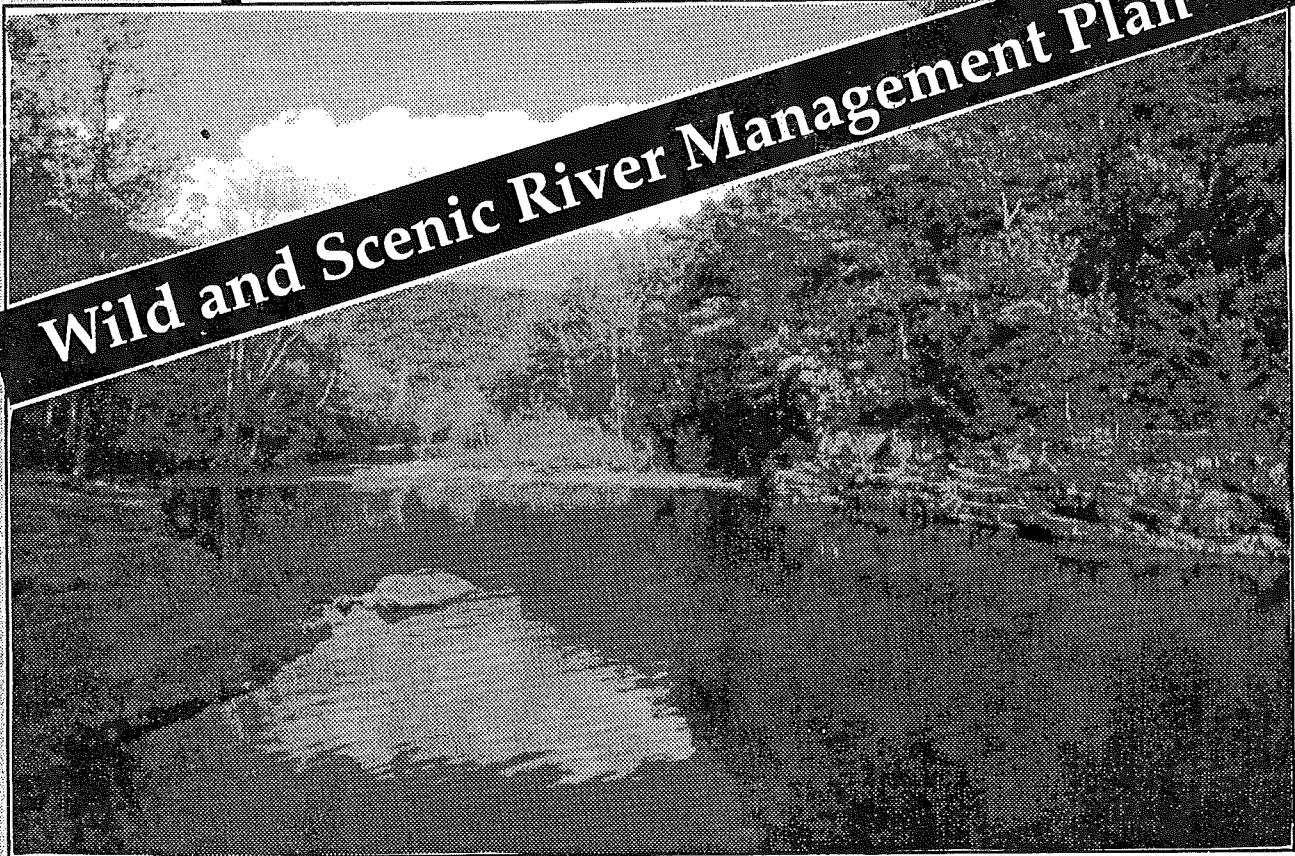


Richland Creek

Wild and Scenic River Management Plan



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Ozark-St. Francis *National Forests*



