

CHAPTER 23 WILD AND SCENIC RIVERS

TABLE OF CONTENTS

23-1 OVERVIEW.....	23-1
23-2 PROCEDURE	23-2
23-2.1 Determination of Involvement.....	23-2
23-2.1.1 Rivers Not Listed On The Nationwide Rivers Inventory.....	23-2
23-2.1.2 Rivers Listed On The Nationwide Rivers Inventory	23-2
23-2.2 Class of Action Determination.....	23-2
23-2.3 Coordination with the National Park Service.....	23-3
23-2.4 Documentation.....	23-3
23-2.4.1 Rivers Not Listed On The Nationwide Rivers Inventory	23-3
23-2.4.2 Rivers Listed On The Nationwide Rivers Inventory Without Impacts	23-4
23-2.4.3 Rivers Listed On The Nationwide Rivers Inventory With Impacts	23-4
23-2.5 Section 4(f) Applicability.....	23-5
23-3 REFERENCES.....	23-5

LIST OF FIGURES

FIGURE 23.1 Wild and Scenic Rivers Assessment Process.....	23-6
FIGURE 23.2 Nationwide Rivers Inventory	23-7

23. WILD AND SCENIC RIVERS

23-1 OVERVIEW

The Wild and Scenic Rivers Assessment process is charted in Figure 23.1. This process is promulgated by ***Presidential Directive dated August 2, 1979, "Wild and Scenic Rivers and National Trails"***; ***Council of Environmental Quality Memorandum dated August 10, 1980, "Interagency Consultation to Avoid or Mitigate Adverse Effects of Rivers in the Nationwide Inventory"***; and ***Federal Register, Volume 47, Number 173 dated September 7, 1982, "National Wild and Scenic Rivers System-Final Revised Guidelines for Eligibility, Classification, and Management of River Areas"***.

The following are two classifications of rivers which will be assessed in the environmental document:

1. **Nationwide Rivers Inventory** - Those rivers to be assessed to determine the desirability of inclusion into the National Wild and Scenic Rivers System.
2. **Wild and Scenic Rivers** - Those rivers with free-flowing conditions approved by the Secretary of the U.S. Department of Interior being classified, designated, and administered as one of the following :
 - a. *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.
 - b. *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.
 - c. *Recreational River Areas*: Those rivers or sections of rivers that are readily accessible by roads or railroads, that may have some development along their shorelines, and that may have undergone some impoundments or diversion in the past.

It is the responsibility of the District to determine whether or not a project is located within the boundaries of a river listed in the Nationwide Rivers Inventory as shown in Figure 23.2. Also included in this inventory are the two rivers in Florida presently designated as Wild and Scenic Rivers:

1. Northwest Fork of the Loxahatchee River.
2. Wekiva River

The Nationwide Rivers Inventory list as well as Wild and Scenic River listings are subject to change. Contact the National Park Service to obtain the most current list of

designated rivers.

23-2 PROCEDURE

23-2.1 Determination of Involvement

The District will determine if the project is within the boundaries of the rivers as listed in the Nationwide Rivers Inventory as shown in Figure 23.2. Each river has specific segments that meet qualifications for the inclusion in the inventory list or for Wild and Scenic River designation.

This determination may have been made before the PD&E Phase. During the Efficient Transportation Decision Making (ETDM) process, the project was entered into the Environmental Screening Tool (EST) by the ETDM Coordinator (See the ***ETDM Planning and Programming Manual***). The Purpose and Need for the project was identified, and logical termini were located on a GIS based map. The Advance Notification (AN) package was distributed electronically as part of the programming screening event on the EST (Part 1, Chapter 3 Advance Notification).

It is recommended that the District review the information in the AN package and the Final ***Programming Screen Summary Report*** for the project. A good starting point is to review Environmental Technical Advisory Team (ETAT) comments and degree of effect determinations for the “Special Designations” issue in the Final ***Programming Screen Summary Report***. It may be helpful to also review ETAT comments on other issues such as “Indirect and Cumulative Impacts” and “Water Quality”. Comments by the National Park Service are especially important.

