.--The segment from 0.8 mile below Cashiers Lake in North Carolina to Tugaloo Reservoir, and the West Fork Chattooga River from its junction with Chattooga upstream 7.3 miles, as generally depicted on the boundary map entitled "Proposed Wild and Scenic Chattooga River and Corridor Boundary", dated August 1973; to be administered by the Secretary of Agriculture: Provided, That the Secretary of Agriculture shall take such action as is provided for under subsection (b) of this section within one year from the date of enactment of this paragraph (10): Provided further, That for the purposes of this river, there are authorized to be appropriated not more than \$5,200,000 for the acquisition of lands and interests in lands and not more than \$800,000 for development.

(11) RAPID RIVER, IDAHO.--The segment from the headwaters of the main stem to the national forest boundary and the segment of the West Fork from the wilderness boundary downstream to the confluence with the main stem, as a wild river.

(12) SNAKE, IDAHO AND OREGON.--The segment from Hellis Canyon Dam downstream to Pittsburgh Landing, as a wild river; and the segment from Pittsburgh Landing downstream to an eastward extension of the north boundary of section 1, township 5 north, range 47 east, Willamette meridian, as a scenic river.

(13) FLATHEAD, MONTANA.--The North Fork from the Canadian border downstream to its confluence with the Middle Fork; the Middle Fork from its headwaters to its confluence to the South Fork; and the South Fork from its origin to the Hungry Horse Reservoir, as generally depicted on the map entitled "Proposed Flathead Wild and Scenic River Boundary Location" dated February 1976; to be administered by agencies of the Departments of the Interior and Agriculture as agreed upon by the Secretaries of such Departments or as directed by the President. Action required to be taken under subsection (b) of this section shall be taken within one year from the date of enactment of this paragraph. For the purposes of this river, there are authorized to be appropriated not more than \$6,719,000 for the acquisition of lands and interests in lands. No funds authorized to be appropriated pursuant to this paragraph shall be available prior to October 1, 1977.

(14) MISSOURI, MONTANA.--The segment from Fort Benton one hundred and forty-nine miles downstream to Robinson Bridge, as generally depicted on the boundary map entitled "Missouri Breaks Freeflowing River Proposal", dated October 1975, to be administered by the Secretary of the Interior. For the

purposes of this river, there are authorized to be appropriated not more than \$1,800,000 for the acquisition of lands and interests in lands. No funds authorized to be appropriated pursuant to this paragraph shall be available prior to October 1, 1977.

(NOTE: The indented portion that follows was included in the legislation adding the Missouri River to the System (P.L. 94-486), but not as an amendment to P.L. 90-542.)

SEC. 202. After consultation with the State and local governments and the interested public, the Secretary shall, pursuant to section 3(b) of the Wild and Scenic Rivers Act and within one year of enactment of this Act--

(1) establish detailed boundaries of the river segment designated as a component of the National Wild and Scenic Rivers System pursuant to section 1 of this Act (hereinafter referred to as the "river area"): Provided, That the boundaries of the portion of the river area from Fort Benton to Coal Banks Landing and the portion of the river area within the boundaries of the Charles M. Russell National Wildlife Range shall be drawn to include only the river and its bed and exclude all adjacent land except significant historic sites and such campsites and access points as are deemed necessary by the Secretary, and to which the Secretary finds no reasonable alternative, as set forth in the management plan required pursuant to clause (2) of this section; and

(2) determine, in accordance with the guidelines in section 2(b) of the Wild and Scenic Rivers Act, which of the three classes--wild river, scenic river, or recreation river--best fit portions of the river segment, designate such portions in such classes, and prepare a management plan for the river area in accordance with such designation.

SEC. 203. (a) The Secretary of the Interior (hereinafter referred to as the "Secretary") shall manage the river area pursuant to the provisions of this Act and the Wild and Scenic Rivers Act, and in accordance with the provisions of the Taylor Grazing Act (48 Stat. 1269), as amended (43 U.S.C. 315), under principles of multiple use and sustained yield, and with any other authorities available to him for the management and conservation of natural resources and the protection and enhancement of the environment, where such Act, principles, and authorities are consistent with the purposes and provisions of this Act and the Wild and Scenic Rivers Act.

(b)(1) The Secretary may acquire land and interests in land only in accordance with the provisions of this Act and the Wild and Scenic Rivers Act and the limitations contained in section 6 of that Act and only: (A) at Fort Benton for the visitor facility as provided in subsection (g)(2) of this section; (B) at the site of Fort McKenzie; (C) in that portion of the river area downstream

hunting or fishing shall be permitted for reasons of public safety or administration.

(g)(1) The Secretary, acting through the Bureau of Land Management, shall exercise management responsibilities in the river area for:

- (A) the grazing of livestock;
- (B) the application of the United States mining and mineral leasing laws;
- (C) the management of fish and wildlife habitat;
- (D) the diversion and use of water for agricultural and domestic purposes;
- (E) the acquisition of lands and interests therein;
- (F) the administration of public recreational uses of, and any historic sites and campsites in, the river area; and
- (G) all other management responsibilities except those set forth in paragraph (2) of this subsection.

(2) The Secretary, acting through the National Park Service, shall be responsible for the construction, operation, and management of any visitor facility in or near Fort Benton which is found necessary in accordance with the management plan developed pursuant to section 202 and the provision, at such facility, of interpretive services for the historic, archeological, scenic, natural, and fish and wildlife resources of the area.

(15) OBED, TENNESSEE.--The segment from the western edge of the Catoosa Wildlife Management Area to the confluence with the Emory River; Clear Creek from the Morgan County line to the confluence with the Obed River; Caddys Creek from the Morgan County line to the confluence with the Obed River; and the Emory River from the confluence with the Obed River to the Nemo bridge as generally depicted and classified on the stream classification map dated December 1973. The Secretary of the Interior shall take such action, with the participation of the State of Tennessee as is provided for under subsection (b) within one year following the date of enactment of this paragraph. The development plan required by such subsection (b) shall include cooperative agreements between the State of Tennessee acting through the Wildlife Resources Agency and the Secretary of the Interior. Lands within the Wild and Scenic River boundaries that are currently part of the Catoosa Wildlife Management Area shall continue to be owned and managed by the Tennessee Wildlife Resources Agency in such a way as to protect the wildlife resources and primitive character of the area, and without further development of roads, campsites, or associated recreational facilities unless deemed necessary by that agency for wildlife management practices. The Obed Wild and Scenic River shall be managed

from Fort Benton to Coal Banks Landing for historic sites, campsites, and access points in accordance with section 202(1) of this Act; and (D) in that portion of the river area downstream from Coal Banks Landing so as to provide, wherever practicable and necessary for the purposes of this Act and the Wild and Scenic Rivers Act, rim-to-rim protection for such portion.

(2) In accordance with section 6(b) of the Wild and Scenic Rivers Act, the Secretary shall not acquire fee title to any lands by condemnation under the authority of that Act or this Act, except that the Secretary may use condemnation when necessary and within the limitations on acquisition set forth in clause (1) of this subsection to clear title, acquire scenic easements, or acquire such other easements as are reasonably necessary to give the public access to the river segment within the river area and to permit its members to traverse the length of said river area or of selected portions thereof.

(3) The Secretary shall, to the extent feasible, give priority in expenditure of funds pursuant to this Act for the acquisition and development of campsites and historic sites, including the site of the visitor center at Fort Benton and the site of Fort McKenzie.

(c) Consistent with the provisions of this Act and the Wild and Scenic Rivers Act, the Secretary may issue easements, licenses, or permits for rights-of-way through, over, or under the lands in Federal ownership within the river area, or for the use of such lands on such terms and conditions as are in accordance with the provisions of this Act, the Wild and Scenic Rivers Act, and other applicable law.

(d) The Secretary is authorized to permit the construction of a bridge across the river in the general vicinity of the community of Winifred, Montana, in order to accommodate the flow of north-south traffic. Such construction shall be in accordance with a plan which is mutually acceptable to the Secretary and State and local highway officials, and which is consistent with the purposes of this Act and the Wild and Scenic Rivers Act.

(e) To the extent and in a manner consistent with the purposes of the Wild and Scenic Rivers Act the Secretary shall permit such pumping facilities and associated pipelines as may be necessary to assure the continuation of an adequate supply of water from the Missouri River to the owners of lands adjacent to the river and for future agricultural use outside the river corridor. The Secretary is authorized to permit such pumping facilities and associated pipelines for use for fish, wildlife, and recreational uses outside the river corridor.

(f) The Secretary shall permit hunting and fishing in the river area in accordance with applicable Federal and State laws, except that he may designate zones where, and periods when, no

For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated such sums as may be necessary, but not more than \$1,650,000 for the acquisition of lands and interests in lands and not more than \$1,800,000 for development.

(18) SKAGIT, WASHINGTON.--The segment from the pipeline crossing at Sedro Woolley upstream to and including the mouth of Bacon Creek; the Cascade River from its mouth to the junction of its North and South Forks; the South Fork to the boundary of the Glacier Peak Wilderness Area; the Suiattle River from its mouth to the boundary of the Glacier Peak Wilderness Area at Milk Creek; the Sauk River from its mouth to its junction with Elliott Creek; the North Fork of the Sauk River from its junction with the South Fork of the Sauk to the boundary of the Glacier Peak Wilderness Area; as generally depicted on the boundary map entitled "Skagit River--River Area Boundary"; all segments to be administered by the Secretary of Agriculture. Riprapping related to natural channels with natural rock along the shorelines of the Skagit segment to preserve and protect agricultural land shall not be considered inconsistent with the values for which such segment is designated. After consultation with affected Federal agencies, State and local government and the interested public, the Secretary shall take such action as is provided for under subsection (b) with respect to the segments referred to in this paragraph within one year from the date of enactment of this paragraph; as part of such action, the Secretary of Agriculture shall investigate that portion of the North Fork of the Cascade River from its confluence with the South Fork to the boundary of the North Cascades National Park and if such portion is found to qualify for inclusion, it shall be treated as a component of the Wild and Scenic Rivers System designated under this section upon publication by the Secretary of notification to that effect in the Federal Register. For the purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph there are authorized to be appropriated not more than \$11,734,000 for the acquisition of lands or interest in lands and not more than \$332,000 for development.

(19) UPPER DELAWARE RIVER, NEW YORK AND PENNSYLVANIA.--The segment of the Upper Delaware River from the confluence of the East and West branches below Hancock, New York, to the existing railroad bridge immediately downstream of Cherry Island in the vicinity of Sparrow Bush, New York, as depicted on the boundary map entitled "The Upper Delaware Scenic and Recreational River", dated April 1978; to be administered by the Secretary of the Interior. Subsection (b) of this section shall not apply, and the boundaries and classifications of the river shall be as specified on the map referred to in the preceding sentence, except to the extent that such boundaries or classifications are modified pursuant to section 704(c) of the National Parks and Recreation Act of 1978. Such boundaries and classifications shall be published in the Federal Register and shall not become effective until ninety days after they have been forwarded to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph there are authorized to be appropriated such sums as may be necessary.

by the Secretary of the Interior. For the purposes of carrying out the provisions of this Act with respect to this river, there are authorized to be appropriated such sums as may be necessary, but not to exceed \$2,000,000 for the acquisition of lands or interests in lands and not to exceed \$400,000 for development. No funds authorized to be appropriated pursuant to this paragraph shall be available prior to October 1, 1977.

(16) PERE MARQUETTE, MICHIGAN.--The segment downstream from the junction of the Middle and Little South Branches to its junction with United States Highway 31 as generally depicted on the boundary map entitled "Proposed Boundary Location, Pere Marquette Wild and Scenic River,"; to be administered by the Secretary of Agriculture. After consultation with State and local governments and the interested public, the Secretary shall take such action as is provided for under subsection (b) with respect to the segment referred to in this paragraph within one year from the date of enactment of this paragraph. Any development or management plan prepared pursuant to subsection (b) shall include (a) provisions for the dissemination of information to river users and (b) such regulations relating to the recreational and other uses of the river as may be necessary in order to protect the area comprising such river (including lands contiguous or adjacent thereto) from damage or destruction by reason of overuse and to protect its scenic, historic, esthetic and scientific values. Such regulations shall further contain procedures and means which shall be utilized in the enforcement of such development and management plan. For the purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not more than \$8,125,000 for the acquisition of lands or interests in lands and \$402,000 for development.

(17) RIO GRANDE, TEXAS.--The segment on the United States side of the river from river mile 842.3 above Mariscal Canyon downstream to river mile 651.1 at the Terrell-Val Verde County line; to be administered by the Secretary of the Interior. The Secretary shall, within two years after the date of enactment of this paragraph, take such action with respect to the segment referred to in this paragraph as is provided for under subsection (b). The action required by such subsection (b) shall be undertaken by the Secretary, after consultation with the United States Commissioner, International Boundary and Water Commission, United States and Mexico, and appropriate officials of the State of Texas and its political subdivisions. The development plan required by subsection (b) shall be construed to be a general management plan only for the United States side of the river and such plan shall include, but not be limited to, the establishment of a detailed boundary which shall include an average of not more than 160 acres per mile. Nothing in this Act shall be construed to be in conflict with--

(A) The commitments or agreements of the United States made by or in pursuance of the treaty between the United States and Mexico regarding the utilization of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington, February 1944 (59 Stat. 1219), or

(B) the treaty between the United States and Mexico regarding maintenance of the Rio Grande and Colorado River as the international boundary between the United States and Mexico, signed November 23, 1970.

(B) a program for management of existing and future land and water use, including the application of available management techniques;

(C) an analysis of the economic and environmental costs and benefits of implementing the management plan including any impact of the plan upon revenues and costs of local government;

(D) a program providing for coordinated implementation and administration of the plan with proposed assignment of responsibilities to the appropriate governmental unit at the Federal, regional, State, and local levels; and

(E) such other recommendations or provisions as shall be deemed appropriate to carry out the purposes of this section.

(3) Immediately following enactment of this Act, the Secretary, through the National Park Service or such other designee, shall develop and implement such interim programs as he shall deem necessary and appropriate to protect the Upper Delaware River and its environs and to protect the public health and safety. Such interim programs shall include provisions for information to river users, education and interpretation activities, and regulation of recreational use of the river.

(4) To enable the directly affected States and their political subdivisions to develop and implement programs compatible with the management plan, the Secretary shall provide such technical assistance to the said States and their political subdivisions as he deems appropriate.

(5) The Secretary shall promote public awareness of and participation in the development of the management plan, and shall develop and conduct a concerted program to this end. Prior to final approval of the management plan, the Secretary shall hold two or more public hearings in the Upper Delaware River region of each directly affected State.

(6) Upon approval of the management plan by the Secretary, it shall be published in the Federal Register and shall not become effective until ninety days after it shall have been forwarded to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. The plan shall be administered by the Secretary in accordance with the provisions of this section and the Wild and Scenic Rivers Act. The Secretary is hereby granted such authority as may be required to implement and administer said plan.

(d) Notwithstanding any provision of the Wild and Scenic Rivers Act, the Secretary may not acquire more than a total of

(NOTE: The indented portion that follows was included in the legislation adding the Upper Delaware River to the System (P.L. 95-625), but not as an amendment to P.L. 90-542.)

(b)(1) Notwithstanding any requirement to the contrary contained in section 6(c) of the Wild and Scenic Rivers Act, within one hundred and eighty days after the date of enactment of this Act, the Secretary shall publish in the Federal Register general guidelines for land and water use control measures to be developed and implemented by the appropriate officials of the States of New York and Pennsylvania (hereinafter referred to as the "directly affected States"), by the local political subdivisions, and by the Delaware River Basin Commission (hereinafter referred to as the "Commission"). The Secretary shall provide for participation in the development of the said general guidelines by all levels of State, county, and local government, and concerned private individuals and organizations, and also shall seek the advice of the Upper Delaware Citizens Advisory Council established in subsection (f) (hereinafter referred to as the "Advisory Council"). In each of the directly affected States, prior to publication of such general guidelines, public hearings shall be conducted by the Secretary or his designee, in the region of the Upper Delaware River designated by subsection (a) (hereinafter in this section referred to as the "Upper Delaware River").

(2) The Secretary may from time to time adopt amended or revised guidelines and shall do so in accordance with the provisions of paragraph (1) hereof.

(c)(1) Within three years from the date of the enactment of this Act, the Secretary, in cooperation with the Commission, the Advisory Council, the directly affected States and their concerned political subdivisions and other concerned Federal agencies, shall develop, approve, and submit to the Governors of the directly affected States a management plan (hereinafter in this section referred to as the "management plan" or "the plan") for the Upper Delaware River which shall provide for as broad a range of land and water uses and scenic and recreational activities as shall be compatible with the provisions of this section, the Wild and Scenic Rivers Act, and the general guidelines for land and water use controls promulgated by the Secretary under the provisions of subsection (b).

(2) The plan shall apply to the Upper Delaware River and shall set forth--

(A) a map showing detailed final landward boundaries, and upper and lower termini of the area and the specific segments of the river classified as scenic and recreational, to be administered in accordance with such classifications;

this section within forty-five days from the date he receives notice of the local government action.

(4) In those sections of the Upper Delaware River where such local plans, laws, and ordinances, or amendments thereto or variances therefrom, are found by the Secretary not to be in conformance with the guidelines or the management plan promulgated pursuant to subsections (b) and (c) of this section, respectively, or are not being enforced in such manner as will carry out the purposes of this section (as determined by the Secretary), the Secretary is hereby authorized to acquire land or interests in land in excess of the acreage provided for in subsection (d) of this section. Land and interests in land acquired pursuant to this subsection shall be restricted to the geographical area of the local governmental unit failing to conform with the said guidelines or management plan, and shall be limited to those lands clearly and directly required, in the judgment of the Secretary, for protection of the objectives of this Act. The total acreage of land and interests in land acquired pursuant to this subsection shall not in any event exceed the limitations contained in section 6(a) of the Wild and Scenic Rivers Act. This subsection shall apply notwithstanding the first sentence of section 6(c) of the Wild and Scenic Rivers Act. Notwithstanding any limitation on amounts authorized to be appropriated for acquisition of land and interests in land which is contained in section 3(a)(21) of the Wild and Scenic Rivers Act or in any other provision of law, there are authorized to be appropriated such sums as may be necessary to carry out this subsection.

(f)(1) At the earliest practicable date following enactment of this Act, but no later than one hundred and twenty days thereafter, there shall be established an Upper Delaware Citizens Advisory Council. The Advisory Council shall encourage maximum public involvement in the development and implementation of the plans and programs authorized by this section. It shall report to the Commission and the Secretary from time to time during preparation of the management plan. Following completion of the management plan, it shall report to the Secretary and the Governors of the directly affected States no less frequently than once each year its recommendations, if any, for improvement in the programs authorized by this Act, or in the programs of other agencies which may relate to land or water use in the Upper Delaware River region.