October 1996



COMPREHENSIVE MANAGEMENT PLAN
RICHLAND CREEK WILD AND SCENIC RIVER

OZARK-ST.FRANCIS NATIONAL FOREST
U.S. FOREST SERVICE, SOUTHERN REGION
U.S. DEPARTMENT OF AGRICULTURE

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**RICHLAND CREEK WILD AND SCENIC RIVER
COMPREHENSIVE MANAGEMENT PLAN**

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COMPREHENSIVE MANAGEMENT PLAN FOR RICHLAND CREEK

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PURPOSE OF THE PLAN

INTRODUCTION

The Comprehensive Management Plan for Richland Wild and Scenic River provides direction and guidelines for managing the National Forest Lands within the boundaries of the designated corridor. The purpose of this comprehensive management plan is to protect the outstandingly remarkable values of the river, its free flowing condition, and water quality.

This plan was prepared by the Forest Service, for the portion of the Richland Creek from its source to approximately two miles downstream from Richland Creek Recreation Area (16.5 miles). The river management plan provides goals and objectives, desired future condition, and standards and guidelines for Richland Creek. Site specific analysis (NEPA) must be done for specific projects that implement the plan.

This plan is intended to fulfill the requirements of the Wild and Scenic River Act which requires comprehensive management plans be developed for designated streams (see Appendix A, Legislative History). The Ozark-St. Francis National Forests' Land and Resources Management Plan (FLRMP) will be amended to implement this plan.

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

PLAN FORMAT

The river management plan is divided into sections (see Table of Contents). These sections in turn are broken down by the Forest Service Directive System. This numerical format is used simply for ease of locating various sections of the plan. By taking one resource designation, one can follow the same designation in other sections by following the number.

PRIVATE LANDS

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

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

this Act. We do however encourage landowners within the corridor or adjacent to the high water mark to manage their lands to protect and enhance river values.

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

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

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

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

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

NATIONAL FOREST LANDS

MANAGEMENT GOAL

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

RICHLAND - MANAGEMENT OBJECTIVES

- 1.) Protect and/or enhance the Outstandingly Remarkable Values, free-flowing characteristics, and water quality.
- 2.) Encourage research and interpretation and protection of the fossiliferous limestone and exposed shales within the corridor.
- 3.) Establish measurable indicators and standards for biophysical and social conditions, monitor effectively the condition of those indicators, and implement management policies and programs to prevent degradation of riparian resources and visitor experiences.
- 4.) Provide for a healthy functional ecosystem which maintains the diverse plant and animal communities characteristic of this portion of the Buffalo/White River watershed.
- 5.) Be responsive to the needs of the public in consonance with the outstandingly remarkable values identified. Provide interpretation which encourages protection of river values and the reestablishment of the streamside environment.
- 6.) Continue to provide a broad range of recreation experiences ranging from primitive wilderness settings to more managed outdoor recreation use.

This plan will be a guide for the management of Richland Wild and Scenic River, as designated by Section 3 (a) as amended by the One Hundred Second congress on April 22, 1992. Environmental Assessments and Decision Notices will be made as projects are planned, per the National Environmental Policy Act (NEPA).

OUTSTANDINGLY REMARKABLE VALUES

Four Outstanding remarkable values were identified for Richland Creek [Wild and Scenic River Study Report and Final Environmental Impact Statement on Thirteen Rivers in the Ozark National Forest, September 1991]. Those values are Recreational, Geological, Wilderness and Botanical.

Recreational: Canoeing, kayaking, horseback riding, camping, picnicking, swimming, and fishing are the primary forms of recreation. Richland Recreation Area is heavily used during the summer months due to swimming and fishing holes that are popular with local residents.

Wilderness. Richland Creek Wilderness was designated by Congress in 1984. Since wilderness designation affects broad reaches of land, the broader watershed of which the river is a part, it has important complementary benefits.