23-2.1.1 Rivers Not Listed On The Nationwide Rivers Inventory

If the project is not within the boundaries of a river listed in the inventory then no further action is required. Documentation for EAs and EISs should include the statement provided in Section 23-2.4.1.

23-2.1.2 Rivers Listed On The Nationwide Rivers Inventory

If the project is within the boundaries of a river listed in the inventory, proceed with coordination and documentation in accordance with Sections 23-2.3 and 23-2.4

23-2.2 Class of Action Determination

The Class of Action Determination (Part 1, Chapter 2) was determined during the final stages of the Programming Screen. Upon completion of the Class of Action Determination and approval by FHWA (or other Lead Federal Agency), the document selected will be a Type 2 CE, an EA, or an EIS depending on the level of anticipated significance of the total project involvement.

Once the Class of Action involving an EA or EIS is completed and approved by FHWA or other federal lead agency, the procedures outlined below are followed by the District to

prepare the environmental document. They include:

1. Coordination with the National Park Service (NPS),
2. Documentation, and
3. **Section 4(f)** applicability.

For Type 2 CEs, the above outlined procedures need to be followed prior to submittal to FHWA for document approval.

23-2.3 Coordination with the National Park Service

At the stage of project development when alternative right-of-way requirements have been conceptually defined, aerials depicting alternatives with conceptual right-of-way limits will be submitted for review and comment to:

Florida Field Office
National Park Service-RTCA Program
665 S. Orange Ave.
Sarasota, FL 34236

The National Park Service (NPS) will respond within a period of thirty (30) days. Any response received from NPS should be resolved and discussed in the Wild and Scenic Rivers section of the EA or DEIS with a copy of the NPS letter in the Appendix. In addition, discussion of coordination with NPS in the Comments and Coordination section should complement what is written in the Wild and Scenic Rivers section.

23-2.4 Documentation

In the Type 2 CE, EA, or DEIS for the category of Wild and Scenic Rivers (Part 1, Chapters 5, 6, and 8), one of the following standard statements or documentation is to be included in the environmental document:

23-2.4.1 Rivers Not Listed On The Nationwide Rivers Inventory

For Type 2 CE projects involving rivers not included on the Nationwide Rivers Inventory, a standard statement is not required. It is sufficient to mark the box (NI) for no involvement of the "Special Designations" category in on the **Summary of Environmental Impacts Checklist for Type 2 Categorical Exclusions**. Mark this box only if no other "special designations" will be involved. This can be clarified in the "Basis for Decision" section of the checklist (Part 1, Chapter 5).

For EA or EIS projects involving rivers not included on the Nationwide Rivers Inventory, the following standard statement will be included in the EA or DEIS.

*"The (Name of River) is not listed in the National Park Service Nationwide Rivers Inventory and, therefore, the coordination requirement for the **Wild and Scenic Rivers Act** does not apply to this project."*

23-2.4.2 Rivers Listed On The Nationwide Rivers Inventory Without Impacts

For projects involving rivers included on the Nationwide Rivers Inventory which have no impacts on the river, the following standard statement will be included in the Type 2 CE, EA, or DEIS.

"The (Name of River) is listed in the National Park Service Nationwide Rivers Inventory for Wild and Scenic Rivers. After coordination with the National Park Service, it has been determined that the project will not have an impact on the (Name of River)."

In addition, the NPS letter should be included in the Appendix along with appropriate information in the Comments and Coordination section (EA or EIS only). For a Type 2 CE, the NPS letter should be referenced in the **Project Development Summary Report** and placed in the file.

23-2.4.3 Rivers Listed On The Nationwide Rivers Inventory With Impacts

For projects involving rivers listed on the Nationwide Rivers Inventory with impact involvements, the following areas should be assessed and included in the Wild and Scenic Rivers section of the Type 2 CE, EA, or DEIS.