(2) Membership on the Advisory Council shall consist of seventeen members appointed as follows: there shall be--

(A) six members from each of the directly affected States appointed by the Secretary from nominations submitted by the legislatures of the respective counties and appointed such that two members shall be from each of Orange, Delaware, and Sullivan Counties, New York, and

four hundred and fifty acres of land and interests in land for access, development sites, the preservation of scenic qualities, or for any other purposes: Provided, That the Secretary may acquire additional land and interests in land for such purposes not in excess of one thousand acres if such additional acquisition is recommended and provided for in the management plan as finally approved by the Secretary. The limitations contained in this section shall not apply under the circumstances set forth in subsection (e)(4) of this section. Prior to acquisition of any land or interests in land which has been used for business purposes during the annual period immediately preceding the date of the enactment of this Act, the Secretary shall first make such efforts as he deems reasonable to acquire easements or restrictive covenants, or to enter into any other appropriate agreements or arrangements with the owners of said land, consistent with the purposes of this section.

(e)(1) For the purpose of protecting the integrity of the Upper Delaware River, the Secretary shall review all relevant local plans, laws, and ordinances to determine whether they substantially conform to the approved management plan provided for in subsection (c) and to the general guidelines promulgated by the Secretary pursuant to subsection (b). Additionally, the Secretary shall determine the adequacy of enforcement of such plans, laws, and ordinances, including but not limited to review of building permits and zoning variances granted by local governments, and amendments to local laws and ordinances.

(2) The purpose of such reviews shall be to determine the degree to which actions by local governments are compatible with the purposes of this section. Following the approval of the management plan and after a reasonable period of time has elapsed, but not less than two years, upon a finding by the Secretary that such plans, laws, and ordinances are nonexistent, are otherwise not in conformance with the management plan or guidelines, or are not being enforced in such manner as will carry out the purposes of this section (as determined by the Secretary), the Secretary may exercise the authority available to him under the provisions of paragraph (4) hereof.

(3) To facilitate administration of this section, the Secretary may contract with the directly affected States or their political subdivisions to provide, on behalf of the Secretary, professional services necessary for the review of relevant local plans, laws, and ordinances, and of amendments thereto and variances therefrom, and for the monitoring of the enforcement thereof by local governments having jurisdiction over any area in the region to which the management plan applies. The Secretary shall notify the appropriate State or local officials as to the results of his review under

three members shall be from each of Wayne and Pike Counties, Pennsylvania (at least one appointee from each county shall be a permanent resident of a municipality abutting the Upper Delaware River);

(B) two members appointed at large by each Governor of a directly affected State; and

(C) one member appointed by the Secretary.

The Secretary shall designate one of the aforesaid members to serve as Chairperson of the Advisory Council who shall be a permanent resident of one of the aforementioned counties. Vacancies on the Advisory Council shall be filled in the same manner in which the original appointment was made. Members of the Advisory Council shall serve without compensation as such, but the Secretary is authorized to pay expenses reasonably incurred by the Advisory Council in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(g) With respect to the land and water in areas which are not owned by the United States but which are within the boundaries of the segment of the Delaware River designated as a wild and scenic river under subsection (a), the Secretary is authorized to enter into contracts with the appropriate State or political subdivisions thereof pursuant to which the Secretary may provide financial assistance to such State or political subdivision for purposes of--

(1) enforcing State and local laws in such areas, and

(2) removing solid waste from such areas and disposing of such waste.

(h) Nothing in this section shall be construed as limiting the right to fish and hunt on any of the lands or waters within the boundaries of the Upper Delaware River in the manner provided in section 13 of the Wild and Scenic Rivers Act.

(i) There are hereby authorized to be appropriated to carry out the purposes of this section such sums as may be necessary.

(j) Where any provision of the Wild and Scenic Rivers Act is inconsistent with any provisions of this section, the provision of this section shall govern. In applying the provisions of section 6(g)(3) of the Wild and Scenic Rivers Act, with regard to "improved property", the date specified therein, shall, for purposes of the river designated in this Act, be the date of enactment of this Act (rather than January 1, 1967).

(20) DELAWARE, NEW YORK, PENNSYLVANIA, AND NEW JERSEY.--The segment from the point where the river crosses the northern boundary of the Delaware Water

Gap National Recreation Area to the point where the river crosses the southern boundary of such recreation area; to be administered by the Secretary of the Interior. For purposes of carrying out this Act with respect to the river designated by this paragraph, there are authorized to be appropriated such sum as may be necessary. Action required to be taken under subsection (b) of this section with respect to such segment shall be taken within one year from the date of enactment of this paragraph, except that, with respect to such segment in lieu of the boundaries provided for in such subsection (b), the boundaries shall be the banks of the river. Any visitors facilities established for purposes of use and enjoyment of the river under the authority of the Act establishing the Delaware Water Gap National Recreation Area shall be compatible with the purposes of this Act and shall be located at an appropriate distance from the river.

(21) AMERICAN, CALIFORNIA.--The North Fork from a point 0.3 mile above Heath Springs downstream to a point approximately 1,000 feet upstream of the Colfax-Iowa Hill Bridge, including the Gold Run Addition Area, as generally depicted on the map entitled "Proposed Boundary Maps" contained in Appendix I of the document dated January 1978 and entitled "A Proposal: North Fork American Wild and Scenic River" published by the United States Forest Service, Department of Agriculture; to be designated as a wild river and to be administered by agencies of the Departments of Interior and Agriculture as agreed upon by the Secretaries of such Departments or as directed by the President. Action required to be taken under subsection (b) shall be taken within one year after the date of the enactment of this paragraph; in applying such subsection (b) in the case of the Gold Run Addition Area, the acreage limitation specified therein shall not apply and in applying section 6(g)(3), January 1 of the calendar year preceding the calendar year in which this paragraph is enacted shall be substituted for January 1, 1967. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not more than \$850,000 for the acquisition of lands and interests in land and not more than \$765,000 for development.

(22) MISSOURI RIVER, NEBRASKA, SOUTH DAKOTA.--The segment from Ravins Point Dam, South Dakota, fifty-nine miles downstream to Ponca State Park, Nebraska, as generally depicted in the document entitled "Review Report for Water Resources Development, South Dakota, Nebraska, North Dakota, Montana", prepared by the Division Engineer, Missouri River Division, Corps of Engineers, dated August 1977 (hereinafter in this paragraph referred to as the "August 1977 Report"). Such segment shall be administered as a recreational river by the Secretary. The Secretary shall enter into a written cooperative agreement with the Secretary of the Army (acting through the Chief of Engineers) for construction and maintenance of bank stabilization work and appropriate recreational development. After public notice and consultation with the State and local governments, other interested organizations and associations, and the interested public, the Secretary shall take such action as is required pursuant to subsection (b) within one year from the date of enactment of this section. In administering such river, the Secretary shall, to the extent, and in a manner, consistent with this section--

(A) provide (i) for the construction by the United States of such recreation river features and streambank stabilization structures as the

Secretary of the Army (acting through the Chief of Engineers) deems necessary and advisable in connection with the segment designated by this paragraph, and (ii) for the operation and maintenance of all streambank stabilization structures constructed in connection with such segment (including both structures constructed before the date of enactment of this paragraph and structures constructed after such date, and including both structures constructed under the authority of this section and structures constructed under the authority of any other Act); and

(b) permit access for such pumping and associated pipelines as may be necessary to assure an adequate supply of water for owners of land adjacent to such segment and for fish, wildlife, and recreational uses outside the river corridor established pursuant to this paragraph.

The streambank structures to be constructed and maintained under subparagraph (A) shall include, but not be limited to, structures at such sites as are specified with respect to such segment on pages 62 and 63 of the August 1977 Report, except that sites for such structures may be relocated to the extent deemed necessary by the Secretary of the Army (acting through the Chief of Engineers) by reason of physical changes in the river or river area. The Secretary of the Army (acting through the Chief of Engineers) shall condition the construction or maintenance of any streambank stabilization structure or of any recreational river feature at any site under subparagraph (A)(i) upon the availability to the United States of such land and interests in land in such ownership as he deems necessary to carry out such construction or maintenance and to protect and enhance the river in accordance with the purposes of this Act. Administration of the river segment designated by this paragraph shall be in coordination with, and pursuant to the advice of a Recreational River Advisory Group which shall be established by the Secretary. Such Group may include in its membership, representatives of the affected States and political subdivisions thereof, affected Federal agencies, and such organized private groups as the Secretary deems desirable. Notwithstanding the authority to the contrary contained in subsection 6(a) of this Act, no land or interests in land may be acquired without the consent of the owner: Provided, That not to exceed 5 per centum of the acreage within the designated river boundaries may be acquired in less than fee title without the consent of the owner, in such instance of the Secretary's determination that activities are occurring, or threatening to occur thereon which constitute serious damage or threat to the integrity of the river corridor, in accordance with the values for which this river was designated. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not to exceed \$21,000,000, for acquisition of lands and interests in lands and for development.

(23) SAINT JOE, IDAHO.--The segment above the confluence of the North Fork of the Saint Joe River to Spruce Tree Campground, as a recreational river; the segment above Spruce Tree Campground to Saint Joe Lake, as a wild river, as generally depicted on the map entitled "Saint Joe River Corridor Map" on file with the Chief of the Forest Service and dated September 1978; to be administered by the Secretary of Agriculture. Notwithstanding any other provision of law, the classification of the Saint Joe River under this paragraph and the subsequent development plan for the river prepared by the Secretary

of Agriculture shall at no time interfere with or restrict the maintenance, use, or access to existing or future roads within the adjacent lands nor interfere with or restrict present use of or future construction of bridges across that portion of the Saint Joe designated as a 'recreational river' under this paragraph. Dredge or placer mining shall be prohibited within the banks or beds of the main stem of the Saint Joe and its tributary streams in their entirety above the confluence of the main stem with the North Fork of the river. Nothing in this Act shall be deemed to prohibit the removal of sand and gravel above the high water mark of the Saint Joe River and its tributaries within the river corridor by or under the authority of any public body or its agents for the purposes of construction or maintenance of roads. The Secretary shall take such action as is required under subsection (b) of this section within one year from the date of enactment of this paragraph. For the purposes of this river, there are authorized to be appropriated not more than \$1,000,000 for the acquisition of lands or interest in lands.

(24)(A) SALMON, IDAHO.--The segment of the main river from the mouth of the North Fork of the Salmon River downstream to Long Tom Bar in the following classes:

(i) the forty-six-mile segment from the mouth of the North Fork of the Salmon River to Corn Creek as a recreational river; and

(ii) the seventy-nine-mile segment from Corn Creek to Long Tom Bar as a wild river; all as generally depicted on a map entitled "Salmon River" dated November 1979, which is on file and available for public inspection in the Office of the Chief, Forest Service, United States Department of Agriculture.

(B) This segment shall be administered by the Secretary of Agriculture: Provided, That after consultation with State and local governments and the interested public, the Secretary shall take such action as is required by subsection (b) of this section within one year from the date of enactment of this paragraph.

(C) The use of motorboats (including motorized jetboats) within this segment of the Salmon River shall be permitted to continue at a level not less than the level of use which occurred during calendar year 1978.

(D) Subject to existing rights of the State of Idaho, including the right of access, with respect to the beds of navigable streams, tributaries or rivers dredge and placer mining in any form including any use of machinery for the removal of sand and gravel for mining purposes shall be prohibited within the segment of the Salmon River designated as a component of the Wild and Scenic River System by this paragraph; within the fifty-three-mile segment of the Salmon River from Hammer Creek downstream to the confluence of the Snake River; and within the Middle Fork of the Salmon River; and its tributary streams in their entirety: Provided, That nothing in this paragraph shall be deemed to prohibit the removal of sand and gravel, outside the boundaries of the River of No Return Wilderness or the Gospel-Hump Wilderness, above the high water mark of the Salmon River or the Middle Fork and its tributaries for the purposes of construction or maintenance of public roads: Provided further, That this paragraph shall not apply to

any written mineral leases approved by the Board of Land Commissioners of the State of Idaho prior to January 1, 1980.

(E) The provisions of section 7(a) of this Act with respect to the licensing of dams, water conduits, reservoirs, powerhouses, transmission lines or other project works, shall apply to the fifty-three-mile segment of the Salmon River from Hammer Creek downstream to the confluence of the Snake River.

(F) For the purposes of the segment of the Salmon River designated as a component of the Wild and Scenic Rivers System by this paragraph, there is hereby authorized to be appropriated from the Land and Water Conservation Fund, after October 1, 1980, not more than \$6,200,000 for the acquisition of lands and interests in lands.

(25) ALAGNAK, ALASKA.--That segment of the main stem and the major tributary to the Alagnak, the Nonvianuk River, within Katmai National Preserve; to be administered by the Secretary of the Interior.

(26) ALATNA, ALASKA.--The main stem within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

(27) ANIAKCHAK, ALASKA.--That portion of the river, including its major tributaries, Hidden Creek, Mystery Creek, Albert Johnson Creek, and North Fork Aniakchak River, within the Aniakchak National Monument and National Preserve; to be administered by the Secretary of the Interior.

(28) CHARLEY, ALASKA.--The entire river, including its major tributaries, Copper Creek, Bonanza Creek, Hosford Creek, Derwent Creek, Flat-Orthmer Creek, Crescent Creek, and Moraine Creek, within the Yukon-Charley Rivers National Preserve; to be administered by the Secretary of the Interior.

(29) CHILIKADROTNA, ALASKA.--That portion of the river within the Lake Clark National Park and Preserve; to be administered by the Secretary of the Interior.

(30) JOHN, ALASKA.--That portion of the river within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

(31) KOBUK, ALASKA.--That portion within the Gates of the Arctic National Park and Preserve; to be administered by the Secretary of the Interior.

(32) MULCHATNA, ALASKA.--That portion within the Lake Clark National Park and Preserve; to be administered by the Secretary of the Interior.

(33) NOATAK, ALASKA.--The river from its source in the Gates of the Arctic National Park to its confluence with the Kelly River in the Noatak National Preserve; to be administered by the Secretary of the Interior.

(34) NORTH FORK OF THE KOYUKUK, ALASKA.--That portion within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

(35) SALMON, ALASKA.--That portion within the Kobuk Valley National Park; to be administered by the Secretary of the Interior.

(36) TINAYGUK, ALASKA.--That portion within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

(37) TLIKAKILA, ALASKA.--That portion within the Lake Clark National Park; to be administered by the Secretary of the Interior.

(38) ANDREAFSKY, ALASKA.--That portion from its source, including all headwaters, and the East Fork, within the boundary of the Yukon Delta National Wildlife Refuge; to be administered by the Secretary of the Interior.

(39) IVISHAK, ALASKA.--That portion from its source, including all headwaters and an unnamed tributary from Porcupine Lake within the boundary of the Arctic National Wildlife Range; to be administered by the Secretary of the Interior.

(40) NOWITNA, ALASKA.--That portion from the point where the river crosses the west limit of township 18 south, range 22 east, Kateel River meridian, to its confluence with the Yukon River within the boundaries of the Nowitna National Wildlife Refuge; to be administered by the Secretary of the Interior.

(41) SELAWIK, ALASKA.--That portion from a fork of the headwaters in township 12 north, range 10 east, Kateel River meridian to the confluence of the Kugarak River; within the Selawik National Wildlife Refuge to be administered by the Secretary of the Interior.

(42) SHEENJEK, ALASKA.--The segment within the Arctic National Wildlife Refuge; to be administered by the Secretary of the Interior.

(43) WIND, ALASKA.--That portion from its source, including all headwaters and one unnamed tributary in township 13 south, within the boundaries of the Arctic National Wildlife Refuge; to be administered by the Secretary of the Interior.

(44) ALAGYAK, ALASKA.--Those segments or portions of the main stem and Nonvianuk tributary lying outside and westward of the Katmai National Park/Preserve and running to the west boundary of township 13 south, range 43 west; to be administered by the Secretary of the Interior.

(45) BEAVER CREEK, ALASKA.--The segment of the main stem from the vicinity of the confluence of the Bear and Champion Creeks downstream to its exit from the northeast corner of township 12 north, range 6 east, Fairbanks meridian within the White Mountains National Recreation Area, and the Yukon Flats National Wildlife Refuge, to be administered by the Secretary of the Interior.

(46) BIRCH CREEK, ALASKA.--The segment of the main stem from the south side of Steese Highway in township 7 north, range 10 east, Fairbanks meridian, downstream to the south side of the Steese Highway in township 10 north, range 16 east; to be administered by the Secretary of the Interior.

(47) DELTA, ALASKA.--The segment from and including all of the Tangle Lake to a point one-half mile north of Black Rapids; to be administered by the Secretary of the Interior.

(48) FORTYMILE, ALASKA.--The main stem within the State of Alaska; O'Brien Creek; South Fork; Napoleon Creek, Franklin Creek, Uhler Creek, Walker Fork downstream from the confluence of Liberty Creek; Wade Creek; Mosquito Fork downstream from the vicinity of Kechumstuk; West Fork Dennison Fork downstream from the confluence of Logging Cabin Creek; Dennison Fork downstream from the confluence of West Fork Dennison Fork; Logging Cabin Creek; North Fork; Hutchison Creek; Champion Creek; the Middle Fork downstream from the confluence of Joseph Creek; and Joseph Creek; to be administered by the Secretary of the Interior.

(49) GULKANA, ALASKA.--The main stem from the outlet of Paxson Lake in township 12 north, range 2 west, Copper River meridian to the confluence with Sourdough Creek; the south branch of the west fork from the outlet of an unnamed lake in sections 10 and 15, township 10 north, range 7 west, Copper River meridian to the confluence with the west fork; the north branch from the outlet of two unnamed lakes, one in sections 24 and 25, the second in sections 9 and 10, township 11 north, range 8 west, Copper River meridian to the confluence with the west fork; the west fork from its confluence with the north and south branches downstream to its confluence with the main stem; the middle fork from the outlet of Dickey Lake in township 13 north, range 5 west, Copper River meridian to the confluence with the main stem; to be classified as a wild river area and to be administered by the Secretary of the Interior.

(50) UNALAKLEET, ALASKA.--The segment of the main stem from the headwater in township 12 south, range 3 west, Kateel River meridian extending downstream approximately 65 miles to the western boundary of township 18 south, range 8 west; to be administered by the Secretary of the Interior.

(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 this Act, (except where a different date is provided in subsection (a)) establish detailed boundaries therefor (which boundaries shall include an average of not more than three hundred and twenty acres per mile 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; and prepare a plan for necessary developments in connection with its administration in accordance with such classification. Said boundaries, classification, and development plans 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.

SEC. 4.(a) The Secretary of the Interior or, where national forest land 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. Such studies shall be completed and such reports shall be made to the Congress with respect to all rivers named in subparagraphs 5(a)(1) through (27) of this Act no later

than October 2, 1978. 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 lands 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 recreation 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 on which it is submitted to them. If he approves the proposed inclusion, he shall publish notice thereof in the Feder Register.