Geological: The exposed bedrock of the river displays geological formations which are very important to understanding the stratigraphic synthesis of North Arkansas. Exposed fossiliferous limestones and shales seem to represent some of the youngest Mississippian age rocks in North America.

Botanical: In the L.E.I.S on the Thirteen Rivers in the Ozark National Forest the study team stated that there is an upland swamp containing overcup oak, buttonbush, and sweetgum within the corridor. District efforts to verify the location have not been successful. Since the two possible locations were within the Wilderness, protection and enhancement values are inherent.

EXISTING CONDITIONS

Location And Access

Richland Creek is located in Newton and Searcy counties, Arkansas. Its source begins approximately 1 mile northeast of Pelsor. Richland Creek flows 29.6 miles northeast to its confluence with the Buffalo River near Woolum. The 16.5 miles from the head to the northern boundary of Section 32, Township 14N, Range 18W (including 5.3 miles within Richland Creek Wilderness) are within the corridor.

CORRIDOR BOUNDARIES AND CLASSIFICATION

The river corridor was established using a metes and bounds system of survey across National Forest Land tying to known monumented corners. It allows for a corridor of about a quarter mile on each side of the river. This includes areas seen from the river by varying corridor width on Public Lands and keeps within the 320 ac/mile limit. [Ozark-St. Francis Forest Land and Resource Management Plan 1986, Amendment #7].

Richland Creek was divided into two segments based on the Congressional Classifications. This reflects the types and levels of existing development, access, recreation opportunity and the potential for classification as a unit separate from adjacent segments. The Arkansas Wild and Scenic Rivers Act of 1992 states in SEC. 2. WILD, SCENIC, AND RECREATIONAL DESIGNATIONS:

"RICHLAND CREEK, ARKANSAS.--The 16.5-mile segment from its origin in section 35, township 13 north, range 20 west, to the northern boundary of section 32, township 14 north, range 18 west, to be administered by the Secretary of Agriculture in the following classes:

"(A) The 7.8-mile segment from its origin in section 35, township 13 north, range 20 west, to the western boundary of the Richland Creek Wilderness, as a scenic river.

"(B) The 5.3-mile segment from the western boundary of the Richland Creek Wilderness to the eastern boundary of the Richland Creek Wilderness, as a wild river.

"(C) The 3.4-mile segment from the eastern boundary of the Richland Creek Wilderness to the northern boundary of section 32, township 14 north, range 18 west, as a scenic river."

SOCIAL AND ECONOMIC CONDITIONS OF THE AREA

As reported by Natural Resources Conservation Service (NRCS) in the May, 1995 watershed plan for the tributaries of the Buffalo River, Searcy County has the greatest percentage of the project of which Richland Creek was included (78%). In 1991, 7,600 people lived in Searcy County, which is the second least populated county in the state. This was a decrease of 1,100 residents (or a 12.1% decline) a decade earlier. The unemployment rate at that time was 8.5%. In 1992, the unemployment rate was 8.3%. The rate was 5.8% in 1993 and 6.5% in June of 1994. (Since 1980, the Searcy County unemployment rate has always been higher, usually two percentage points greater, than the State average).

Beef cattle production is the agricultural economic base in the county. The farm sector generates the greatest percentage of earnings and jobs, 29.3% and 21.9%, respectively. Services and jobs are the next largest source of earnings (20% and 19.9%). Employment shares for manufacturing and government are 18.8% and 13.5%, respectively. Earning shares for government and manufacturing are 14.2% and 13.7%, respectively.

In 1991 Searcy County per capita income was \$11,000 and per capita farm income was \$8,000. This is the tenth lowest per capita income (of 75 counties) in Arkansas and represents 57.9% of the U.S. average per capita income. Only Stone, Newton, and Lee counties had lower per capita incomes in 1981. From 1981 to 1991, Searcy County's annual per capita income average increase was 3.1% (1992 Census of Agriculture data, Cooperative Extension Service County Profile).