1. State the name and description of the inventory river;
2. Describe the surrounding environment;
3. Describe the river's usage;
4. Identify any adverse impacts on natural, cultural, and recreational values on each side of the river from the river bank inland one-fourth of a mile. Examples of adverse impacts would be:
 - a. alteration of free-flowing nature of river,
 - b. alteration of the setting, and
 - c. deterioration of water quality.
5. Address comments submitted by NPS with letter included in the Appendix (for EA or EIS only);
6. For a Type 2 CE, the NPS letter should be referenced in the **Project Development Summary Report**.
7. State alternatives and designs considered that can avoid or minimize harm;
8. Address measures to mitigate harm;
9. Determine if the project's impacts will foreclose the designation of the river as wild and scenic; and

10. A monitoring and enforcement program will be adopted and summarized, where applicable, for any mitigation listed in the environmental document.

If a determination is made that a project will have no impact on a Wild and Scenic River after coordination with NPS, then the standard statement in Section 23-2.4.2 should be provided in the Wild and Scenic Rivers section of the document.

23-2.5 Section 4(f) Applicability

Publicly-owned waters of designated wild and scenic rivers are protected by **Section 4(f)**. Public-owned lands in the immediate proximity of such rivers may be protected by **Section 4 (f)** depending on the manner in which they are administered by the Federal, State, or local government which administers the land. **Section 4(f)** would apply to sites that function as or are designed as public parks, recreation areas, wildlife and waterfowl refuges, historic and archaeological sites, and properties that represent public multiple-use land holdings. See the FHWA Guidance on **Section 4(f)** Applicability, Exhibit 13.1 and Section 13-2.1.1 in Part 2, Chapter 13 for more information. Those areas that function primarily and/or are managed for recreational purposes are subject to **Section 4(f)**. Designation under the **Wild and Scenic Rivers Act** does not in itself invoke **Section 4(f)** in the absence of specific **Section 4(f)** land use categories. The FHWA has sole responsibility for determining **Section 4(f)** applicability.

23-3 REFERENCES

1. The Wild and Scenic Rivers Act, P.L. 90-542.
2. Presidential Directive, "Wild and Scenic Rivers and National Trails", August 2, 1979.
3. Council on Environmental Quality Memorandum, "Interagency Consultation to Avoid or Mitigate Adverse Effects on Rivers in the Nationwide Inventory", August 10, 1980.
4. "National Wild and Scenic Rivers Systems; Final Revised Guidelines for Eligibility, Classification and Management for River Areas", Federal Register, Vol. 47, No. 173, September 7, 1982.
5. *"The Wild and Scenic River Study Process", Technical Report for the Interagency Wild and Scenic Rivers Coordination Council, December 1999.*
6. *Wekiva River Rock Spring Run & Seminole Creek Wild and Scenic River Study.* Southeast Support Office, National Park Service, U.S. Department of the Interior, June 1999.
7. ETDM Planning and Programming Manual, FDOT
<http://www.dot.state.fl.us/emo/pubs/etdm/etdmman.htm>