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

- (1) Allegheny, Pennsylvania: The segment from its mouth to the town of East Brady, Pennsylvania.
- (2) Bruneau, Idaho: The entire main stem.
- (3) Buffalo, Tennessee: The entire river.
- (4) Chattooga, North Carolina, South Carolina, and Georgia: The entire river.
- (5) Clarion, Pennsylvania: The segment between Ridgway and its confluence with the Allegheny River.
- (6) Delaware, Pennsylvania and New York: The segment from Hancock, New York, to Matamoras, Pennsylvania.
- (7) Flathead, Montana: The North Fork from the Canadian border downstream to its confluence with the Middle Fork; the Middle Fork from its headwaters to its confluence with the South Fork; and the South Fork from its origin to Hung Horse Reservoir.
- (8) Gasconade, Missouri: The entire river.
- (9) Illinois, Oregon: The entire river.
- (10) Little Beaver, Ohio: The segment of the North and Middle Forks of the Little Beaver River in Columbiana County from a point in the vicinity of Negly and Elkton, Ohio, downstream to a point in the vicinity of East Liverpool, Ohio.
- (11) Little Miami, Ohio: That segment of the main stem of the river, exclusive of its tributaries, from a point at the Warren-Clermont County line at Loveland, Ohio, upstream to the sources of Little Miami including North Fork.
- (12) Maumee, Ohio and Indiana: The main stem from Perrysburg, Ohio, to Fort Wayne, Indiana, exclusive of its tributaries in Ohio and inclusive of its tributaries in Indiana.
- (13) Missouri, Montana: The segment between Fort Benton and Ryan Island.
- (14) Moyie, Idaho: The segment from the Canadian border to its confluence with the Kootenai River.
- (15) Obed, Tennessee: The entire river and its tributaries, Clear Creek and Daddys Creek.
- (16) Penobscot, Maine: Its east and west branches.
- (17) Pere Marquette, Michigan: The entire river.

- (18) Pine Creek, Pennsylvania: The segment from Ansonia to Waterville.
- (19) Priest, Idaho: The entire main stem.
- (20) Rio Grande, Texas: The portion of the river between the west boundary of Hudspeth County and the east boundary of Terrell County on the United States side of the river: Provided, That before undertaking any study of this potential scenic river, the Secretary of the Interior shall determine, through the channels of appropriate executive agencies, that Mexico has no objection to its being included among the studies authorized by this Act.
- (21) Saint Croix, Minnesota and Wisconsin: The segment between the dam near Taylors Falls and its confluence with the Mississippi River.
- (22) Saint Joe, Idaho: The entire main stem.
- (23) Salmon, Idaho: The segment from the town of North Fork to its confluence with the Snake River.
- (24) Skagit, Washington: The segment from the town of Mount Vernon to and including the mouth of Bacon Creek; the Cascade River between its mouth and the junction of its North and South Forks; the South Fork to the boundary of the Glacier Peak Wilderness Area; the Suiattle River from its mouth to the Glacier Peak Wilderness Area boundary at Milk Creek; the Sauk River from its mouth to its junction with Elliott Creek; the North Fork of the Sauk River from its junction with the South Fork of the Sauk to the Glacier Peak Wilderness Area boundary.
- (25) Suwannee, Georgia and Florida: The entire river from its source in the Okefenokee Swamp in Georgia to the gulf and the outlying Ichetucknee Springs, Florida.
- (26) Upper Iowa, Iowa: The entire river.
- (27) Youghiogheny, Maryland and Pennsylvania: The segment from Oakland, Maryland, to the Youghiogheny Reservoir, and from the Youghiogheny Dam downstream to the town of Connellsville, Pennsylvania.
- (28) American, California: The North Fork from the Cedars to the Auburn Reservoir.
- (29) Au Sable, Michigan: The segment downstream from Foot Dam to Oscoda and upstream from Loud Reservoir to its source, including its principal tributaries and excluding Mio and Bamfield Reservoirs.
- (30) Big Thompson, Colorado: The segment from its source to the boundary of Rocky Mountain National Park.
- (31) Cache la Poudre, Colorado: Both forks from their sources to their confluence, thence the Cache la Poudre to the eastern boundary of Roosevelt National Forest.

(32) Cahaba, Alabama: The segment from its junction with United States Highway 31 south of Birmingham downstream to its junction with United States Highway 80 west of Selma.

(33) Clarks Fork, Wyoming: The segment from the Clark's Fork Canyon to the Crandall Creek Bridge.

(34) Colorado, Colorado and Utah: The segment from its confluence with the Dolores River, Utah, upstream to a point 19.5 miles from the Utah-Colorado border in Colorado.

(35) Conejos, Colorado: The three forks from their sources to their confluence, thence the Conejos to its first junction with State Highway 17, excluding Platoro Reservoir.

(36) Elk, Colorado: The segment from its source to Clark.

(37) Encampment, Colorado: The Main Fork and West Fork to their confluence, thence the Encampment to the Colorado-Wyoming border, including the tributaries and headwaters.

(38) Green, Colorado: The entire segment within the State of Colorado.

(39) Gunnison, Colorado: The segment from the upstream (southern) boundary of the Black Canyon of the Gunnison National Monument to its confluence with the North Fork.

(40) Illinois, Oklahoma: The segment from Tenkiller Ferry Reservoir upstream to the Arkansas-Oklahoma border, including the Flint and Barren Fork Creeks.

(41) John Day, Oregon: The main stem from Service Creek Bridge (at river mile 157) downstream to Tumwater Falls (at river mile 10).

(42) Kettle, Minnesota: The entire segment within the State of Minnesota.

(43) Los Pinos, Colorado: The segment from its source, including the tributaries and headwaters within the San Juan Primitive Area, to the northern boundary of the Granite Peak Ranch.

(44) Manistee, Michigan: The entire river from its source to Manistee Lake, including its principal tributaries and excluding Tippy and Hadenpyl Reservoirs.

(45) Nolichucky, Tennessee and North Carolina: The entire main stem.

(46) Owyhee, South Fork, Oregon: The main stem from the Oregon-Idaho border downstream to the Owyhee Reservoir.

(47) Piedra, Colorado: The Middle Fork and East Fork from their sources to their confluence, thence the Piedra to its junction with Colorado Highway 160.

- (48) Shepaug, Connecticut: The entire river.
- (49) Sipsey Fork, West Fork, Alabama: The segment, including its tributaries, from the impoundment formed by the Lewis M. Smith Dam upstream to its source in the William B. Bankhead National Forest.
- (50) Snake, Wyoming: The segment from the southern boundaries of Teton National Park to the entrance to Palisades Reservoir.
- (51) Sweetwater, Wyoming: The segment from Wilson Bar downstream to Spring Creek.
- (52) Tuolumne, California: The main river from its source on Mount Dana and Mount Lyell in Yosemite National Park to Don Pedro Reservoir.
- (53) Upper Mississippi, Minnesota: The segment from its source at the outlet of Itasca Lake to its junction with the northwestern boundary of the city of Anoka.
- (54) Wisconsin, Wisconsin: The segment from Prairie de Sac to its confluence with the Mississippi River at Prairie du Chien.
- (55) Yampa, Colorado: The segment within the boundaries of the Dinosaur National Monument.
- (56) Dolores, Colorado: The segment of the main stem from Rico upstream to its source, including its headwaters; the West Dolores from its source, including its headwaters, downstream to its confluence with the main stem; and the segment from the west boundary, section 2 township 38 north, range 16 west, NMPM, below the proposed McPhee Dam, downstream to the Colorado-Utah border, excluding the segment from one mile above Highway 90 to the confluence of the San Miguel River.
- (57) Snake, Washington, Oregon, and Idaho: The segment from an eastward extension of the north boundary of section 1, township 5 north, range 47 east, Willamette meridian, downstream to the town of Asotin, Washington.
- (58) Housatonic, Connecticut: The segment from the Massachusetts-Connecticut boundary downstream to its confluence with the Shepaug River.
- (59) Kern, California.--The main stem of the North Fork from its source to Isabella Reservoir excluding its tributaries.
- (60) Loxahatchee, Florida.--The entire river including its tributary, North Fork.
- (61) Ogeechee, Georgia.--The entire river.
- (62) Salt, Arizona.--The main stem from a point on the north side of the river intersected by the Fort Apache Indian Reservation boundary (north of Buck Mountain) downstream to Arizona State Highway 288.

(63) Verde, Arizona.--The main stem from the Prescott National Forest boundary near Paulden to the vicinity of Table Mountain, approximately 14 miles above Horseshoe Reservoir, except for the segment not included in the national forest between Clarkdale and Camp Verde, North segment.

(64) San Francisco, Arizona.--The main stem from confluence with the Gila upstream to the Arizona-New Mexico border, except for the segment between Clift and the Apache National Forest.

(65) Fish Creek, New York.--The entire East Branch.

(66) Black Creek, Mississippi.--The segment from Big Creek Landing in Forrest County downstream to Old Alexander Bridge Landing in Stone County.

(67) Allegheny, Pennsylvania.--The main stem from Kinzua Dam downstream to East Brady.

(68) Cacapon, West Virginia.--The entire river.

(69) Escatawpa, Alabama and Mississippi.--The segment upstream from a point approximately one mile downstream from the confluence of the Escatawpa River and Jackson Creek to a point where the Escatawpa River is joined by the Yellowhouse Branch in Washington County, Alabama, near the town of Deer Park, Alabama; and the segment of Brushy Creek upstream from its confluence with the Escatawpa to its confluence with Scarsborough Creek.

(70) Myakka, Florida.--The segment south of the southern boundary of the Myakka River State Park.

(71) Soldier Creek, Alabama.--The segment beginning at the point where Soldier Creek intersects the south line of section 31, township 7 south, range 6 east, downstream to a point on the south line of section 6, township 8 south range 6 east, which point is 1,322 feet west of the south line of section 5, township 8 south, range 6 east in the county of Baldwin, State of Alabama.

(72) Red, Kentucky.--The segment from Highway numbered 746 (also known as Spradlin Bridge) in Wolf County, Kentucky, downstream to the point where the river descends below seven hundred feet above sea level (in its normal flow) which point is at the Menifee and Powell County line just downstream of the iron bridge where Kentucky Highway numbered 77 passes over the river.

(73) Bluestone, West Virginia.--From its headwaters to its confluence with the New.

(74) Gauley, West Virginia.--Including the tributaries of the Meadow and the Cranberry, from the headwaters to its confluence with the New.

(75) Greenbrier, West Virginia.--From its headwaters to its confluence with the New.

(76) Birch, West Virginia: The main stem from the Cora Brown Bridge in Nicholas County to the confluence of the river with the Elk River in Braxton County.

- (77) Colville, Alaska.
- (78) Etivluk-Nigu, Alaska.
- (79) Utukok, Alaska.
- (80) Kanektok, Alaska.
- (81) Kisaralik, Alaska.
- (82) Melozitna, Alaska.
- (83) Sheenjok (lower segment), Alaska.
- (84) Situk, Alaska.
- (85) Porcupine, Alaska.
- (86) Yukon (Ramparts section), Alaska.
- (87) Squirrel, Alaska.
- (88) Koyuk, Alaska.

(b)(1) The studies of rivers named in subparagraphs (28) through (55) of subsection (a) of this section shall be completed and reports thereon submitted by not later than October 2, 1979: Provided, That with respect to the rivers named in subparagraphs (33), (50), and (51), the Secretaries shall not commence any studies until (i) the State legislature has acted with respect to such rivers or (ii) one year from the date of enactment of this Act, whichever is earlier.

(2) The study of the river named in subparagraph (56) of subsection (a) of this section shall be completed and the report thereon submitted by not later than January 3, 1976.

(3) The studies of the rivers named in paragraphs (59) through (76) of subsection (a) shall be completed and reports submitted thereon not later than five full fiscal years after the date of the enactment of this paragraph. The study of rivers named in paragraphs (62) and (64) of subsection (a) shall be completed and the report thereon submitted by not later than April 1981.

(4) There are authorized to be appropriated for the purpose of conducting the studies of the rivers named in subparagraphs (28) through (56) such sums may be necessary, but not more than \$4,060,000. There are authorized to be appropriated for the purpose of conducting the studies of the rivers named in subparagraphs (59) through (76) such sums as may be necessary.

(4) The studies of the rivers in paragraph (77) through (88) shall be completed and reports transmitted thereon not later than three full fiscal years from date of enactment of this paragraph. For the rivers listed in paragraphs (77), (78), and (79) the studies prepared and transmitted to the Congress pursuant to section 105(c) of the Naval Petroleum Reserves Productive

Act of 1976 (Public Law 94-258) shall satisfy the requirements of this section.

(5) Studies of rivers listed in paragraphs (80) and (81) shall be completed, and reports submitted within and not later than the time when the Bristol Bay Cooperative Region Plan is submitted to Congress in accordance with section 1204 of the Alaska National Interest Lands Conservation Act.

(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) 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.

SEC. 6. (a) 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, and 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 of 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 and 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.

(b) If 50 per centum or more of the entire acreage within a federally administered wild, scenic or recreational river area is owned 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 to 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 provisions 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 lands 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 of the right 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 the 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 approval of this Act. 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 days 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 affect the component and the values to be protected by it under this Act.

Any license heretofore or hereafter issued by the Federal Power Commission affecting the New River of North Carolina shall continue to be effective only for that portion of the river which is not included in the National Wild and Scenic Rivers System pursuant to section 2 of this Act and no project or undertaking so licensed shall be permitted to invade, inundate or otherwise adversely affect such river segment.

(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 responsible for its study or approval--

(1) 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 rivers 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 rivers system provides for 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 (1); and (1) during such additional period thereafter as, in the case of any river the report for which is submitted to the President and the Congress, is necessary for congressional consideration thereof or, in the case of any river recommended to the Secretary of the Interior for inclusion in the national wild and scenic rivers system under section (2)(a)(1) 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 approval 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 Fund 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.

(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. Notwithstanding the foregoing provisions of this subsection or any other provision of this Act, subject only to valid existing rights, including valid Native selection rights under the Alaska Native Claims Settlement Act, all public lands which constitute the bed or bank or are within an area extending two miles from the bank of the river channel on both sides of the river segments referred to in paragraphs (77) through (88) of section 5(a) are hereby withdrawn from entry, sale, State selection or other disposition under the public land laws of the United States for the periods specified in section 7(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 operation 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 banks 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 component in question.

(b) The minerals in any Federal lands which constitute the bed or banks 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. Notwithstanding the foregoing provisions of this subsection or any other provision of this Act, all public lands which constitute the bed or bank, or are within an area extending two miles from the bank of the river channel on both sides of the river segments referred to in paragraphs (77) through (88) of section 5(a), are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the mining law and from operation of the mineral leasing laws including, in both cases, amendments thereto, during the periods specified in section 7(b) of this Act.

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 the with, 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 provisions 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 system, as the case may be, is administered, and in 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 forests 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. He shall also, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), provide technical assistance and advice to, and cooperate with, States, political subdivisions, and private interests, including nonprofit organizations, with respect to establishing such wild, scenic and recreational river areas.

(b) The Secretaries of Agriculture and of Health, Education, and Welfare shall likewise, in accordance with the authority vested in them, assist, advise, and cooperate with State and local agencies and private interests with respect to establishing such wild, scenic and recreational river areas.

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)(1), 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 for which approval has been granted under section 2(a)(1). 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 Secretary of the Interior 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 recreation river area.

(g) The Secretary of the Interior or the Secretary of Agriculture, as the case may be, may grant easements and rights-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. The claim and allowance of the value of an easement as a charitable contribution under section 170 of 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 at 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. Notwithstanding any other provision to the contrary in sections 3 and 9 of this Act, with respect to components of the National Wild and Scenic Rivers System in Alaska designated by paragraphs (38) through (50) of section 3(2) of this Act--

(1) the boundary of each such river shall include an average of not more than six hundred and forty acres per mile on both sides of the river. Such boundary shall not include any lands owned by the State or a political subdivision of the State nor shall such boundary extend around any private lands adjoining the river in such manner as to surround or effectively surround such private lands; and

(2) the withdrawal made by paragraph (iii) of section 9(a) shall apply to the minerals in Federal lands which constitute the bed or bank or are situated within one-half mile of the bank of any river designated a wild river by the Alaska National Interest Lands Conservation Act.

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, streams, 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.

SEC. 17. There are hereby authorized to be appropriated, including such sums as have heretofore been appropriated, the following amounts for land acquisition for each of the rivers described in section 3(a) of this Act:

Clearwater, Middle Fork, Idaho, \$2,909,800;
Eleven Point, Missouri, \$10,407,000;
Feather, Middle Fork, California, \$3,935,700;
Rio Grande, New Mexico, \$253,000;
Rogue, Oregon, \$15,147,000;
St. Croix, Minnesota and Wisconsin, \$21,769,000;
Salmon, Middle Fork, Idaho, \$1,837,100; and
Wolf, Wisconsin, \$142,150.

NOTE: The following amendments have been made to P.L. 90-542 through December 1, 1980:

P.L. 92-560
P.L. 93-279
P.L. 93-621
P.L. 94-199
P.L. 94-407
P.L. 94-486
P.L. 95-625
P.L. 96-87
P.L. 96-199
P.L. 96-487
P.L. 96-580

APPENDIX B

GOVERNOR JAMES THOMPSON'S LETTER TO
SECRETARY OF INTERIOR DONALD HODEL

SECRETARY OF INTERIOR MANUAL LUJAN JR. LETTER
OF CONFIRMATION TO GOVERNOR JAMES THOMPSON

FEDERAL REGISTER OFFICIAL DESIGNATION NOTICE

APPENDIX B



STATE OF ILLINOIS
OFFICE OF THE GOVERNOR
SPRINGFIELD 62706

JAMES R. THOMPSON
GOVERNOR

August 20, 1987

Mr. Donald Hodel
Secretary of the Interior
U.S. Department of the Interior
Washington, D.C. 20041

Dear Mr. Hodel:

In accordance with section 2(a)(ii) of the federal Wild and Scenic Rivers Act, I am formally requesting, on behalf of the citizens of Illinois, that the U.S. Department of the Interior designate a segment of the Middle Fork River as a state-administered scenic river in the National Wild and Scenic Rivers System.

The application for designation is enclosed. Additional copies have been sent to the Midwest Regional Office of the National Park Service to be used in the federal review process. I have also enclosed a copy of the video tape, "Illinois Natural Heritage: The Middle Fork River," which will make it clear why we are pursuing this application.

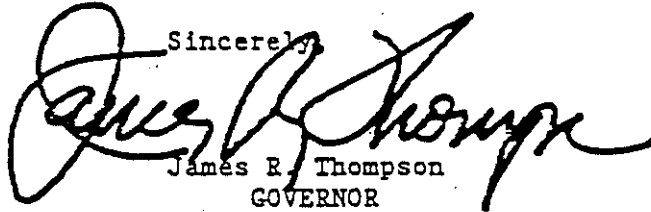
I first canoed the Middle Fork River and discovered its special character in 1976. In the late 1970's, the Illinois General Assembly, at my urging, decided not to proceed with a Middle Fork reservoir project. In 1986, I supported and signed the state law making the Middle Fork River the first State Protected River in Illinois. The enclosed video shows the signing of this important piece of State legislation.

As I said then, "We must save the (Middle Fork) area for future generations and that can only be done by placing it under the permanent protection of the government." The State law also mandated that the State apply to the Department of the Interior for inclusion of the Middle Fork River as a component of the National Wild and Scenic Rivers System. With this letter and application that mandate has been fulfilled.

The Illinois Department of Conservation has done a fine job on the application. They have benefited greatly from the fine assistance provided them by the staff of the National Park Service's Omaha Regional office. I am requesting a scenic river designation because I firmly believe the Middle Fork River's natural character qualifies for this designation. The State's application supports this belief and documents the many ecological, recreational, scenic and historical values of the river that qualify it for inclusion in the National Wild and Scenic Rivers System. As the application describes, the State is prepared to protect these values and manage the Middle Fork River as a state-administered National Scenic River.