In 1989, 29.9% of the county's population was living below the poverty level. This contrasted with the state's averages. At that time, 18.5% of the state's population was living below the poverty level. Also in the county, 43% of the children 4 years of age or less are living below the poverty level as do 39.2% of those older than 64 years of age.

Approximately 35% of the producers in the watershed are limited resource farmers. As farms combine and become larger, the number of limited resource farmers will decrease. Nationally, the number of farms decreased by one percent in 1993. This decrease follows the same trend of the past ten years. Correspondingly, Arkansas and national trends show an increase in farm size.

PROGRAM AREAS

1600 INFORMATION SERVICES

There are no Wild and Scenic River signs, showing the WSR logo, posted anywhere along the river corridor. The Jasper office and other area Ozark Interpretive Association outlets offer for sale a good quality map of Richland Creek Wilderness. Backcountry flyers listing information sources and backcountry ethics are available at the district office. These are also stocked at registration boxes at Wilderness and OHT access points on the district.

2100 ENVIRONMENTAL MANAGEMENT

Environmental management includes solid waste, pesticide, and hazardous materials management. Richland Recreation area facilities continue to improve. A solar powered chlorinator has been added to the hand pump at the campground. Two years ago a concrete tank Sweet Smelling Toilet was also installed. There have been technical problems with the chlorinator and with the holding tank on the SST. Both are presently in operation; the water is sampled monthly to insure compliance with state standards.

There are pesticides used by private landowners on cattle adjacent to the river. There are fertilizers used on fields and pastures adjacent to the river, both commercial fertilizer and chicken litter. Residues from these treatments enter the river, but no known water quality problems have been identified. Also there are confined animal operations such as hog farms in this watershed. On several occasions district sampling has found fecal coliform counts well above state standards of 200 col/100ml. These were isolated events following seasonal rains and warm temperatures. Following these events the district repeated sampling for the following four or five weeks to insure that these in fact were isolated, storm-related events. Cattle have access to the creek both upstream and downstream from the sampling site at Moore Bridge.

Pesticide use is currently allowed in the corridor on public lands. Actual application of pesticides has been infrequent and has followed the guidelines established in the Forest Land and Resources Management Plan, Amendments 4 and 5. There are standards regarding the type, frequency, methods of application, monitoring, and safety. To assure water quality protection, 10% of the project areas are

monitored. Procedures for monitoring and reporting results are in the "Herbicide Monitoring Plan for Water Quality, 1993. Ozark-St. Francis National Forests."

No known hazardous waste problems exist on Richland.

2200 RANGE MANAGEMENT

There are no active range allotments that fall within the river corridor.

2300 RECREATION MANAGEMENT

Recreation Opportunity Spectrum (ROS) & Limits Of Acceptable Change (LAC)

Two well accepted concepts of recreation management were incorporated into the planning process. The Recreation Opportunity Spectrum (ROS) provides a means for classifying areas in relation to the types of recreation opportunity experiences that are or can be provided and the settings in which they occur.

The Limits of Acceptable Change (LAC) concept was used to develop strategies for managing use to maintain the desired ROS. **The LAC concept does not focus attention on limiting use to an estimated capacity**, but it can provide an estimate of the desired level of use. River managers may have several possible solutions to overuse problems if they can encourage users to adjust habits.

Allocating or limiting use may be necessary, if conditions deteriorate to such a degree. The planning process was designed to be flexible and respond to changes in river conditions without the need for major revisions. **The process emphasizes objectives and establishes a monitoring system that will trigger implementation of management options** on the Richland Wild and Scenic River to protect its unique qualities.

CURRENT RECREATION USE

Richland Creek has the stream designation of "Primary and Secondary Contact Recreation Use" (by Arkansas Department of Pollution Control & Ecology). Current uses in the area include hiking, camping, horseback riding, hunting, fishing and canoeing/kayaking on Richland and Falling Water Creek. Past uses have also included off-road vehicle use and gathering of plant materials.