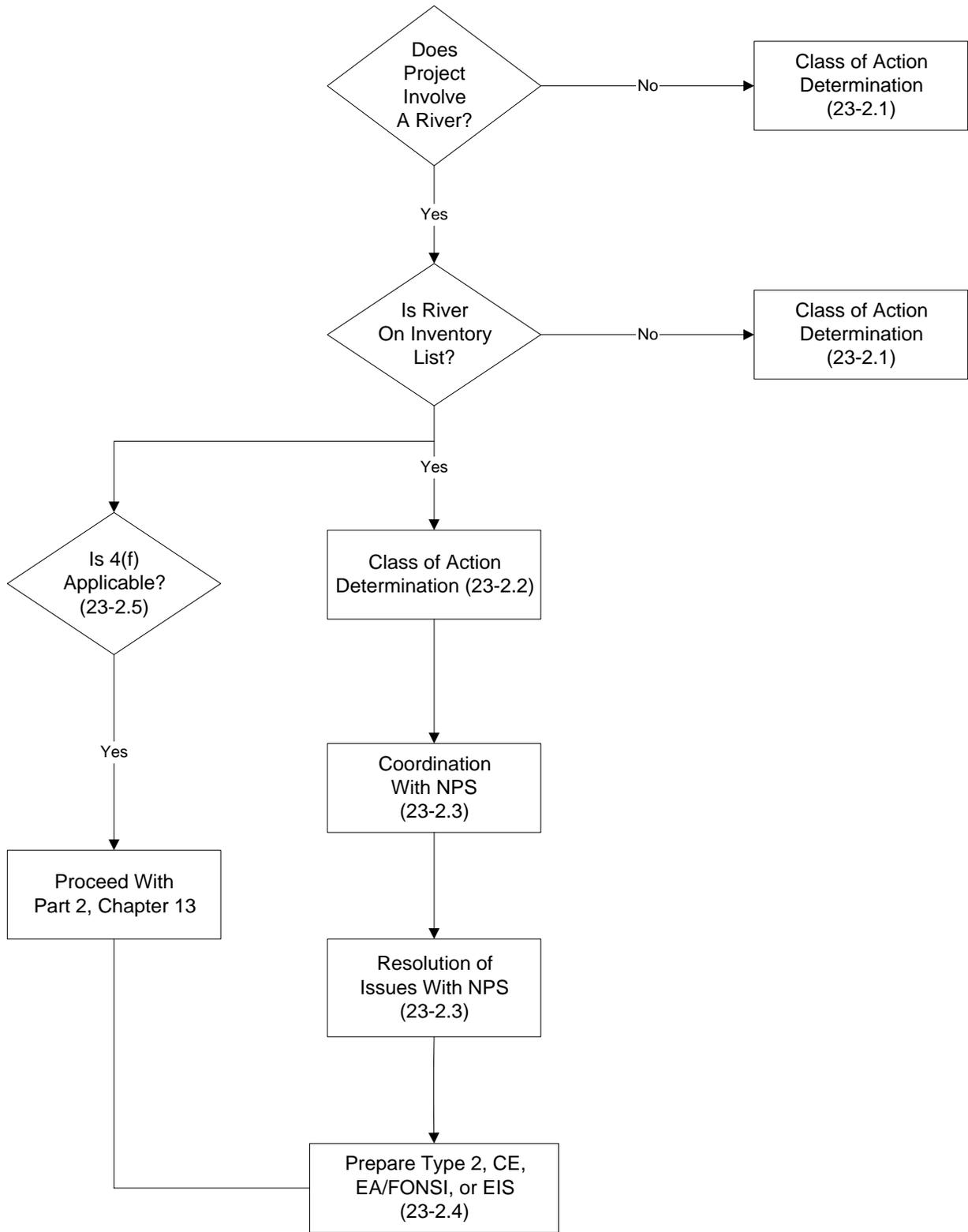


FIGURE 23.1 Wild and Scenic Rivers Assessment Process

NATIONWIDE RIVERS INVENTORY*

RIVER	COUNTY	SEGMENT ENDPOINTS	EST LENGTH
1. Alafia	Hillsborough	RM 0, Gulf of Mexico to RM 23 junction of South and North Prongs	23
2. Alapaha	Hamilton	RM 0, confluence with Suwannee River to RM 22, Georgia State Line	22
3. Apalachicola	Franklin, Gulf, Liberty, Calhoun, Gadsden, Jackson	RM 0, Apalachicola Bay to RM 103, headwaters in Lake Seminole	103
4. Arbuckle Creek	Highlands	RM 0, Lake Istokpoga to RM 22, Lake Arbuckle	22
5. Aucilla	Taylor, Jefferson, Madison	RM 0, Gulf of Mexico to RM 57, Georgia State Line	57
6. Big Coldwater and East Fork	Santa Rosa	RM 2, Fla. 191 Bridge to RM 11, Coldwater Church	9
7. Black Creek and South Fork	Clay	RM 0, Confluence with St. Johns River to RM 24, FLA. 16 Bridge	24
8. Blackwater	Santa Rosa, Okaloosa	RM 4, above City of Milton to RM 44, Alabama State Line	40
9. Boiling Creek	Santa Rosa	RM 0, confluence with Yellow River to RM 7, Okaloosa County Line	7
10. Chassahowitzka	Citrus, Hernando	RM 0, Gulf of Mexico to RM 5, Chassahowitzka	5
11. Chipola and Cowarts Creeks	Gulf, Jackson, Calhoun	RM 0, confluence with Apalachicola River to RM 97, Alabama State Line	97
12. Choctawhatchee and East Fork	Washington, Walton, Holmes	RM 0, Choctawhatchee Bay to RM 78, Alabama State Line	78