I therefore respectfully submit to you with my full and strong personal support the State of Illinois' application for National Scenic River designation of the Middle Fork River.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "James R. Thompson". The signature is written in a cursive style with a large initial "J" and "T".

James R. Thompson
GOVERNOR



THE SECRETARY OF THE INTERIOR

WASHINGTON

May 11, 1989

Honorable James R. Thompson
Governor of Illinois
Springfield, Illinois 62706

Dear Governor Thompson:

In your letter of February 15, 1989, you requested that I review the denial of an Illinois request for the federal designation of a wild and scenic river.

I am pleased to inform you that, as a result of that review, today I am designating a 17.1-mile segment of the Middle Fork of the Vermilion River as a State-administered scenic river component of the National Wild and Scenic Rivers System, as provided for in Section 2(a)(ii) of the Wild and Scenic Rivers Act.

Illinois has fulfilled the requirements of the Act by designating this segment as a State Protected River and by adopting a program of action that will adequately protect the river from adverse State actions. The National Park Service informs me the Middle Fork meets the criteria for a national scenic river. It is free-flowing and possesses one or more of the outstandingly remarkable values in Section 1(b) of the Act. The segment is classified as "scenic" pursuant to Section 2(b) of the Act.

Your application and this action serve to demonstrate that protection of natural and cultural resource values of the Nation's rivers can indeed involve a Federal/State/Private partnership. A noteworthy feature of the State's management plan for the river is the participation of Illinois Power Company, a major private landowner along the river. Illinois Power is to be commended for their commitment to protection of the river.

My review found that there is strong support, as measured across the state, for designation. In addition to your own, the Illinois State Senate voted 41-1 and the State House of Representatives voted 95-19 to request designation, and I have received recently a letter of support from 23 of the 24 members of the State's congressional delegation, including the Congressman whose district includes the entire segment.

I look forward to cooperating with the State of Illinois in managing the Middle Fork of the Vermilion River.

Sincerely,

Manuel Lujan, Jr.

Dated: August 11, 1989.
 John H. Koles,
 Acting Administrator.
 [FR Doc. 89-15358 Filed 8-16-89; 8:45 am]
 BILLING CODE 4310-10-01

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Approval for Inclusion in the National
 Wild and Scenic Rivers System as a
 State Administered Component

AGENCY: Office of the Secretary, Interior.
 ACTION: Notice.

Pursuant to the authority granted the Secretary of the Interior by Section 2 of the Wild and Scenic Rivers Act (82 Stat. 906, 16 U.S.C. 1273), and upon proper application of the Governor of the State of Illinois, the Middle Fork of the Vermilion River is designated as a State-administered component of the National Wild and Scenic Rivers System. This action is based on the designation of the river by the State of Illinois and the protection offered this river and its immediate environment by and pursuant to applicable State laws and regulations.

On August 20, 1987, the Governor of Illinois petitioned the Secretary of the Interior to add the Middle Fork of the Vermilion River to the National System. (See Federal Register of January 20, 1988, page 1525.) This river had been designated as a State Protected River on August 8, 1986. The Secretary on November 14, 1988, denied the State's application to include the river segment as a component of the National Wild and Scenic Rivers System under State administration.

In response to a request for reconsideration from the Governor of Illinois on February 15, 1989, the Secretary conducted a complete review of the State application and documents associated with the designation decision. As a result of that review, the Secretary has determined that a 17.1-mile segment of the Middle Fork of the Vermilion should be designated as a State-administered scenic river component of the National Wild and Scenic Rivers System, as provided for in section 2(a)(1) of the Wild and Scenic Rivers Act.

The State of Illinois has fulfilled the requirements of the Act by designating this segment as a "State Protected River" and by adopting a program of action that will adequately protect the river from adverse State actions. The National Park Service evaluation of the river concluded that Middle Fork meets the criteria for a national scenic river.

Accordingly, the river segment is classified as scenic pursuant to section 2(b) of the Act.

Middle Fork of the Vermilion River.
 The segment of the river from River Mile 29.8 at the Conrail Railroad crossing north of U.S. 150 to River Mile 46.9 north-northeast of Collison, all in Vermilion County.

This action is taken following substantial public involvement and consultation with the Departments of Agriculture, Army, and Transportation, the Federal Energy Regulatory Commission, and the U.S.

Environmental Protection Agency as required by section 4(c) of the Wild and Scenic Rivers Act. A public meeting on the State's proposed river management plan and application for national designation of the river was held in Danville, Illinois, on February 20, 1987. In addition, a 45-day period for public comment on the State's application and river management plan and on the environmental assessment of the proposed national designation was provided from January 20 to March 5, 1988. All comments received have been carefully considered.

Notice is hereby given that effective upon this date, the above-described river segment is approved for inclusion in the National Wild and Scenic Rivers System as a scenic river area to be administered by the State of Illinois.

The primary author of this notice is Tom Gilbert, National Park Service, 1709 Jackson Street, Omaha, NE 68102, Phone 402/221-2481.

Dated: August 11, 1989.

Maxwell Lujan Jr.,
 Secretary of the Interior.

[FR Doc. 89-15302 Filed 8-16-89; 8:45 am]
 BILLING CODE 4310-10-01

APPENDIX C

ILLINOIS STATE PROTECTED RIVER ACT (P.L. 84-1257)

1 AN ACT designating a portion of the middle fork of the 51
2 Vermilion River a protected river of the State of Illinois. 52

3 Be it enacted by the People of the State of Illinois, 57
4 represented in the General Assembly:

5 Section 1. The General Assembly recognizes the 59
6 outstanding natural, scenic, recreational, ecological, 60
7 historical and archaeological values of the middle fork of 61
8 the Vermilion River in Vermilion County, Illinois, and deems
9 the middle fork of the Vermilion River to be a natural 62
10 resource of Statewide significance such that its natural and 63
11 recreational values should be permanently preserved for the 64
12 enjoyment of the people of the State of Illinois.

13 Section 2. That portion of the middle fork of the 66
14 Vermilion River which flows through land owned by the State 67
15 of Illinois and the Vermilion County Conservation District 68
16 within Vermilion County, Illinois, is hereby designated as a 69
17 permanently protected river of the State of Illinois. The 70
18 designated portion shall only include property for which the 71
19 State of Illinois or the Vermilion County Conservation
20 District holds title or a properly executed easement and 72
21 which is contiguous to the middle fork of the Vermilion 73
22 River. By agreement of the State Administrator and the owners 74
23 of such property, such land is to be permanently protected 75
24 pursuant to a plan adopted by the State Administrator.

25 Section 3. The Illinois Department of Conservation is 77
26 designated as the State Administrator of the segment of the 78
27 middle fork of the Vermilion River protected pursuant to this 79
28 Act.

29 Section 4. The State Administrator is hereby authorized 81
30 and directed to make application to the United States 82
31 Department of the Interior for inclusion of the land 83
32 dedicated pursuant to this Act as a State-administered
33 component of the National Wild and Scenic River System. The 84


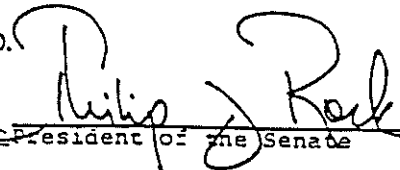
Original in the Senate
Secretary of the Senate
Rennell Abney

PUBLIC ACT 84-1257

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1 State Administrator shall manage the land dedicated pursuant 85
 2 to this Act in accordance with the National Wild and Scenic 86
 3 Rivers Act and the regulations promulgated thereunder.
 4 Section 5. This Act does not affect any land not owned 88
 5 by the State of Illinois except by the explicit consent of 89
 6 the owner of such land through appropriate legal mechanisms. 90
 7 Section 6. This Act takes effect upon becoming a law. 92

APPROVED

this 8th day of August, 1986 A.D.

 GOVERNOR

 President of the Senate


 Speaker, House of Representatives

APPENDIX D

VERMILION COUNTY CONSERVATION DISTRICT AND ILLINOIS
POWER COMPANY EASEMENTS

1 Conservation, State of Illinois; and 92

2 WHEREAS, Said lands are of approximately equal value and 95

3 it is in the public interest that said lands be exchanged; 96

4 and

5 WHEREAS, The Department of Conservation, State of 99

6 Illinois desires to preserve and protect, by a Conservation 100

7 Easement, part of the lands needed to be acquired by the 101

8 Vermilion County Conservation District, now owned by the 102

9 Department of Conservation, State of Illinois, and to

10 preserve and protect part of the lands now owned by the 103

11 Vermilion County Conservation District that adjoins the 104

12 Middle Fork of the Vermilion River; therefore

13 Be it enacted by the People of the State of Illinois, 108

14 represented in the General Assembly;

15 ARTICLE I 111

16 Section 1. The President and Secretary of The Lake 113

17 County Forest Preserve District are hereby authorized to 114

18 execute and deliver such deeds or documents of conveyance as 115

19 may be necessary to convey without consideration to The State 116

20 of Illinois, Department of Conservation the fee simple title 117

21 to the following described land;

22 Lots 1 through 24 in Block 1, Lots 1 through 19 in Block 119

23 2 and Lots 1 through 15 in Block 3 (including all right, 120

24 title and interest whatsoever of the grantor in the areas 121

25 designated as "Park" in said Block 3) all in Sherman 122

26 Shores, a Resubdivision of Lots 47, 48 and 50 and part of

27 Lots 49 and 51 in Oakshore Subdivision, in fractional 123

28 Section 2, Township 46 North, Range 12 East of the 3rd P. 124

29 M., according to the Plat of said Sherman Shores recorded 125

30 September 8, 1953 as Document 801696 in Book 1198 of 126

31 Records, Page 455, in Lake County, Illinois;

32 ALSO, 128

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APPENDIX D

HB3474 Enrolled

LRB8408928RCml

1 AN ACT in relation to the conveyance of public lands.

2 Preamble to Article I

3 WHEREAS, The Lake County Forest Preserve District owns
4 certain lands for forest preserve and open space purposes in
5 Benton Township, containing 34.5 acres, more or less, and
6 hereinafter more fully described; and

7 WHEREAS, The State of Illinois, Department of
8 Conservation has need of said lands for use in the
9 construction and operation of The North Point Marina; and

10 WHEREAS, It is the public interest that said transfer be
11 made for said purpose; and

12 WHEREAS, The Lake County Forest Preserve District desires
13 to make said transfer subject to the express condition that
14 the conveyance be subject to a reverter providing that should
15 said lands cease to be used for Marina purposes, or are sold
16 or conveyed by the State of Illinois, that title will revert
17 to The Lake County Forest Preserve District; and

18 WHEREAS, It is in the public interest that the State of
19 Illinois, Department of Conservation accept said condition
20 and transfer, and be authorized to improve said lands with
21 State of Illinois funds; and,

22 Preamble to Article II

23 WHEREAS, The Department of Conservation, State of
24 Illinois needs to acquire certain lands in Vermilion County,
25 Illinois, which lands adjoin the Middle Fork of the Vermilion
26 River, and are presently owned by the Vermilion County
27 Conservation District, a municipal corporation; and

28 WHEREAS, The Vermilion County Conservation District, a
29 municipal corporation, needs to acquire certain lands in
30 Vermilion County, Illinois now owned by the Department of

Clert of the House

John O'Brien

Originated in the House of Representatives

PUBLIC ACT 84-1241

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1 Lots 1 through 12 and Lots 37 through 47 (and that part
2 of Lot 49 lying East of the westerly line of Oakshore
3 Drive extended Northerly), all in Oakshore Subdivision,
4 being a subdivision of Lot 1 and part of Lot 2 in
5 Winthrop Harbor, in Section 2, Township 46 North, Range
6 12 East of the 3rd P. M., according to the Plat thereof,
7 recorded August 2, 1922, as Document 214513 in Book "L"
8 of Plats, Pages 24 and 25 in Lake County, Illinois;

9 ALSO,

10 That part of the North half of Ann Street lying South of
11 and adjoining Block 3 in Sherman Shores Resubdivision
12 aforesaid and that part of Ann Street lying South of and
13 adjoining Lot 37 in Oakshore Subdivision aforesaid and
14 North of a line extended East from the center line of
15 that part of Ann Street lying South of and adjoining said
16 Block 3 in Sherman Shores Resubdivision, all that part of
17 Louis Street lying South, Southeasterly and Easterly and
18 adjoining Lots 1 to 7, both inclusive, in Block 1
19 aforesaid, and North of the Northerly terminus of Irene
20 Drive, Sherman Drive and the North line of that part of
21 Lot 47 falling in Oakshore Subdivision recorded as
22 Document 214513; all that part of Irene Drive lying South
23 of the North line of Lot 8 in Block 1 extended East to
24 the West line of the Park in Block 3, East and adjoining
25 Block 1 and West and adjoining Block 3, and East and
26 adjoining the East line of Lot 24 in Block 1 extended
27 South to the center line of Ann Street and West and
28 adjoining the West line of Lot 10 in Block 3 extended
29 South to the center line of Ann Street; the West half of
30 Irene Drive lying East and adjoining the North line of
31 Lot 1 in Block 2 extended North to the center line of Ann
32 Street and East and adjoining Block 2; all that part of
33 Ann Street lying South and adjoining Lot 24 in Block 1,
34 North and adjoining Lot 1 in Block 2, and East of the
35 West line of Sherman Shores Resubdivision aforesaid, and

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1	West of the East line of Lot 24 in Block 1 extended South	159
2	to the North line of Lot 1 in Block 2; all of Sherman	160
3	Drive lying Southerly and adjoining the Southerly line of	161
4	Louis Street, Easterly and adjoining Block 3, Westerly	
5	and adjoining Lots 37 through 47 in Oakshore Subdivision,	162
6	Westerly and adjoining the Westerly line of Lot 37 in	163
7	Oakshore Subdivision extended Southerly to a line	164
8	extended East from the center line of that part of Ann	165
9	Street lying South of and adjoining said Block 3 in	
10	Sherman Shores Resubdivision, and Easterly and adjoining	166
11	the Easterly line of Block 3 extended Southerly to said	167
12	line extended East from the center line of that part of	168
13	Ann Street lying South of and adjoining said Block 3 in	
14	Sherman Shores Resubdivision, all that part of the North	169
15	half of Allison Street lying South and adjoining Lot 19	170
16	in Block 2, East of the West line of Sherman Shores	171
17	Resubdivision extended Southerly to the centerline of	
18	said Allison Street and West of the centerline of Irene	172
19	Drive extended Southerly across Allison Street, as	173
20	vacated by instrument recorded September 16, 1971 as	174
21	Document 1523721, in Lake County, Illinois;	
22	ALSO,	176
23	All of Oakshore Drive lying Southerly and adjoining Lot	178
24	49, Westerly and adjoining Lots 1 to 12, both inclusive,	179
25	Easterly and adjoining Lots 37 to 47, both inclusive,	180
26	Westerly and adjoining the Westerly line of Lot 12	181
27	extended Southerly to a line extended East from the	
28	center line of that part of Ann Street lying South of and	183
29	adjoining Block 3 in Sherman Shores Resubdivision,	
30	Easterly and adjoining the Easterly line of Lot 37	184
31	extended Southerly to said line extended East from the	185
32	center line of that part of Ann Street lying South of and	186
33	adjoining said Block 3 in Sherman Shores Resubdivision,	
34	and Easterly of Louis Street and that part of Lot 1 in	187
35	Block 1 of Sherman Shores Resubdivision aforesaid, lying	188

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1 South of the Southerly line of Lot 49 aforesaid, as
2 vacated by instrument recorded September 16, 1971 as
3 Document 1523721, in Lake County, Illinois;

4 ALSO,

5 Lots 1 through 40 in Block 6; Lots 1 through 40 in Block
6 7; Lots 1 through 40 in Block 8; Lots 1 through 40 in
7 Block 9; all in Chicago Spring Bluff Addition, a
8 subdivision in fractional Section 3, Township 46 North,
9 Range 12 East of the 3rd P. M., according to the Plat
10 thereof, recorded May 19, 1891 as Document 45422, in Book
11 "B" of Plats, Page 45, in Lake County, Illinois;

12 ALSO,

13 All that part of the East half of Kentucky Avenue lying
14 West and adjoining Lots 21 to 40, both inclusive, in
15 Block 9; all that part of Missouri Avenue lying East and
16 adjoining Lots 1 to 20, both inclusive, in Block 9, and
17 West and adjoining Lots 21 to 40, both inclusive, in
18 Block 8; all that part of Iowa Avenue lying East and
19 adjoining Lots 1 to 20, both inclusive, in Block 8 and
20 West and adjoining Lots 21 to 40, both inclusive, in
21 Block 7; all that part of Indiana Avenue lying East and
22 adjoining Lots 1 to 20, both inclusive, in Block 7 and
23 West and adjoining Lots 21 to 40, both inclusive, in
24 Block 6; all that part of Connecticut Avenue lying East
25 and adjoining Lots 1 to 20, both inclusive, in Block 6
26 and West of the East line of Chicago Spring Bluff
27 Addition, and all that part of the North half of Second
28 Street lying West of the East line of Chicago Spring
29 Bluff Addition and East of the centerline of Kentucky
30 Avenue extended across Second Street; all in Chicago
31 Spring Bluff Addition aforesaid, as vacated by instrument
32 recorded September 16, 1971 as Document 1523721, in Lake
33 County, Illinois;

34 ALSO,

35 That part of Lot A in Winthrop Harbor Subdivision, a

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1 subdivision in Section 10, Township 46 North, Range 12 221
2 East of the 3rd Principal Meridian, according to the Plat 222
3 thereof recorded January 4, 1900 as Document 76795 in
4 Lake County, Illinois, and that part of Block 54 in 223
5 Chicago Spring Bluff Addition, a subdivision in 224
6 Fractional Section 3, Township 46 North, Range 12 East of
7 the 3rd Principal Meridian, according to the Plat 225
8 thereof, recorded May 19, 1891 as Document 45422, in Book 226
9 "B" of Plats, Page 45, in Lake County, Illinois, lying 227
10 East of a line beginning in the centerline of vacated
11 Main Street at a point 210 feet West of the East line of 228
12 said Lot A extended southerly; thence Northerly, along a 229
13 line parallel to the East line of said Lot A, 450 feet to 230
14 a point; thence Northeasterly, along a line which 231
15 intersects the East line of said Chicago Spring Bluff
16 Addition, at a point 1,580 feet North of the centerline 232
17 of vacated Main Street, said point being the terminus of 233
18 the above described line. That part of Connecticut
19 Avenue and that part of Fifth Street lying between said 234
20 line described above and the East line of said Chicago
21 Spring Bluff Addition, as vacated by instrument recorded 236
22 September 16, 1977; Document 1523721, and that part of 237
23 Main Street lying between said line described above and
24 the East line of said Winthrop Harbor Subdivision, as 238
25 vacated by instrument recorded September 8, 1981 as 239
26 Document 2129789, in Lake County, Illinois.
27 All situated in Lake County, Illinois. 241
28 Section 2. Said deed or document of conveyance may 243
29 contain a clause providing that in the event said lands cease 244
30 to be used for Marina purposes, or are sold or conveyed by 245
31 the State of Illinois, that title will revert to The Lake 246
32 County Forest Preserve District.
33 Section 3. The Director of the Department of 248
34 Conservation on behalf of The State of Illinois is hereby 249
35 authorized to accept the deed or document of conveyance 250

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1 hereinabove described from The Lake County Forest Preserve 25
 2 District subject to a clause providing for a reverter as
 3 hereinabove set out.

4 Section 4. The Department of Conservation is further 25
 5 authorized to make improvements to said lands and expend 25
 6 State funds thereon subject to said reverter clause.

7 ARTICLE II 25

8 Section 1. The Director of the Department of 25
 9 Conservation, on behalf of the State of Illinois, is 25
 10 authorized to convey to the Vermilion County Conservation 25
 11 District by quit claim deed for a nominal consideration of 25
 12 One Dollar and the exchange of the property described in 25
 13 Section 2 of this Article, such right, title and interest as 25
 14 it has in the following described property in Vermilion 25
 15 County, Illinois:

16 PARCEL Q-1 25

17 That part of the Southeast Quarter of Section 36, 2
 18 Township 21 North, Range 13 West of the Second Principal 2
 19 Meridian, more particularly described as follows: 2
 20 Beginning at the Southeast corner of Section 36; thence
 21 Northerly along the East line of said Section, a distance 2
 22 of 1875 feet; thence with a deflection angle of 2
 23 135°00'00" to the left of the last described course
 24 Southwesterly a distance of 630 feet, more or less, to
 25 the centerline of the Middle Fork of the Vermilion River;
 26 thence in a Southerly direction along the centerline of
 27 said river to the South line of said Section 36; thence
 28 Easterly along said South line to the point of beginning.

29 PARCEL Z-2

30 Lot 8 in the Clerk's Subdivision of the West Half of the
 31 Southwest Quarter of Section 31, Township 21 North, Range
 32 12 West of the Second Principal Meridian, as per plat
 33 recorded in Deed Record 44, Page 59, in the Recorder's
 34 Office of Vermilion County, Illinois.

35 PARCEL Z-3

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1	All that part of Lots 1 through 7, EXCEPT the North 765	287
2	feet thereof, in Clerk's Subdivision of the West Half of	
3	the Southwest Quarter of Section 31, Township 21 North,	289
4	Range 12 West of the Second Principal Meridian, as shown	290
5	by plat thereof recorded in Deed Record 44, page 59, in	
6	the Recorder's Office in Vermilion County, Illinois.	291
7	PARCEL Z-4	293
8	Lot 9 of Clerk's Subdivision of the West Half of the	295
9	Southwest Quarter of Section 31, Township 21 North, Range	296
10	12 West of the Second Principal Meridian, said tract	297
11	being described as follows: Beginning at the Southwest	298
12	corner of said Section 31; thence North 57 rods and 13	
13	links; thence East parallel with the South line of said	299
14	Section to the East line of the Southwest Quarter of the	300
15	Southwest Quarter of said Section 31; thence South 57	301
16	rods 13 links; thence West along the South line of said	
17	Section to the place of beginning, as per plat in Deed	302
18	Record 44, page 59, in the Recorder's Office in Vermilion	303
19	County, Illinois.	
20	Reserving, however, unto Viola B. Cundiff without the	305
21	right of surface access thereto, all coal, oil and gas	306
22	underlying the surface of the above described premises.	307
23	PARCEL Z-6	309
24	All of the West 300 feet, EXCEPT the North 765 feet	311
25	thereof, of the East One-half of the Southwest Quarter of	312
26	Section 31, Township 21 North, Range 12 West of the	313
27	Second Principal Meridian.	
28	PARCEL F-4	315
29	That part of the Northeast Fractional Quarter of Section	317
30	6, Township 20 North, Range 12 West of the Second	318
31	Principal Meridian, lying Northerly and Easterly of the	319
32	centerline of the Middle Fork of the Vermilion River.	
33	It is understood and agreed that this property is	321
34	dedicated as a Nature Preserve under Illinois law and its	322
35	future use is to comply with such dedication and in the	323

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1 event such use should ever cease, the land conveyed by
2 the Department herein shall revert to the State of
3 Illinois upon written demand by the Department, or its
4 successors.

PARCEL N-12

5
6 The Westerly 660 feet of the following described land:
7 All that part of the Northeast Quarter of Section 8,
8 Township 20 North, Range 12 West of the Second Principal
9 Meridian more particularly described as follows:
10 Beginning at the Northwest corner of the said Northeast
11 Quarter of Section 8; thence S 0° -19'E along the
12 North-South centerline of said Section 8 for a distance
13 of 1877 feet; thence S 86° -20'E for a distance of 2634
14 feet to the East line of said Northeast Quarter of
15 Section 8; thence North along said East line 792 feet;
16 thence N 55° -17'W for a distance of 1484 feet; thence N
17 41° -00'W for a distance of 533 feet to the North line of
18 the said Northeast Quarter of Section 8; thence West
19 along the said North line to the point of beginning.

PARCEL P-1

20
21 The Westerly 660 feet of the following described tract:
22 All that part of the Northeast Quarter of Section 8,
23 Township 20 North, Range 12 West of the Second Principal
24 Meridian lying South of a line running West across said
25 Northeast Quarter at a course 86° -20' West from a point
26 on the East line of said Northeast Quarter which is 792
27 feet South of the point of intersection of said East line
28 with the centerline of the road running Southeasterly
29 across said Northeast Quarter, EXCEPTING THEREFROM, that
30 part of the Westerly 660 feet of said Northeast Quarter
31 of Section 8, lying Westerly of the centerline of the
32 Middle Fork of the Vermilion River, ALSO EXCEPTING
33 THEREFROM, that part of the Westerly 660 feet of said
34 Northeast Quarter of Section 8, lying South and East of
35 the following described line: Beginning at the

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1 intersection of the centerline of the Middle Fork of the 355
2 Vermilion River with the East-West centerline of said 356
3 Section 8; thence Northeasterly approximately 775 feet to 357
4 a point being 660 feet East of the West line of the East 358
5 half of said Section 8 and 400 feet North of the South
6 line of the North half of said Section 8, and terminus of 359
7 the above described line.

8 ALSO, 361

9 All of the Northeast Quarter of the Northwest Quarter of 363
10 Section 8, Township 20 North, Range 12 West of the Second 364
11 Principal Meridian, more particularly described as 365
12 follows: Beginning at the Northeast corner of the 366
13 Northeast Quarter of the Northwest Quarter of said 367
14 Section 8; thence Westerly along the North line of said 368
15 Quarter Quarter, a distance of 270 feet; thence
16 Southwesterly 410 feet to a point being 570 feet West of 369
17 the East line of the Northwest Quarter and 280 feet South 370
18 of the North line of said Section 8; thence South 120 371
19 feet parallel with the East line of the Northwest Quarter
20 of Section 8; thence Southwesterly 525 feet to a point 372
21 being 760 feet South of the North line and 950 feet West 373
22 of the East line of the Northwest Quarter of said Section 374
23 8; thence South parallel with the East line of the 375
24 Northwest Quarter of Section 8, approximately 540 feet to
25 the centerline of the Middle Fork of the Vermilion River; 376
26 thence Westerly and Northwesterly along the centerline of 377
27 said River to its intersection with the West line of the 378
28 Northeast Quarter of the Northwest Quarter of Section 8;
29 thence South along said West line to the Southwest corner 379
30 of said Quarter Quarter; thence East along the South line 380
31 of said Quarter Quarter to the Southeast corner of said 381
32 Quarter Quarter; thence North along the East line of the
33 Northwest Quarter of said Section 8 to the point of 382
34 beginning. EXCEPTING THEREFROM, that part of the 383
35 aforesaid Northeast Quarter of the Northwest Quarter of

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1 said Section 8, lying Southerly of the centerline of the 3
2 Middle Fork of the Vermilion River. 3

3 It is understood and agreed that this property is 3
4 dedicated as a Nature Preserve under Illinois law and its 3
5 future use is to comply with such dedication and in the 3
6 event such use should ever cease, the land conveyed by 3
7 the Department herein shall revert to the State of 3
8 Illinois upon written demand by the Department, or its 3
9 successors. 3

10 PARCEL N-3 3

11 All that part of the South Half of Section 8, Township 20 3
12 North, Range 12 West of the Second Principal Meridian, 3
13 lying North and East of the centerline of the Middle Fork 3
14 of the Vermilion River, EXCEPT the following described 3
15 property: Commencing at the Northwest corner of the 3
16 Southeast Quarter of said Section 8; thence East along 3
17 the North line of said Quarter Section line, a distance 3
18 of 660 feet to the point of beginning; thence with a 3
19 deflection angle of 45°00'00" to the right of the last 3
20 described course, Southeasterly to a point on a line 3
21 which is 660 feet West of the East line of said Section 3
22 8, as measured perpendicularly; thence South along a line 3
23 parallel with and 660 feet West of the East line of 3
24 Section 8 to the centerline of the Middle Fork of the 3
25 Vermilion River; thence Southeasterly along said 3
26 centerline of the Middle Fork of the Vermilion River to 3
27 its intersection with the South line of Section 8; thence 3
28 East along said South line to the Southeast corner of 3
29 Section 8; thence North along the East line of Section 8 3
30 to the Northeast corner of the Southeast Quarter of said 3
31 Section 8; thence West along the North line of said 3
32 Southeast Quarter to the place of beginning. 3

33 ALSO, 3

34 That part of the Westerly 660 feet of the Northeast 3
35 Quarter of Section 8, Township 20 North, Range 12 West of 3

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1 the Second Principal Meridian, lying South and East of 416
 2 the following described line: Beginning at the 417
 3 intersection of the centerline of the Middle Fork of the
 4 Vermilion River with the East-West centerline of said 418
 5 Section 8; thence Northeasterly approximately 775 feet to 419
 6 a point being 660 feet East of the West line of the East 420
 7 half of said Section 8 and 400 feet North of the South
 8 line of the North half of said Section 8, and terminus of 421
 9 the above described line.

10 It is understood and agreed that this property remain in 423
 11 public recreation use and that archaeological values be 424
 12 protected. In the event such use should ever cease, the 425
 13 land conveyed by the Department herein shall revert to 426
 14 the State of Illinois upon written demand by the 427
 15 Department, or its successors.

16 The above described parcels of land contain a total of 429
 17 266.07 acres, more or less, and are situated in the 430
 18 County of Vermilion, State of Illinois.

19 The Department of Conservation, State of Illinois desires 432
 20 to preserve and protect, for recreational purposes, the 433
 21 natural beauty of that part of the above described lands 434
 22 lying between the centerline of the Middle Fork of the 435
 23 Vermilion River and a line 500 feet easterly of said
 24 centerline, and other lands owned by the Vermilion County 436
 25 Conservation District, lying between the West boundary of 437
 26 said lands and a line 500 feet easterly of the centerline 438
 27 of the Middle Fork of the Vermilion River, and to prevent
 28 future development on said lands, which may tend to 439
 29 detract therefrom; and the Vermilion County Conservation 440
 30 District is willing to grant an easement, hereinafter 441
 31 referred to as a Conservation Easement for the above
 32 stated purposes.

33 Therefore, the Vermilion County Conservation 443
 34 District is authorized to grant, convey and dedicate to 444
 35 the People of the State of Illinois, to be held in trust 445

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1 by the Department of Conservation, a Conservation
2 Easement in accordance with the terms and conditions
3 hereinafter set forth over, along and upon the above
4 described protected lands.

5 This Conservation Easement will establish
6 restrictions on the protected lands as follows:

7 1. No buildings, signs, billboards, outdoor
8 advertising structures, or advertisements of any kind,
9 shall be hereafter erected, displayed, placed or
10 maintained upon or within the Conservation Easement area
11 as hereinabove described, excepting such signs as would
12 be placed by the Grantor or Grantee herein, or its
13 successors or assigns, designating and informing the
14 public of any facility located on said premises, or
15 concerning its use.

16 2. There shall be no dumping of ashes, trash,
17 garbage or other unsightly or offense material on the
18 Conservation Easement area except as may be incidental to
19 an authorized occupation or use of the property, or
20 required for reason of sanitation, public safety or
21 disease control.

22 3. There shall be no filling, dredging, mining or
23 drilling, removal of topsoil, sand, gravel, rock,
24 minerals or other materials or any building of new roads
25 or change in the topography of the land in any manner,
26 except for the improvement of existing access roads.

27 4. No trees or shrubs shall be destroyed, cut or
28 removed in the Conservation Easement area except as may
29 be incidental to an authorized occupation or use of the
30 property, or required for reason of sanitation, public
31 safety or disease control.

32 5. There shall be no activities, actions, or uses
33 detrimental or adverse to water conservation, erosion
34 control, soil conservation, and wildlife habitat
35 preservation.

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1 6. There shall be no operation of snowmobiles, 478
2 dune-buggies, motorcycles, four wheel drive vehicles, or 479
3 any recreational motorized vehicles.
4 7. The State of Illinois by and through the 481
5 Department of Conservation or anyone lawfully designated 482
6 by them is granted the right of ingress and egress to the 483
7 Conservation Easement area to inspect the same to
8 determine compliance with the terms of this Conservation 484
9 Easement. The Department of Conservation or its duly 485
10 authorized representatives may also enter the 486
11 Conservation Easement area, subject to the prior written
12 approval of the Grantor, to accomplish such trimming as 487
13 may be necessary in order to maintain the scenic view or 488
14 features for the benefit of the public, and to control 489
15 erosion by grading, seeding or planting ground cover
16 along the stream bank. The Department of Conservation or 490
17 its duly authorized representatives may also enter the 491
18 Conservation Easement area at such times as may be 492
19 necessary to accomplish or promote the rehabilitation of
20 injured and abandoned wildlife. 493
21 8. The language of this Conservation Easement in no 495
22 way precludes the establishment of any additional lease 496
23 or easement agreement as may be jointly agreed to by the 497
24 Grantor or Grantee provided that it is (1) consistent
25 with the uses permitted by the easement and (2) that said 498
26 public use will not materially detract from the existing 499
27 scenic recreational or ecological values of the area.
28 9. The Grantor authorizes the State of Illinois to 501
29 include the easement area provided for herein in any area 502
30 to be designated pursuant to the National Wild and Scenic 503
31 Rivers Act.
32 Section 2. The Vermilion County Conservation District is 505
33 authorized to convey to the Department of Conservation, State 506
34 of Illinois, by quit claim deed for a nominal consideration 507
35 of One Dollar and the exchange of the property described in 508

mam
DR

1 Section 1 of this Article, such right, title and interest as
2 it has in the following described property in Vermilion
3 County, Illinois:

E-3

4
5 The Northwest Fractional Quarter of Section 7, and the
6 West Half of the Northeast Quarter of Section 7, all in
7 Township 20 North, Range 12 West of the Second Principal
8 Meridian, situated in Vermilion County, Illinois.

E-4

9
10 Part of the Southwest Fractional Quarter of Section 7,
11 Township 20 North, Range 12 West of the Second Principal
12 Meridian, Vermilion County, Illinois, being further
13 described as follows: Commencing at the Northwest corner
14 of said Quarter Section; thence East along the North line
15 of the South Half of said Section on an azimuth of 89
16 degrees 24 minutes 22 seconds (as referenced to the
17 Illinois State Plane Coordinate System, East Zone), a
18 distance of 772.86 feet for a place of beginning; thence
19 continuing along the aforesaid line 692.34 feet to the
20 Northeast corner of said Quarter Section; thence South
21 179 degrees 27 minutes 29 seconds, along the East line of
22 said Quarter Section, 883.08 feet; thence West 269
23 degrees 24 minutes 22 seconds, and parallel with the
24 North line of said Quarter Section, 717.23 feet; thence
25 Northerly 01 degrees 04 minutes 23 seconds, a distance of
26 883.40 feet to the place of beginning, situated in
27 Vermilion County, Illinois.

E-6

28
29 The East Half of the Southeast Quarter (Except the South
30 41 acres thereof), and the North $26 \frac{2}{3}$ acres of the
31 Northwest Quarter of the Southeast Quarter, all in
32 Section 7, Township 20 North, Range 12 West of the Second
33 Principal Meridian, EXCEPT all coal, oil, gas and other
34 minerals underlying same without right of surface access
35 thereto, situated in Vermilion County, Illinois.

mgm
PK

1	E-7 1/2	542
2	The West Half of the Southeast Quarter (Except the North	544
3	26 2/3 acres) and (Except the South 26 2/3 acres of said	545
4	West Half), in Section 7, Township 20 North, Range 12	546
5	West of the Second Principal Meridian.	
6	ALSO,	548
7	Part of the Southwest Fractional Quarter of Section 7,	550
8	Township 20 North, Range 12 West of the Second Principal	551
9	Meridian, being further described as follows: Commencing	552
10	at the Northeast corner of said Quarter Section; thence	
11	South along the East line of said Quarter Section on an	553
12	azimuth of 179 degrees 27 minutes 29 seconds (as	554
13	referenced to the Illinois State Plane Coordinate System,	555
14	East Zone), a distance of 883.08 feet for a place of	556
15	beginning; thence continuing South along the aforesaid	
16	line, 443.02 feet to the Southeast corner of the North	557
17	Half of said Quarter Section; thence West 269 degrees 34	558
18	minutes 51 seconds, along the South line of the North	
19	Half of said Quarter Section, 494.82 feet; thence North	559
20	359 degrees 30 minutes 32 seconds and parallel with the	560
21	West line of said Quarter Section, 352.0 feet; thence	561
22	Southwesterly 249 degrees 53 minutes 45 seconds a	
23	distance of 326.53 feet; thence North 359 degree 30	562
24	minutes 32 seconds, a distance of 102.59 feet; thence	563
25	Northeasterly 42 degrees 53 minutes 13 seconds, a	564
26	distance of 123.17 feet; thence Northerly 01 degrees 04	
27	minutes 23 seconds, a distance of 6.6 feet; thence East	565
28	89 degrees 24 minutes 22 seconds and parallel with the	566
29	North line of said Quarter Section, 717.23 feet to the	567
30	place of beginning, situated in Vermilion County,	
31	Illinois.	
32	F-2	569
33	The West 15 acres of the South Half of the Southeast	571
34	Quarter of Section 6, Township 20 North, Range 12 West of	572
35	the Second Principal Meridian, and the South 14 acres of	573

[Handwritten signature]

1 the Northwest Quarter of the Southeast Quarter of Section 574
 2 6, Township 20 North, Range 12 West of the Second
 3 Principal Meridian, EXCEPTING THEREFROM, the East 450 575
 4 feet of the South 14 acres of the Northwest Quarter of 576
 5 the Southeast Quarter of said Section 6, situated in 577
 6 Vermilion County, Illinois.

7 F-7 579
 8 The South Half of 30 acres off the North end of the 581
 9 Southwest Fractional Quarter of Section 6, Township 20 582
 10 North, Range 12 West of the Second Principal Meridian, 583
 11 situated in Vermilion County, Illinois.

12 F-9 585
 13 The South 330 feet of the West 41 acres of the South 62 587
 14 acres of the fractional Southwest Quarter of Section 6, 588
 15 Township 20 North, Range 12 West of the Second Principal 589
 16 Meridian, situated in Vermilion County, Illinois.