FIGURE 23.2 Nationwide Rivers Inventory (continued)

13.	Econfina	Washington, Bay	RM 0, North Bay to RM 26, one creekmile below U.S. 231/Fla. 75 Bridge	26
14.	Econfina	Taylor	RM 0, Gulf of Mexico to RM 26, U.S. 19/27 and Fla. 20 Bridge	26
15.	Econlockhatchee	Seminole, Orange	RM 0, confluence with St. Johns River to RM 44, headwaters east of Lake Mary Jane	44
16.	Escambia and Conecuh	Escambia, Santa Rosa	RM 4, two miles above U.S. 90 Bridge to RM 51, Alabama State Line	47
17.	Estero	Lee	RM 0, Estero Bay to RM 8, U.S. 41 and Koreshan State Park	8
18.	Fisheating Creek	Glades, Highlands	RM 0, confluence with Lake Okeechobee to RM 61, headwaters near Fla. 731 Bridge	61
19.	Hendry Creek	Lee	RM 0, Estero Bay to RM 5, Fla. 865 and Gladiolus Drive	5
20.	Hillsborough	Hillsborough, Pasco	RM 20, Fla. 582A Bridge to RM 60 headwaters west of Polk County Line	40
21.	Holmes Creek	Washington	RM 0, confluence with Choctawhatchee River to RM 20, Town of Vernon	20
22.	Myakka	Sarasota, Manatee	RM 21, north of southern boundary of Myakka State Park to RM 59, headwaters near Hardee County Line	38
23.	New	Franklin, Liberty	RM 4, Town of Carrabelle to RM 58, headwaters southwest of Telogia	54
		Franklin, Liberty	Forest proclamation boundary (Sec. 24, T.2 S., R.7 W.) to boundary between Sec. 12 and 13, T.3 S., R.7W.	6
		Franklin, Liberty	Boundary between Sec. 12 and 13, T.3 S.,R.7 W., to bridge on Forest Highway 13 at northern boundary of Mud Swamp New River Wilderness	8

FIGURE 23.2 Nationwide Rivers Inventory (continued)

	Franklin, Liberty	Bridge on Forest Hwy 13 to where New River flows out of Mud Swamp New River Wilderness north of Owens Bridge on FR 120-B	10	
	Franklin, Liberty	Mud Swamp New River Wilderness boundary to RM 2 in Sec. 13, T.7 S., R.5 W., north of Carrabelle	29	
24.	Ochlockonee	Franklin, Liberty, Leon, Wakulla	RM 0, Ochlockonee Bay to RM 59, two miles below Lake Talquin Reservoir	59
	Gadsden	RM 78, one mile above Lake Talquin Reservoir to RM 107, Georgia State Line	29	
	Franklin, Wakulla, Liberty, Leon	Ochlockonee Bay to two miles below Lake Talquin Reservoir	59	
25.	Oklawaha and Silver Spring Run	Putnam, Marion	RM 0, confluence with St. Johns River to RM 12, below Rodman Dam	12
	Marion	RM 20, above Rodman Dam to RM 52, Fla. 40 Bridge; Silver Spring Run from the confluence with Oklawaha River and Fla. 40 Bridge to RM 5, headwaters	37	
26.	Orange	Lee	RM 0, confluence with Caloosahatchee River to RM 9, Lehigh Acres	9
27.	Peace	Charlotte, Desoto, Hardee, Polk	RM 0, Charlotte Harbor to RM 82, U.S. 98/Fla. 700 Bridge near Fort Meade	82
28.	Perdido	Escambia	RM 0, Perdido Bay to RM 51, one mile below U.S. 31/Ala. 3 Bridge	51
29.	St. Johns	Putnam, Volusia, Lake Seminole, Orange Osceola, Brevard	RM 93, above Lake Harney to RM 215, Fla. 520 Bridge and Lake Poinsett	122
30.	St. Lucie North Fork	Martin, St. Lucie	RM 0, confluence with St. Lucie River at Stuart to RM 16, junction of Five Mile and Ten Mile Creeks	16

FIGURE 23.2 Nationwide Rivers Inventory (continued)