17 F-10 591
 18 The East 21 acres of the South 62 acres of the fractional 593
 19 Southwest Quarter of Section 6, Township 20 North, Range 594
 20 12 West of the Second Principal Meridian, situated in 595
 21 Vermilion County, Illinois.

22 The above described parcels of land contain a total of 597
 23 350.95 acres, more or less.

24 Section 3. Each party to this transaction shall bear and 599
 25 pay the transfer and title costs attributable to the lands 600
 26 they will acquire hereunder.

27 ARTICLE III 601

28 Section 1. This Act takes effect upon its becoming a law. 60

29 *Richard J. Madigan* 60
 30 Speaker, House of Representatives 60
 31 *Philip J. Cook* 61
 32 President of the Senate 61

APPROVED

this 29th day of July 1986 A.D.

James R. Thompson
 GOVERNOR

CONSERVATION EASEMENT AGREEMENT

WHEREAS, the State of Illinois by and through the Department of Conservation desires to preserve and protect for recreational purposes the natural beauty of the real estate hereinafter described, and to prevent future development on said tract, except as hereinafter permitted, which may tend to detract therefrom;

WHEREAS, Illinois Power Company is willing to grant an easement, hereinafter referred to as a Conservation Easement, for the above stated purposes; and

WHEREAS, The U.S. Department of Interior has approved the designation of the Middle Fork of the Vermilion River as a State managed component of the National Wild and Scenic Rivers System,

THEREFORE, Illinois Power Company (hereinafter "Grantor") for and in consideration of ONE DOLLAR in hand paid, the receipt of which is hereby acknowledged, and for other valuable considerations contained in this Conservation Easement Agreement (hereinafter "Agreement") does grant, convey and dedicate to the People of the State of Illinois to be managed and controlled by the Department of Conservation (hereinafter "Grantee") a Conservation Easement in accordance with the terms and conditions set forth herein, along and upon real property located in the County of Vermilion and State of Illinois, and more particularly described as follows:

A strip of land four hundred (400) feet in width extending over, through and across The Northeast Quarter The South Half of the Northeast Quarter of the Northwest Quarter, the East Half of the Southeast Quarter of the Northwest Quarter, the North Half of the Northwest Quarter of the Southeast Quarter, the Northeast Quarter of the Southeast Quarter, and the East Half of the Southeast Quarter of the Southeast Quarter of Section 20, except exemptions as stated in Section A Reservation of Grantor's Rights paragraphs 1 and 2 of the Terms and Conditions of this Conservation Easement Agreement; and the Southwest Quarter of the Northwest Quarter and the West Half of the Southwest Quarter of Section 21; and the West Half of the Northwest Quarter of Section 28; and the East Half of the Northeast Quarter of the Northeast Quarter and the South Half of the Northeast Quarter of Section 29; all in Township 20 North, Range 12 West of the 2nd Principal Meridian, Vermilion County, Illinois; said four hundred (400) foot strip being described as being two hundred (200) feet on either side of the thread of the Vermilion River Extending generally North and South through the above-described real estate as shown in Attachment A.

This Agreement including, but not limited to, all reservations of rights and permitted uses shall apply to Grantor and any of its successors and assigns.

Subject to the terms of this Agreement, the Grantor authorizes the State of Illinois to include the Conservation Easement as described and provided for herein in any area to be designated pursuant to the National Wild and Scenic Rivers Act, and to add said Conservation Easement to the State Protected River corridor authorized under Public Law 84-1257, so long as the exceptions and reservation of rights contained in this Agreement are preserved.

TERMS AND CONDITIONS

A. RESERVATION OF GRANTOR'S RIGHTS

The Grantor reserves the right for continued use of the Conservation Easement as it has in the past, including full and free access to all portions of the Conservation Easement and to continue to operate existing facilities as it has in the past. Except as provided in paragraph B.6., nothing in this Agreement shall limit Grantor's right to use or withdraw water from the Middle Fork of the Vermilion River for its existing power station or to otherwise operate its existing power station as it has in the past, including any of the additional facilities provided for under this Agreement.

Furthermore, Grantor reserves the right to operate, maintain and improve all of its facilities presently located within the Conservation Easement or built there in the future as provided under the Agreement as well as the rights to:

(1) Expand its ash holding ponds presently located within the Conservation Easement; however, all such expansion shall be limited to a twenty (20) foot vertical lift of the existing north ash pond. Such lift will not result in widening of the berm toward the river, will include an interior berm to protect Orchid Hill natural area, and will include permanent native vegetative cover on the river side of the north ash pond.

(2) Construct and operate a new ash holding pond west of the Middle Fork of the Vermilion River in the Southeast Quarter of Section 20 within the 200 foot Conservation Easement but not within 150 feet of the center line of the river. Such ash holding pond shall include a berm and discharge line to the river and will include permanent native vegetative cover on the river side of the new ash pond.

(3) Construct, operate and maintain new electric transmission and distribution lines, and a new water discharge area to the Middle Fork of the Vermilion River and related facilities within the Conservation Easement as long as the same are within the existing transmission line right-of-way, hereinafter referred to as the Transmission Corridor, more particularly described as follows:

The Northernmost line thereof is described as being 50 feet North of and parallel to Grantor's existing electric line which crosses the Middle Fork of the Vermilion River at a point about 930 feet North of the South line of said Section 21. The Southernmost line thereof is described as being 50 feet South of and parallel to Grantor's existing electric line which crosses the Middle Fork of the Vermilion River at a point about 730 feet North of the South line of said Section 21.

(4) Notwithstanding anything herein to the contrary, Grantor further reserves the right and privilege to construct, operate and maintain new facilities within a 200-foot strip hereinafter referred to as the Development Strip, upon, over

shall be designated at the sole discretion of Grantor in consultation with the Grantee. The Grantee will be notified in writing by the Grantor prior to seeking permits from other agencies concerning the location of the Development Strip. Grantee will provide Grantor with written comments on the proposed location within 60 days of notification.

The Grantor will follow the recommendations of the Illinois Environmental Protection Agency, Illinois Department of Conservation, Illinois Historic Preservation Agency, Illinois Department of Transportation, U.S. Environmental Protection Agency, and U.S. Army Corps of Engineers to the greatest extent possible subject to Grantor's economic and operational constraints as a public utility.

The Development Strip may contain the following:

- (a) One additional water intake pump house, one additional water intake structure, associated roads, electric service lines, and water lines on either side of the Middle Fork of the Vermilion River;
- (b) Roads, discharge areas and water line facilities associated with an impoundment created by damming a ravine on the east side of the Middle Fork of the Vermilion River;
- (c) One bridge across the Vermilion River large enough to carry vehicular traffic and pipelines from one side of the Middle Fork of the Vermilion River to the other side and if a new bridge is built, the existing bridge shall be removed;
- (d) Any additional facilities agreed to in writing by Grantor and Grantee prior to construction of such facilities.

All river crossings of any type, except transmission lines, must occur within the Development Strip.

(5) Notwithstanding anything herein to the contrary, any facilities or improvements that may be required by federal and state or local regulatory authorities may be located within the Conservation Easement and may be constructed, operated and maintained by the Grantor. The Grantee shall be consulted prior to the construction of any such facilities or improvements.

B. RESTRICTIONS AND PERMITTED USES

The following restrictions on future uses and developments and the following permitted uses are hereby agreed to, by and between the Grantor and Grantee:

1. No signs, billboards, outdoor advertising structures, or advertisements of any kind, shall be hereafter erected, displayed, placed or maintained upon or within the Conservation Easement, except such signs as would be placed by the Grantor or Grantee designating and informing the public of any facility located on said premises, or concerning its use in relation to the business of the Grantor or its successors or assigns.

2. No trash or other offensive material shall hereafter be dumped or placed by the Grantor or Grantee in the Conservation Easement except as may be incidental to an authorized occupation or use of the property by Grantor, or required for reason of sanitation, public safety or disease control and which cannot otherwise be located outside of the Conservation Easement.

3. No trees or shrubs shall be destroyed, cut or removed in the Conservation Easement except as may be necessary for Grantor's authorized occupation or use of the property, which includes, but is not limited to, Grantor's authorized uses within the Transmission Corridor and Development Strip or as may be required for reason of sanitation, public safety or disease control.

4. No house trailers, mobile homes, fishing or hunting shacks, portable structures, or other low quality, unattractive or temporary improvements or structures may be located within the Conservation Easement, except such temporary structures as would be necessary to Grantor during the erection or building of any structure or facility permitted under Grantor's authorized uses.

5. Roads built within the Conservation Easement shall be restricted to those needed by Grantor to operate and maintain structures located within the Conservation Easement, and if visible from the river will be screened from view with native vegetation, which is the responsibility of the Grantor at the time of construction. Only one permanent road shall cross the Middle Fork of the Vermilion River at the one bridge allowed under paragraph A.(4)(c).

6. Grantor does not plan to modify its current operations regarding water withdrawals unless necessary to comply with State or federal mandates. In the event Grantor constructs additional generating capacity and support facilities as permitted under this Agreement, Grantor agrees to limit its water withdrawals from the Middle Fork of the Vermilion River for both its existing and additional generating capacity

in accordance with the following:

If river flow at
pump inlets is:
(cubic feet per second)

Grantor withdrawals
shall not exceed:
cubic feet per second)

0 - 5

0

Greater than 5

20% of stream flow, but not
to reduce stream flow below
5 cfs

7. All agricultural production will be removed from the Conservation Easement.

8. The public will be allowed to travel the Middle Fork of the Vermilion River by boat, canoe, or raft and to make such contact with its banks within the Conservation Easement as is necessary during an emergency situation.

9. Grantor and Grantee will attempt to negotiate, through a separate agreement, expansion of existing recreation opportunities in the Middle Fork River Corridor through linkages of the Grantor's and Grantee's property on the east side of the Middle Fork of the Vermilion River and the Vermilion County Conservation District's public property in the Middle Fork River Corridor.

10. The Grantee and anyone lawfully designated by Grantee is granted the right to ingress and egress to the Conservation Easement subject to the prior written approval of the Grantor.

11. Nothing contained in this Agreement is intended to be in opposition to any applicable requirements of any local, state, or federal statutes or regulations, nor to prevent or release Grantor from compliance. Furthermore, nothing in this Agreement shall be used or construed to impose any additional requirements on the actions of Grantor that are not explicitly defined in this Agreement or otherwise required under applicable local, state, or federal statutes or regulations.

12. Grantor shall be protected against liability for any injury to persons or property caused by, connected with or arising directly or indirectly, wholly or in part from any use or occupation of the Conservation Easement by Department of Conservation, its agents, contractors, employees, or members of the general public, in accordance with the Illinois Revised Statutes 1985, Chapter 70, Sections 31 through 37 inclusive, or in accordance with any amendments thereto or substitute legislation hereafter adopted. To provide further protection for Grantor against liability arising out of injury to persons caused by or connected with the use or occupation of the Conservation Easement, Department of Conservation shall require all contractors to whom Department of Conservation may grant any right or rights to enter upon, use

or occupy the Conservation Easement to provide and maintain policies of insurance, insuring Grantor against liability for injury to persons arising out of such contractors' exercise of rights so granted; the form of such insurance and the insurance carrier shall be subject to Grantor's approval which will not be unreasonably withheld, and shall be with limits of \$1,000,000 for injuries to one person and \$1,000,000 for injuries to two or more persons in one accident, and \$500,000 for damage to property. Such insurance contracts shall be provided to Grantor prior to the initiation of any work by such contractors. The parties hereto recognize that Department of Conservation may desire to enter contracts or grant concessions involving small amounts of money and/or single, non-recurring performance of services where these insurance limits might be prohibitive. Upon the written request of Department of Conservation, Grantor shall reasonably consider waiving or lowering the insurance coverage required for such contracts or concessions.

13. Nothing in this Agreement precludes the establishment of any additional lease or easement agreement which involves this Conservation Easement as may be jointly agreed to by the Grantor and Grantee.

14. The uses allowed within the Conservation Easement are those reserved by Grantor under Part A of this Agreement, those allowed Grantor and Grantee under Part B of this Agreement, and those mutually agreed upon in writing by Grantor and Grantee.

15. The Management Plan for the Middle Fork River Corridor will not require any actions of the Grantor that are not included in this Agreement.

CONSERVATION EASEMENT AGREEMENT
BETWEEN THE STATE OF ILLINOIS AND
ILLINOIS POWER COMPANY

The State of Illinois by and through the Illinois Department of Conservation and Illinois Power Company hereby agree to enter into the Conservation Easement Agreement attached hereto.

ILLINOIS POWER COMPANY

ILLINOIS DEPARTMENT OF
CONSERVATION

Name: *Porter J. Wommeldorff*
Porter J. Wommeldorff
Title: Vice President
Date: 7/23/87

Name: *Mark Frech*
Mark Frech
Title: Director
Date: 8/4/87

APPENDIX E

"NATIONAL WILD AND SCENIC RIVERS SYSTEM, FINAL REVISED
GUIDELINES FOR ELIGIBILITY, CLASSIFICATION AND MANAGEMENT
OF RIVER AREAS"

Tuesday
September 7, 1982

Forest

Service

Part VII

**Department of the
Interior**

Office of the Secretary
National Park Service

**Department of
Agriculture**

Office of the Secretary
Forest Service

National Wild and Scenic Rivers System;
Final Revised Guidelines for Eligibility,
Classification and Management of River
Areas

DEPARTMENT OF THE INTERIOR

Office of the Secretary

National Park Service

DEPARTMENT OF AGRICULTURE

Office of the Secretary

Forest Service

National Wild and Scenic Rivers System; Final Revised Guidelines for Eligibility, Classification and Management of River Areas

AGENCY: National Park Service and Office of the Secretary, Interior; Forest Service and Office of the Secretary, USDA.

ACTION: Publication of final revised guidelines.

FOR FURTHER INFORMATION CONTACT: Bob Brockwehl (NPS), 202/272-3566. William R. Snyder (USFS), 202/382-8014.

SUPPLEMENTARY INFORMATION:

Guidelines for the study of potential national wild and scenic rivers and management of designated rivers were first issued jointly by the Department of Agriculture and the Department of the Interior in 1970. On January 28, 1981 draft revised guidelines were published in the Federal Register for public comment (Vol. 46, No. 18, pp. 9148-9158). The document which follows was prepared after consideration of 50 letters of comment received from other Federal agencies, State governments, private industry, citizens' groups and individuals. Major comments and responses are summarized below. Many of the comments received were not addressed because they related to aspects of the wild and scenic rivers program beyond the scope of these guidelines. (See Preface of the revised guidelines.)

Comments and Responses

Comment: The definition of the term outstandingly remarkable value is too vague and too liberal. Too many rivers will be eligible for designation, unreasonably constraining economic development of natural resources. *Response:* Balancing of the need for protection versus development of each river area will be considered by the Congress in deciding whether or not to designate the river area. A determination that a particular river is eligible for designation does not necessarily imply that designation is the best use of the river in terms of the national interest.

Comment: The guidelines give inadequate emphasis to public

involvement in the study process.

Response: Public involvement is sufficiently addressed in the context of environmental statements or assessments prepared in the study process.

Comment: The guidelines do not make sufficiently clear which of the management principles apply to private lands. *Response:* The guidelines may be unclear to the general reader in this respect. The management principles are to be implemented throughout each river area to the fullest extent possible under the managing agency's general statutory authorities and other existing Federal, State and local laws, including zoning ordinances where available. Some management principles obviously apply only to Federal lands within the river area. For instance, the Wild and Scenic Rivers Act does not open private lands to public recreation. Management principles may apply to private lands only to the extent required by other laws such as local zoning and air and water pollution regulations.

Comment: Restriction of timber harvest to selective harvest techniques is unnecessarily limiting from both the timber production and the natural resource preservation standpoints.

Response: The guidelines have been amended in accordance with this comment.

Comment: Specific guidance contained in the 1970 guideline with respect to the granting of rights-of-way for transmission lines is omitted from the revised draft guidelines. *Response:* The subsection on rights-of-way has been amended in accordance with this comment.

Comment: A protected study area extending one half mile from each bank of the river is excessive when the final boundaries of a river area must average no more than one quarter mile from each bank (320 acres per mile). *Response:* The half-mile figure was intended to ensure that all areas likely to be included within the boundaries of a designated river area would be considered in the study process. Setting a study boundary based on the "visual corridor" concept was considered but rejected. The one-quarter-mile figure was finally selected to avoid unnecessary limitations on resource developments. Some developments which may be initiated beyond the one-quarter-mile boundary during the study period might be affected in the future if the area under development is included in the boundaries of the river area designated by Congress.

Comment: Evaluation of the study area in its existing condition for classification purposes does not allow

for the fact that a forest area growing in relatively natural condition at the time of the study may be scheduled for clearcutting at some future date. The classification process should allow for authorized and scheduled future uses which could change the condition and, thus, the classification of the river area. *Response:* The guidelines have been amended to permit consideration of alternative classifications for the river area where authorized future uses could alter classification.

The following additional changes were made in response to suggestions from the reviewing public or from reviewers within the responsible agencies.

- Unnecessary definitions were deleted.
- Quotations and paraphrases of the Wild and Scenic River Act (including the whole of Section II—Policy) were eliminated as much as possible. Instead, the guidelines will reference the appropriate sections of the Act where necessary.
- The entire subsection titled "Findings and Recommendations" and portions of the subsection titled "General Management Principles" were deleted and their content was placed in other appropriate sections.

Additional copies of the guidelines, the Wild and Scenic Rivers Act, as amended, and further information on the National Wild and Scenic Rivers System may be obtained from: National Park Service, Rivers and Trails Division (780), 440 G Street, N.W., Washington, D.C. 20243.

Dated: July 12, 1982.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks (Interior).

Dated: August 26, 1982.

Douglas W. MacCleery,

Deputy Assistant Secretary for Natural Resources and Environment (Agriculture).

Department of Agriculture

Department of the Interior

National Wild and Scenic Rivers System
Guidelines for Eligibility, Classification
and Management of River Areas.

Contents

Preface

The National Wild and Scenic Rivers System
Addition of Rivers to the System
The Guidelines
Revision of the Guidelines

Section I

Definitions

Section II

The River Study

Component: A river area designated as a unit of the National Wild and Scenic Rivers System.

Designation: Inclusion of a river area in the national system either by act of Congress or by authority of the Secretary of the Interior.

Development: Any manmade structure or modification of the natural or existing river environment.

Eligibility: Qualification of a river for inclusion in the national system through determination that it is free-flowing and with its adjacent land area possesses at least one outstandingly remarkable value.

Flow: The volume of water in a river passing a given point in a given period of time, usually expressed in terms of cubic feet per second or cubic meters per second.

Impoundment: A body of water formed by any manmade structure.

Management plan: The detailed development plan required under section 3(b) of the Act which states the boundaries and classification of the river area and presents a plan for its public use, development and administration.

Primary contact recreation: Activities in which there is prolonged and intimate contact with the water, (e.g., swimming, water skiing, surfing, kayaking, "tubing," and wading or dabbling by children.

River area: For a river study, that portion of a river authorized by Congress for study and its immediate environment comprising an area extending at least one-quarter mile from each bank. For designated rivers, the river and adjacent land within the authorized boundaries.

Secondary contact recreation: Activities in which contact with the water is either incidental or accidental, e.g., boating, fishing and limiting contact with water incident to shoreline activities.

Study agency: The agency within the Department of Agriculture or the Department of the Interior delegated the responsibility for a wild and scenic river study.

Study report: The report on the suitability or nonsuitability of a study river for inclusion in the national system, which section 4(a) requires the Secretary of Agriculture, or the Secretary of the Interior, or both jointly to prepare and submit to the President. The President transmits the report with his recommendation to the Congress.

Study team: A team of professionals from interested local, State and Federal agencies invited by the study agency and participating in the study.

Section II—The River Study

The Study Process

Section 4(a) mandates that all rivers designated as potential additions to the system in section 5(a) be studied as to their suitability for inclusion in the system:

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 nonsuitability 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.

The purpose of a wild and scenic river study is to provide information upon which the President can base his recommendation and Congress can make a decision. Procedures for developing the necessary information and preparing the study report may vary depending on the agency which conducts the study, but generally will include the steps shown on Table 1, Accelerated Study Schedule.

Wild and scenic river studies will comply with all applicable statutes and executive orders, which may include the following: the National Environmental Policy Act (Pub. L. 91-190), the National Historic Preservation Act (Pub. L. 89-665), the Endangered Species Act (Pub. L. 93-205), the Fish and Wildlife Coordination Act (Pub. L. 85-264), the Water Resources Planning Act (Pub. L. 89-80), the Floodplain and Wetlands Executive Orders (E.O. 11988 and E.O. 11990), the National Forest Management Act of 1976 (Pub. L. 94-588), the Federal Land Policy and Management Act of 1976 (Pub. L. 94-579), the Wild and Scenic Rivers Act, (Pub. L. 90-542, as amended), and any rules and regulations issued pursuant thereto.

The Study Report

Each river study report will be a concise presentation of the information required in sections 4(a) and 5(c) of the Act as augmented by the Council on Environmental Quality regulations implementing the procedural provisions of the National Environmental Policy Act (40 CFR Parts 1500-1508).

Section 4(a):

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 lands and interests in land and of administering the area, should it be added to the system.

In addition, section 5(c) requires that

The study of any of said rivers . . . 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.

Study reports may be combined with draft and final environmental impact statements (EIS) as permitted by § 1506.4 of the Council on Environmental Quality regulations. Study reports will be reviewed by other Federal agencies, states and the public as required by section 4(b) of the Wild and Scenic Rivers Act. Each of the following subsections describes the way in which the information is generated, analyzed and presented in the report.

Description of the River Area

Each report will contain a description of the area included in the study. The study area will cover, as a minimum, an area extending the length of the river segment authorized for study and extending in width one-quarter mile from each bank of the river.

Adjacent river areas beyond one quarter mile from each river bank may be studied if their inclusion could facilitate management of the resources of the river area. For example, there may be important historic, archeological or ecological resource areas which may extend beyond the boundaries of the mandated study area, but could be better managed by inclusion in the river area. Also, management of the river area may be facilitated by extension to include established or available access points not included in the study.

For the purposes of study and determining eligibility and classification, the river area may be divided into segments.

The description of the river area will identify the outstandingly remarkable values and the extent of man's activity in the river environment to provide a clear basis for findings of eligibility and classification. While only one

The Study Process
 The Study Report
 Description of the Study Area
 Determination of Eligibility
 Classification
 Analysis of Alternatives

Section III

Management
 General Management Principles

Tables

Table 1

Accelerated Study Schedule

Table 2

Classification Criteria for Wild, Scenic and Recreational River Areas

Appendix

The Wild and Scenic Rivers Act (Pub. L. 90-542 as amended through Pub. L. 96-487)

Preface

The National Wild and Scenic Rivers System

The Wild and Scenic Rivers Act, (Pub. L. 90-542 as amended: 16 U.S.C. 1271-1287) established a method for providing Federal protection for certain of our country's remaining free-flowing rivers, preserving them and their immediate environments for the use and enjoyment of present and future generations. Rivers are included in the system so that they may benefit from the protective management and control of development for which the Act provides. The preamble of the Act states:

It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations. 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.

Addition of Rivers to the System

The Wild and Scenic Rivers Act provides two methods for adding a river to the National Wild and Scenic Rivers System. The first method is by an act of Congress. Congress can designate a river directly or it can authorize a river for study as a potential wild, scenic or recreational river. Upon completion of a study conducted by the Department of the Interior or the Department of Agriculture, a study report is prepared

and transmitted to the President who, in turn, forwards it with his recommendations to Congress for action.

The second method for inclusion of a river in the national system is through the authority granted to the Secretary of the Interior in section 2(a)(ii) of the Act. Upon application by the Governor or Governors of the State or States involved, the Secretary can designate a river as a component of the national system provided that the river has been designated as a wild, scenic or recreational river by or pursuant to an act of the legislature of the State or States through which it flows to be permanently administered as a wild, scenic, or recreational river by an agency or political subdivision of the State or States concerned.

To be eligible for inclusion in the system through either method, rivers must meet certain criteria set forth in section 2(b) of the Act. Procedures for proposing State-administered rivers for designation have been issued by the Department of the Interior.

The Guidelines

Subsequent to enactment of the Wild and Scenic Rivers Act in October 1968, the Departments of Agriculture and the Interior initiated studies of twenty-seven rivers which the Act authorized for study as potential additions to the National Wild and Scenic Rivers System. As these studies progressed, it became evident that specific requirements of the Act concerning the evaluation, classification and management of these rivers were subject to differing interpretations within and between the two departments.

It was therefore agreed that a uniform evaluation and management approach should be formulated for use by the two departments, and through a cooperative effort, *Guidelines for Evaluating Wild, Scenic and Recreational River Areas Proposed for Inclusion in the National Wild and Scenic Rivers System Under Section 2, Public Law 90-542* was prepared and promulgated in February 1970.

The guidelines not only provide guidance for the congressionally mandated studies under section 5(a) of the Act, but are also useful for evaluations conducted by water resource development agencies under section 5(d) and for States applying for inclusion of State-designated rivers in the national system.

Revision of the Guidelines

While these guidelines were effective throughout a decade, it became clear

that revision was necessary to incorporate changes identified through use and to reflect requirements of new laws and regulations. Therefore, on August 2, 1979, the President directed in his Environmental Message that "the Secretary of Agriculture and the Secretary of the Interior shall jointly revise their guidelines for evaluating wild, scenic and recreational rivers to ensure consideration of river ecosystems and to shorten the time currently used to study rivers for designation."

This revision of the guidelines has been prepared in response to the President's 1979 directive and includes:

- Clarification of the fact that free-flowing rivers which contain outstandingly remarkable ecological values are eligible for addition to the national system.
- Clarification of the fact that free-flowing river segments in or near urban areas that possess outstandingly remarkable values are eligible for addition to the national system.
- Elimination of the 25-mile minimum length guideline.
- Revision of the definition of sufficient river flow or volume of water in the river. Sufficient flow was not defined in the Act and the definition in the existing guidelines was unnecessarily limiting.
- Revised water quality guidelines to allow inclusion in the system of river where restoration to high water quality is planned.
- A revised section on management of designated river areas.
- A study schedule to accelerate completion of the river studies authorized by Congress.

Section I—Definitions

The following definitions are provided for the purpose of these guidelines only:
Act: The Wild and Scenic Rivers Act
Carrying capacity: The quantity of recreation use which an area can sustain without adverse impact on the outstandingly remarkable values and free-flowing character of the river and the quality of recreation experience, a public health and safety.

Classification criteria: Criteria specified in Section 2(b) of the Act for determining the classification (wild, scenic or recreational) of eligible river segments.

Classification: The process of determining which of the classes outlined in section 2(b) of the Act (wild, scenic, or recreational) best fit the river or its various segments.

harvest, and may include some residential, commercial or similar development.

c. "Some impoundment or diversion in the past." There may be some existing impoundments, diversions and other modifications of the waterway having an impact on the river area. Existing low dams, diversion works, rip-rap and other minor structures will not bar recreational classification, provided the waterway remains generally natural and riverine in appearance.

The classification criteria are summarized in Table 2, appended to these guidelines.

There are several points which all participants and observers of the study process should bear in mind when reading and applying the classification criteria:

- It is important to understand each criterion, but it is more important to understand their collective intent. Each river segment and its immediate environment should be considered as a unit. The basis for classification is the degree of naturalness, or stated negatively, the degree of evidence of man's activity in the river area. The most natural rivers will be classified wild; those somewhat less natural, scenic, and those least natural, recreational.
- Generally, only conditions within the river area determine classification; however, occasionally conditions outside the river area, such as developments which could impact air and water quality, noise levels or scenic views within the river area, may influence classification.
- For the purpose of classification, a river area may be divided into segments. Each segment, considered as a whole, will conform to one of the classifications. In segmenting the river the study team should take into account the management strategies necessary to administer the entire river area and should avoid excessive segmentation.
- The Wild and Scenic Rivers Act provides no specific guidance on water quality for scenic and recreational rivers. However, the Clean Water Act has made it a national goal that all waters of the United States be made fishable and swimmable, and provides the legal means for upgrading water quality in any river which would otherwise be suitable for inclusion in the system. Therefore, rivers will not necessarily be excluded from the system because of poor water quality at the time study, provided a water quality improvement plan exists or is being

developed in compliance with applicable State and Federal laws.

- Although each classification permits certain existing development, the criteria do not imply that additional inconsistent development is permitted in the future.
- The classification criteria provide uniform guidance for professional judgment, but they are not absolutes. It is not possible to formulate criteria so as to mechanically or automatically classify river areas. Therefore, there may occasionally be exceptions to some of the criteria. For example, if the study team finds that strict application of the statutory classification criteria would not provide the most appropriate classification for a specific river segment, the study report may recommend for congressional consideration an exception to the classification criteria.

Analysis of the Alternatives

To provide for decisionmaking and to satisfy the requirements of the National Environmental Policy Act, study reports will include an analysis of alternatives. The study team will develop an array of alternative plans encompassing all reasonable proposals for use of the river area including uses which may be incompatible with designation of the river area as a component of the national system. Where appropriate, alternative plans for the river area may be based on, but not limited to:

- Alternative managing agencies for the river area;
- Alternative protective measures other than national designation;
- Alternative uses of the area incompatible with designation as a component of the national system; and
- Alternative classifications for the river area. Occasionally there may be authorized but not yet constructed projects, which if constructed would alter the classification of the river area. In such cases, alternatives may be presented to permit consideration of the river area as it would be classified both with and without the authorized project. Authorized projects may include approved land management plans prepared by a Federal land management agency under its statutory authorities.

The study report will present at least one alternative plan calling for national designation through either Congressional or Secretarial designation of all eligible segments of the congressionally authorized study area.

If the study team finds a segment ineligible for designation as a

component of the National Wild and Scenic Rivers System, but still worthy of protection, alternatives for State, local or private preservation may be presented, as well as protection under other Federal programs.

If areas adjacent to the study area have been studied and found eligible, the report may present alternatives which incorporate such areas into the river area proposed for designation. Such expansion of the original study area either in length or in width may be desirable to preserve and facilitate management of river ecosystems, historic or archeological areas or other special areas.

Section III—Management

Wild and scenic rivers shall be managed with plans prepared in accordance with the requirements of the Act, other applicable laws, and the following general management principles. Management plans will state: General principles for any land acquisition which may be necessary; the kinds and amounts of public use which the river area can sustain without impact to the values for which it was designated; and specific management measures which will be used to implement the management objectives for each of the various river segments and protect esthetic, scenic, historic, archeologic and scientific features.

If the classification or classifications determined in the management plan differ from those stated in the study report, the management plan will describe the changes in the existing condition of the river area or other considerations which required the change in classification.

General Management Principles

Section 10(a) states,

Each component of the national wild and scenic rivers system shall be administered in such a 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 on the special attributes of the area.

This section is interpreted as stating a nondegradation and enhancement policy for all designated river areas, regardless of classification. Each component will be managed to protect and enhance the values for which the river was designated, while providing for public

recreation and resource uses which do not adversely impact or degrade those values. Specific management strategies will vary according to classification but will always be designed to protect and enhance the values of the river area. Land uses and developments on private lands within the river area which were in existence when the river was designated may be permitted to continue. New land uses must be evaluated for their compatibility with the purposes of the Act.

The management principles which follow stem from section 10(a). Managing agencies will implement these principles to the fullest extent possible under their general statutory authorities and existing Federal, State and local laws. Because of these limitations, however, implementation of the principles may differ among and within components of the system depending on whether the land areas involved are federally, State, locally or privately owned.

Carrying Capacity. Studies will be made during preparation of the management plan and periodically thereafter to determine the quantity and mixture of recreation and other public use which can be permitted without adverse impact on the resource values of the river area. Management of the river area can then be planned accordingly.

Public Use and Access. Public use will be regulated and distributed where necessary to protect and enhance (by allowing natural recovery where resources have been damaged) the resource values of the river area. Public use may be controlled by limiting access to the river, by issuing permits, or by other means available to the managing agency through its general statutory authorities.

Basic Facilities. The managing agency may provide basic facilities to absorb user impacts on the resource. Wild river areas will contain only the basic minimum facilities in keeping with the "essentially primitive" nature of the area. If facilities such as toilets and refuse containers are necessary, they will generally be located at access points or at a sufficient distance from the river bank to minimize their intrusive impact. In scenic and

recreational river areas, simple comfort and convenience facilities such as toilets, shelters, fireplaces, picnic tables and refuse containers are appropriate. These, when placed within the river area, will be judiciously located to protect the values of popular areas from the impacts of public use.

Major Facilities. Major public use facilities such as developed campgrounds, major visitor centers and administrative headquarters will, where feasible, be located outside the river area. If such facilities are necessary to provide for public use and/or to protect the river resource, and location outside the river area is infeasible, such facilities may be located within the river area provided they do not have an adverse effect on the values for which the river area was designated.

Motorized Travel. Motorized travel on land or water is generally permitted in wild, scenic and recreational river areas, but will be restricted or prohibited where necessary to protect the values for which the river area was designated.

Agricultural and Forestry Practices. Agricultural and forestry practices should be similar in nature and intensity to those present in the area at the time of designation. Generally, uses more intensive than grazing and hay production are incompatible with wild river classification. Rowcrop production and timber harvest may be practiced in recreational and scenic river areas. Recreational river areas may contain an even larger range of agricultural and forestry uses. Timber harvest in any river area will be conducted so as to avoid adverse impacts on the river area values.

Other Resource Management Practices. Resource management practices will be limited to those which are necessary for protection, conservation, rehabilitation or enhancement of the river area resources. Such features as trail bridges, fences, water bars and drainage ditches, flow measurement devices and other minor structures or management practices are permitted when compatible with the classification of the river area and provided that the area remains natural in appearance and the practices or structures harmonize with the

surrounding environment.

Water Quality. Consistent with the Clean Water Act, water quality in wild, scenic and recreational river areas will be maintained or, where necessary, improved to levels which meet Federal criteria or federally approved State standards for aesthetics and fish and wildlife propagation. River managers will work with local authorities to abate activities within the river area which are degrading or would degrade existing water quality.

Additional management principles stem from other sections of the Act as follows:

Land Acquisition: Section 6
Water Resource Development: Section 7
Mining: Section 9
Management of Adjacent Federal Lands: Section 12(a)
Hunting and Fishing: Section 13(a)
Water Rights: Section 13(b)-(f)
Rights-of-Way: Section 13(g)

The following policies are consistent with and supplement the management principles stated in the Act:

Land Use Controls. Existing patterns of land use and ownership should be maintained, provided they remain consistent with the purposes of the Act. Where land use controls are necessary to protect river area values, the managing agency will utilize a full range of land-use control measures including zoning, easements and fee acquisition.

Rights-of-Way. In the absence of reasonable alternative routes, new public utility rights-of-way on Federal lands affecting a Wild and Scenic River area or study area will be permitted. Where new rights-of-way are unavoidable, locations and construction techniques will be selected to minimize adverse effects on scenic, recreational, fish and wildlife and other values of the river area.

Other legislation applicable to the various managing agencies may also apply to wild and scenic river areas. Where conflicts exist between the provisions of the Wild and Scenic River Act and other acts applicable to lands within the system, the more restrictive provisions providing for protection of the river values shall apply.

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TABLE 1.
ACCELERATED STUDY SCHEDULE

MONTHS

Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
1. Organize study team Prepare study plan Public information meetings Scope official issues	Shaded																													
2. Resource inventories (a) Study study. Locations (b) River eligibility and classification eval. (c) Literature search. (d) Other agency contacts (e) Resource maps	Shaded	Shaded	Shaded	Shaded	Shaded																									
3. Develop alternative (a) Prepare alternatives display (b) Public meetings on findings and alternat. (c) Analyze Public Input (d) Evaluate alternatives						Shaded	Shaded	Shaded	Shaded	Shaded																				
4. Complete Preliminary Report/ DEIS																														
5. Review of Draft (a) Internal Review (b) Review preliminary as needed (c) Prepare owners ready copy (d) Print Draft Report/EIS (e) Distribute for 90-day review (a) Public meetings or formal hearings during review										Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded
6. Analyze Review Input Revise draft as needed. Internal Review																														
7. Print Final Report																														
8. Secretary's decision and transmittal of report w/ recommendations to OMB																														
9. Executive review and transmittal to the Congress																														

This schedule does not take into account the possibility of delays due to Congressional concern, interagency or intradepartmental concerns or other possible outside influences that cannot be planned for.

outstandingly remarkable value is necessary for eligibility, the study report should carefully document all values of the river area.

In addition to the information required by Sections 4(a) and 5(c) of the Act, this section of the report will describe any existing zoning ordinances or other provisions of law governing land use in the study area.

If the study report and the environmental impact statement are combined, the same chapter may describe both the river area and the affected environment. For EIS purposes and for general information, a brief description of the regional setting will also be included.

Determination of Eligibility

Each report will contain a determination as to the eligibility of all portions of the authorized study area.

Section 2(b) of the Act states that "a . . . 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." The terms "river" and "free-flowing" are defined in section 16 of the act.

In reading and applying the criteria for eligibility, the following points are relevant:

- The fact that a river segment may flow between large impoundments will not necessarily preclude its designation. Such segments may qualify if conditions within the segment meet the criteria.
- Rivers or river segments in or near urban areas that possess outstandingly remarkable values may qualify. Only one outstandingly remarkable value is needed for eligibility.
- In addition to the specific values listed in Section 1(b) of the Act, other similar values, such as ecological, if outstandingly remarkable, can justify inclusion of a river in the national system.
- The determination of whether a river area contains "outstandingly remarkable" values is a professional judgment on the part of the study team. The basis for the judgment will be documented in the study report.
- There are no specific requirements concerning the length or the flow of an eligible river segment. A river segment is of sufficient length if, when managed as a wild, scenic or recreational river area, the outstandingly remarkable values are protected. Flows are sufficient if they sustain or complement the

outstandingly remarkable values for which the river would be designated.

Classification

Study reports will indicate the potential classification which best fits each eligible river segment as viewed in its existing condition. Section 2(b) of the Act states that rivers which are found eligible and included in the National Wild and Scenic Rivers Systems shall be classified 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.