31.	St. Lucie South Fork	Martin	RM 8, Fla. 76 Bridge to RM 16, headwaters northeast of Fla. 708 and Florida Turnpike Intersection	8
32.	St. Marks	Wakulla, Leon, Jefferson	RM 0, Apalachee Bay to RM 39, head- waters above U.S. 90/Fla.10 Bridge	39
33.	St. Marys and North Prong	Nassau, Baker	RM 0, confluence with Atlantic Ocean to RM 120, one mile below Ga. 94 Bridge	120
34.	Sante Fe	Gilchrist, Union, Suwannee, Alachua, Columbia, Bradford	RM 0, confluence with Suwannee River to RM 82, Little Santa Fe Lake and headwaters	82
35.	Sebastian Creek	Indian River, Brevard	RM 0, confluence with Indian River to RM 10, Wabasso Road Bridge south of Fla. 512	10
36.	Shell Creek 17	Charlotte	RM 3, U.S. 17/Fla. 35 Bridge to RM 20, east of Fla. 31 Bridge	
37.	Shoal and Caney Creeks	Okaloosa, Walton	RM 0, confluence with Yellow River to RM 46, headwaters southeast of Paxton	46
38.	Sopchoppy	Wakulla	RM 0, Ochlockonee Bay to RM 41, headwaters near Leon County Line	41
		Wakulla	Property boundary near center of Sec. 13, 19 T.4 S., R.3 W. to St. Marks NWR Boundary, located at division of Sec. 25, T.5 S., R.3 W., and Sec. 30, T.5 S., R.2 W.	
		Wakulla	St. Marks NWR Boundary to confluence with Ochlockonee Bay in Sec. 4, T.6 S., R.2 W.	6
	23	Wakulla	Headwaters on West Branch (Sec. 28, T.2 S., R.4 W.), and on East Branch (Sec. 24, T.2 S, R.4 W.) to Forest Service property boundary located near center of Sec. 13, T.4 S., R.3 W.	
39.	Tomoka	Volusia	RM 7, two miles south of U.S. 1/Fla. 5 Bridge to RM 17, I-4 Bridge	10

FIGURE 23.2 Nationwide Rivers Inventory (continued)

40.	Waccasassa	Levy	RM 0, Waccasassa Bay to RM 37, headwaters above Fla. 339 Bridge	37
41.	Wacissa	Jefferson	RM 0, confluence with Aucilla River to RM 20, headwaters northeast of Wacissa	20
42.	Wakulla	Wakulla	RM 2, Port Leon to RM 10, Fla. 61 Bridge and Wakulla Springs	8
43.	Wekiva and Rock Spring Run	Seminole, Lake, Orange	RM 0, confluence with St. Johns River to RM 15, Wekiva Springs RM 0, confluence with Wekiva River to RM 8, Rock Springs	23
44.	Withlacoochee	Citrus, Levy	RM 0, Gulf of Mexico to RM 10, below Lake Rousseau	10
		Citrus, Marion, Sumter, Pasco, Polk, Hernando	RM 22, U.S. 41 Bridge above Lake Rousseau to RM 135, headwaters south of Lake County Line	113
45.	Withlacoochee and Camp Creeks	Madison, Hamilton	RM 0, confluence with Suwannee River to RM 26, Georgia State Line	26
46.	Yellow	Santa Rosa, Okaloosa	RM 0, East Bay to RM 55, Alabama State Line	55
47.	<i>Loxahatchee * North Fork</i>	<i>Martin, Palm Beach</i>	<i>RM 6, Jonathan Dickinson State Park to RM 13.5, headwaters south of Fla. 706</i>	<i>7.5</i>
48.	<i>Wekiva*</i>	<i>Seminole, Lake Orange</i>	<i>Confluence with St. Johns River to Wekiwa Springs. Rock Springs Run from headwaters at Rock Springs to confluence with the Wekiwa Springs Run. Black Water Creek from the outflow from Lake Norris to the confluence with the Wekiva River.</i>	<i>67</i>

* The italicized river indicates a designated Wild and Scenic River

FIGURE 23.2 Nationwide Rivers Inventory (concluded)