These criteria are interpreted as follows:

a. "Free of impoundments." Wild river areas shall be free of impoundments.

b. "Generally inaccessible except by trail." Wild river areas will not contain roads, railroads, or other provisions for vehicular travel within the river area. The existence of a few inconspicuous roads leading to the boundary of the river area at the time of study will not necessarily bar wild river classification.

c. "Watersheds or shorelines essentially primitive." Wild river areas will show little or no evidence of human activity. Shorelines and watersheds within the river area should be essentially free of structures including such things as buildings, pipelines, powerlines, dams, pumps, generators, diversion works, rip-rap and other modifications of the waterway or adjacent land within the river corridor. The existence of a few inconspicuous structures, particularly those of historic or cultural value, at the time of study need not bar wild classification.

A limited amount of domestic livestock grazing or hay production may be considered "essentially primitive." There should be no row crops or ongoing timber harvest and the river area should show little or no evidence of past logging activities.

d. "Waters unpolluted." The water quality of a wild river will meet or exceed Federal criteria or federally approved State standards for aesthetics, for propagation of fish and wildlife normally adapted to the habitat of the stream, and for primary contact recreation except where exceeded by natural conditions.

(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.

These criteria are interpreted as follows:

a. "Free of impoundments." Scenic river areas will be free of impoundments.

b. "Shorelines or watersheds still largely primitive." To qualify for scenic classification, the river segment's shorelines and immediate environment should not show substantial evidence of human activity. The portion of the watershed within the boundary of the scenic river may have some discernible existing development. "Largely primitive" means that the shorelines and the immediate river environment still present an overall natural character, but that in places land may be developed for agricultural purposes. Row crops would be considered as meeting the test of "largely primitive," as would timber harvest and other resource use, providing such activity is accomplished without a substantial adverse effect on the natural appearance of the river or its immediate environment.

c. "Shorelines largely undeveloped" means that any structures or concentration of structures must be limited to relatively short reaches of the total area under consideration for designation as a scenic river area.

d. "Accessible in places by road" means that roads may reach the river area and occasionally bridge the river. The presence of short stretches of conspicuous or longer stretches of inconspicuous and well-screened roads or railroads will not necessarily preclude scenic river designation. In addition to the physical and scenic relationship of the free-flowing river area to roads or railroads, consideration should be given to the type of use for which such roads or railroads were constructed and the type of use which would occur within the proposed scenic river area.

(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.

These criteria are interpreted as follows:

a. "Readily accessible by road or railroad." River areas classified as recreational may contain existing parallel roads or railroads in close proximity to one or both banks of the river as well as bridge crossings and roads fording or ending at the river.

b. "Some development along their shorelines." Lands may have been developed for the full range of agricultural and forestry uses, may show evidence of past and ongoing timber

TABLE 2.
CLASSIFICATION CRITERIA FOR WILD, SCENIC AND RECREATIONAL RIVER AREAS *

ATTRIBUTE	WILD	SCENIC	RECREATIONAL
Water Resources Development	Free of impoundment.	Free of impoundment.	Some existing impoundment or diversion. The existence of low dams, diversions or other modifications of the waterway is acceptable, provided the waterway remains generally natural and riverine in appearance.
Shoreline Development	Essentially primitive. Little or no evidence of human activity. The presence of a few inconspicuous structures, particularly those of historic or cultural value, is acceptable. A limited amount of domestic livestock grazing or hay production is acceptable. Little or no evidence of past timber harvest. No ongoing timber harvest.	Largely primitive and undeveloped. No substantial evidence of human activity. The presence of small cottages or dispersed dwellings or farm structures is acceptable. The presence of grazing, hay production or row crops is acceptable. Evidence of past or ongoing timber harvest is acceptable, provided the forest appears natural from the riverbank.	Some development. Substantial evidence of human activity. The presence of extensive residential development and a few commercial structures is acceptable. Lands may have been developed for the full range of agricultural and forestry uses. May show evidence of past and ongoing timber harvest.
Accessibility	Generally inaccessible except by trail. No roads, railroads or other provision for vehicular travel within the river area. A few existing roads leading to the boundary of the river area is acceptable.	Accessible in places by road. Roads may occasionally reach or bridge the river. The existence of short stretches of conspicuous or longer stretches of inconspicuous roads or railroads is acceptable.	Readily accessible by road or railroad. The existence of parallel roads or railroads on one or both banks as well as bridge crossings and other river access points is acceptable.
Water Quality	Meets or exceeds Federal criteria or Federally approved State standards for scalhalls, for propagation of fish and wildlife normally adapted to the habitat of the river, and for primary contact recreation (swimming) except where exceeded by natural conditions.	No criteria prescribed by the Wild and Scenic Rivers Act. The Federal Water Pollution Control Act Amendments of 1972 have made it a national goal that all waters of the United States be made fishable and swimmable. Therefore, rivers will not be precluded from scenic or recreational classification because of poor water quality at the time of their study, provided a water quality improvement plan exists or is being developed in compliance with applicable Federal and State laws.	

* Table to be used only in conjunction with text.

APPENDIX F

- REPTILES AND AMPHIBIANS OF THE MIDDLE FORK CORRIDOR

APPENDIX F

REPTILES AND AMPHIBIANS OF THE MIDDLE FORK CORRIDOR

Species	Primary Habitat	Relative Abundance*	
		Illinois	Middle Fork
Common snapping turtle (<u>Chelydra serpentina serpentina</u>)	Aquatic	C	C
Musk turtle (<u>Sternotherus odoratus</u>)	Slow or still water	C	R
Blanding's turtle (<u>Emydoidea blandingi</u>)	Aquatic, occasionally terrestrial	UC	R
Eastern box turtle (<u>Terrapene carolina carolina</u>)	Forest	C	C
Midland painted turtle (<u>Chrysemys picta marginata</u>)	Slow or still water	UC	C
Red-eared turtle (<u>Pseudemys scripta elegans</u>)	Slow or still water	C	C
Map turtle (<u>Graptemys geographica</u>)	Lakes, rivers	UC	R
Eastern spiny softshell (<u>Trionyx spinifer spinifer</u>)	Rivers, streams	C	C
Midwest worm snake (<u>Carphophis amoenus helenae</u>)	Woodlands, Forest edge	UC	R
Northern ringneck snake (<u>Diadophis punctatus edwardsi</u>)	Hillside prairies, wooded bluffs, springs and seeps	UC	C
Eastern hognose snake (<u>Heterodon platyrhinos</u>)	Grasslands, Forest edge	C	UC
Eastern yellow-bellied racer (<u>Coluber constrictor flaviventris</u>)	Pastures, Old Fields, Forest edge	C	C
Black rat snake (<u>Elaphe obsoleta obsoleta</u>)	Mixed Wooded, Open	C	UC
Western fox snake (<u>Elaphe vulpina vulpina</u>)	Agricultural, Pastures	C	C

REPTILES AND AMPHIBIANS OF THE MIDDLE FORK CORRIDOR

Species	Primary Habitat	Relative Abundance*	
		Illinois	Middle Fork
Zigzag salamander (<u>Plethodon dorsalis</u>)	Woodlands with rocks	UC-R	R
Mud puppy (<u>Necturus maculosus maculosus</u>)	Lakes, Ponds, Rivers	C	C
Silvery Salamander (<u>Ambystoma platineum</u>)	Mesic Ravines, Hillsides	E	R
American toad (<u>Bufo americanus americanus</u>)	Mixed	C	C
Fowler's toad (<u>Bufo woodhousei fowleri</u>)	Mixed	C	C
Blanchard's cricket frog (<u>Acris crepitans blanchardi</u>)	Slow or still water	C	C
Western chorus frog (<u>Pseudacris triseriata triseriata</u>)	Moist Agricultural, Grasslands	C	C
Northern spring peeper (<u>Hyla crucifer crucifer</u>)	Mesic Forest	C	C
Eastern gray treefrog (<u>Hyla versicolor versicolor</u>)	Mesic Forest	C	C
Bullfrog (<u>Rana catesbeiana</u>)	Ponds, Lakes, Streams	C	C
Green frog (<u>Rana clamitans melanota</u>)	Riparian	C-UC	C
Leopard Frog (<u>Rana Pipiens pipiens x spenocephala</u>)	Lakes, Streams, Ponds	C	C
Eastern Wood frog (<u>Rana sylvatica sylvatica</u>)	Mesic Forest	UC	R

* Relative abundance: C-Common UC-Uncommon R-Rare E-Endangered

REPTILES AND AMPHIBIANS OF THE MIDDLE FORK CORRIDOR

Species	Primary Habitat	Relative Abundance*	
		Illinois	Middle Fork
Prairie kingsnake (<u>Lampropeltis calligaster calligaster</u>)	Pastures, Old Fields, Roadside	C	C
Eastern milk snake (<u>Lampropeltis triangulum triangulum</u>)	Varied	UC	R
Eastern plains garter snake (<u>Thamnophis radix radix</u>)	Urban, Pastures	C	C
Eastern garter snake (<u>Thamnophis sirtalis sirtalis</u>)	Varied, Forest edge	C	C
Midland brown snake (<u>Storeria dekayi wrightorum</u>)	Varied	C	C
Kirtland's water snake (<u>Natrix kirtlandi</u>)	Moist Grasslands	UC	R
Queen snake (<u>Natrix septemvittata</u>)	Streams	UC-R	UC
Northern water snake (<u>Natrix sipedon sipedon</u>)	Aquatic	C	C
Small-mouthed salamander (<u>Ambystoma texanum</u>)	Ponds, wetlands, Bottomland Forest	C	C
Midwest two-lined salamander (<u>Eurycea bislineata rivicola</u>)	Streamsides, Mesic Forest Seeps	UC	C
Red-backed salamander (<u>Plethodon cinereus cinereus</u>)	Moist Hillside	UC-R	C
Slimy salamander (<u>Plethodon glutinosus glutinosus</u>)	Moist Hillside, Ravines	UC	UC-R
Spotted salamander (<u>Ambystoma maculatum</u>)	Mesic Forest	UC	R
Marbled salamander (<u>Ambystoma opacum</u>)	Forest	UC	R

APPENDIX G

UNCOMMON ILLINOIS FISH SPECIES OF THE
MIDDLE FORK RIVER AND THEIR HABITATS

APPENDIX G

UNCOMMON ILLINOIS FISH SPECIES OF THE MIDDLE FORK
RIVER AND THEIR HABITATS

Species	Habitat	Relative Abundance*	
		Illinois	Middle Fork
Rosyface shiner (<u>Notropis rubellus</u>)	clear, swift streams	UC	C
Mimic shiner (<u>Notropis volucellus</u>)	clear, swift, sandy streams and some lakes	UC	UC
Steelcolor shiner (<u>Cyprinella whipplei</u>)	shallow, swift, rocky and sandy streams	UC	C
Highfin carpsucker (<u>Carpionodes velifer</u>)	large rivers	UC	UC
Silver redhorse (<u>Moxostoma anisurum</u>)	large rivers	UC	R
River redhorse (<u>Moxostoma carinatum</u>)	deep pools of clear streams	T	R
Black redhorse (<u>Moxostoma duquesnei</u>)	clear, high gradient creeks and rivers	UC	C
Spotted bass (<u>Micropterus punctulatus</u>)	sluggish pools of streams	UC	C
Greenside darter (<u>Etheostoma blennioides</u>)	algae-coated stream riffles	UC	C
Rainbow darter (<u>Etheostoma caeruleum</u>)	gravelly streams	C-UC	C
Bluebreast darter (<u>Etheostoma camurum</u>)	swift, riffled streams with rubble and boulders	E	UC
Dusky darter (<u>Percina sciera</u>)	clear, swift, gravelly riffles	UC	UC

* Relative Abundance:

C-Common UC-Uncommon R-Rare E-Endangered T-Threatened

APPENDIX H

UNCOMMON ILLINOIS PLANT SPECIES OF THE MIDDLE FORK CORRIDOR

APPENDIX H

UNCOMMON ILLINOIS PLANT SPECIES OF THE MIDDLE FORK CORRIDOR

Species	Primary Habitat	Relative Abundance*	
		Illinois	Middle Fork
American beech (<u>Fagus grandifolia</u>)	Upland Forest	UC	UC
American elm (<u>Ulmus americana</u>)	Bottomland Forest	C	UC
Beech drops (<u>Epifagus virginiana</u>)	Upland Forest	UC	UC
Black ash (<u>Fraxinus nigra</u>)	Springs, marshes, swamps	UC	R
Spreading goldenrod (<u>Solidago patula</u>)	Springs, marshes, swamps	UC	UC
Common boneset (<u>Eupatorium perfoliatum</u>)	Springs, marshes, swamps	C-UC	UC
Butternut (<u>Juglans cinerea</u>)	Upland Forest	C-UC	C-UC
Buttonbush (<u>Cephalanthus occidentalis</u>)	Bottomland Forest, Springs, Marshes, Swamps	C-UC	UC
Cream violet (<u>Viola striata</u>)	Upland Forest	C-UC	C
Fire pink (<u>Silene virginica</u>)	Forest	R	C
Water dock (<u>Rumex orbiculatus</u>)	Springs, marshes, swamps	UC	UC
Grass-of-Parnassus (<u>Parnassia glauca</u>)	Springs, marshes, swamps	R	R
Green violet (<u>Hybanthus concolor</u>)	Upland Forest	UC	UC
Grape honeysuckle (<u>Lonicera prolifera</u>)	Upland Forest	C-UC	C-UC
Indian Paintbrush (<u>Castilleja coccinea</u>)	Prairie	UC	UC

UNCOMMON ILLINOIS PLANT SPECIES OF THE MIDDLE FORK CORRIDOR

Species	Primary Habitat	Relative Abundance*	
		Illinois	Middle Fork
False indigo (<u>Amorpha fruticosa</u>)	Prairie, swamps, marshes springs	C-UC	C-UC
Marsh fern (<u>Thelypteris dryopteris palustris</u> var. <u>pubescens</u>)	Springs, marshes, swamps	UC	UC
Marsh marigold (<u>Caltha palustris</u>)	Springs, marshes, swamps	C-UC	UC
Fall coral root orchid (<u>Corallorhiza odontorhiza</u>)	Upland Forest	UC	UC
Sheviak's orchid (<u>Spiranthes magnicamporum</u>)	C-UC	UC	
Showy lady's-slipper orchid (<u>Cypripedium reginae</u>)	Springs, marshes, swamps	R	R
Yellow lady's slipper orchid (<u>Cypripedium pubescens</u>)	Upland Forest	R	R
Bracted green orchid (<u>Coeloglossum viride</u>)	Upland Forest	R	R
Twayblade orchid (<u>Liparis lesser loeselii</u>)	Springs, marshes, swamps	R	R
Pinesap (<u>Monotropa hypopithys</u>)	Upland Forest	R	R
Running strawberry bush (<u>Euonymus obovata</u>)	Upland Forest	UC	C
Showy goldenrod (<u>Solidago speciosa</u>)	Prairie, Old Field	UC-C	C-UC
Sideoats gramma (<u>Bouteloua curtipendula</u>)	Prairie	C-UC	UC
Snow trillium (<u>Trillium nivale</u>)	Upland Forest	UC	UC
Small spikemoss (<u>Selaginella apoda</u>)	Springs, marshes, swamps	R	R

UNCOMMON ILLINOIS PLANT SPECIES OF THE MIDDLE FORK CORRIDOR

Species	Primary Habitat	Relative Abundance*	
		Illinois	Middle Fork
Squaw root (<u>Conopholis americana</u>)	Upland Forest	R	R
Water locust (<u>Gleditsia aquatica</u>)	Bottomland Forest, springs, swamps, marshes	UC	UC
Swamp wood betony (<u>Pedicularis lanceolata</u>)	Springs, marshes, swamps	UC	UC
White turtlehead (<u>Chelone glabra</u>)	Springs, marshes, swamps	UC	UC-R
Wild leek (<u>Allium tricoccum</u>)	Upland Forest	C-UC	C-UC
Wild sarsaparilla (<u>Aralia nudicaulis</u>)	Upland Forest	UC	R
Witch hazel (<u>Hamamelis virginiana</u>)	Upland Forest	UC	UC

* Relative Abundance C-Common UC-Uncommon R-Rare

APPENDIX I

PRAIRIE PLANT SPECIES OF WINDFALL PRAIRIE

APPENDIX I

PRAIRIE PLANTS OF WINDFALL PRAIRIE NATURE PRESERVE

Agalinis aspera	Rough false foxglove
Allium canadense	Wild onion
Amorpha fruticosa	False indigo
Amorpha canescens	Leadplant
Andropogon gerardii	Big bluestem
Anemone virginiana	Tall anemone
Antennaria plantaginifolia	Pussytoes
Apios americana	Groundnut
Apocynum x medium	Intermediate dogbane
Apocynum cannabinum	Indian hemp
Asclepias verticillata	Horsetail milkweed
Asclepias tuberosa	Butterfly-weed
Asclepias viridiflora	Green milkweed
Aster novae-angliae	New England aster
Aster ericoides	Heath aster
Aster azureus	Sky-blue aster
Blephilia ciliata	Pagoda plant
Bouteloua curtipendula	Sideoats gramma
Cacalia tuberosa	Indian plantain
Calystegia spithamea	Dwarf bindweed
Cassia fasciculata	Partridge pea
Castilleja coccinea	Indian paintbrush
Ceanothus americanus	New Jersey tea
Comandra umbellata	False toadflax
Dalea purpurea	Purple prairie clover
Desmodium canadense	Showy tick trefoil
Desmodium sessilifolium	Sessile-leaved tick trefoil
Echinacea pallida	Pale coneflower
Elymus canadensis	Nodding wild rye
Eupatorium altissimum	Tall boneset
Eupatorium perfoliatum	Common boneset
Euphorbia corollata	Flowering spurge
Fragaria virginiana	Wild strawberry
Gentiana puberulenta	Downy gentian
Gentianella quinquefolia	Stiff gentian
Hypoxis hirsuta	Yellow stargrass
Lespedeza capitata	Round-headed bush clover
Lespedeza virginica	Slender bush clover
Liatris cylindracea	Blazing-star
Liatris pycnostachya	Prairie blazing-star
Linum sulcatum	Wild flax
Lithospermum canescens	Hoary puccoon
Lobelia spicata	Spiked lobelia
Lysimachia quadriflora	Loosestrife
Oxypolis rigidior	Cowbane
Panicum virgatum	Switchgrass
Parthenium integrifolium	American feverfew
Pedicularis canadensis	Lousewort
Phlox pilosa	Downy phlox
Pycnanthemum virginianum	Common mountain mint
Pycnanthemum tenuifolium	Slender mountain mint
Ratibida pinnata	Drooping coneflower

APPENDIX J

FEDERAL AND STATE THREATENED AND ENDANGERED SPECIES
OF THE MIDDLE FORK RIVER CORRIDOR

Rosa carolina
Rudbeckia hirta
Salix humilis
Schizachyrium scoparium
Silphium terebinthinaceum
Silphium integrifolium
Sisyrinchium albidum
Sorghastrum nutans
Spiranthes magnicamporum

Pasture rose
Black-eyed Susan
Prairie willow
Little bluestem
Prairie-dock
Rosinweed
Blue-eyed grass
Indian grass
Sheviak's orchid

Source: Illinois Natural History Survey Herbarium and Illinois
Department of Conservation's Natural Areas Inventory.