At all times of the year after significant rainfall, but primarily in the winter and spring rainy season, Richland is heavily used by canoeists and kayakers for whitewater floating. Richland contains numerous Class II, III, and IV rapids and waterfalls. Numerous tributaries to Richland Creek are also floated after significant rainfall. These include Falling Water Creek, Big Devils and Long Devils Fork, and Bobtail Creek. Members of the Arkansas Canoe Club have invested significantly towards the protection and value of this whitewater stream and have donated over \$800 for the repair of concrete aprons on the Moore Bridge. Plus they donated \$3,000 toward the installation of a U.S.G.S. gage which will provide important baseline water data.

There was a legitimate concern expressed before approval of this U.S.G.S. gage installation. Some felt that this would serve to dramatically increase the use on this whitewater stream which in turn might impact opportunities for solitude. Being able to obtain river level readings using a #900 number, may affect some increase. However past paddler use has grown primarily due to word-of-mouth tales.

Challenges, such as floating this technical stream, add to the experiential values associated with this wild segment.

There is a small campground containing nine camping units at Richland Recreation Area located on FS Road 1205 and Richland Creek. The area is a popular camping spot and parking area for the Ozark Highlands Trail (OHT), hiking up to Twin Falls and Richland Falls which are both within the Wilderness with only the latter being in the river corridor.

This is a popular area receiving a lot of local use especially by area residents of Witt Springs. Many people bring ORV's to the area to ride on the roads and general forested area. There have been several reports of dirt bikers using the OHT on the portions east of the Recreation area and up to the Stack Rock trail head. There are at least two other annual group events with historical use. One of the fraternities at Arkansas Tech University holds its spring campout at Richland. The other one is an annual fall trail ride from Snowball to the Recreation Area. Over the past fifteen years this event has grown and if the weather is good, they may have as many as 150 horses participating. Both of these groups have been good about picking up their own trash.

User data for Richland Creek Wilderness area is collected from the registration boxes all located in close proximity to the Recreation Area. For a brief time there was a registration box at Hill Cemetery but this was removed. Hill Cemetery is a popular access point for hikers wishing to hike into the falls from the top. It is also popular with hunters especially during turkey season.

Based on 1990 study done on Caney Creek Wilderness roughly 45% of backcountry visitors do not register. These are not clear trends since there are still big variables (unstocked or vandalized registration boxes, and/or not having boxes at prime locations).

The following data is taken from the registration cards and is being used to track the social indicators selected for the LAC process [1995 card data was not analyzed]:

Richland Creek	1992	1993	1994
Average overall experience 1-10, with 10 as best	8.7	9.1	8.5
Total Number of Visitors	311	421	473
Average group size	2.4	2.9	3.1
Average number of groups encountered	1.5	1.4	1.9

In 1992 the District inventoried campsites associated within Richland Creek Wilderness. A total of 32 campsites were mapped, 23 of which were obliterated, and 9 were formally inventoried. Average class condition was 3.4. Range is from Class 1 = campsite barely distinguishable; slight loss of vegetation cover and/or minimal disturbance of organic litter; to Class 5 = soil erosion obvious, as indicated by exposed tree roots and rocks and/or gullying. [see LAC in operations section]

OFF HIGHWAY VEHICLES

Off Highway Vehicles (OHVs), ATVs and four wheelers, are permitted to use open Forest Service roads within the river corridor. These vehicles are prohibited from riding on closed Forest Service roads.

The Forest Land and Resources Management Plan states "Exclude vehicles from streams except at designated crossings". It also states that they are not allowed to travel up and down the creeks. Presently, though, there is no regulation or Supervisor's Order specifically prohibiting this activity. This policy would include passenger cars, four wheel drive trucks, motorcycles, as well as OHVs. State law excludes OHVs from county roads and State Highways.

All motorized vehicles are prohibited from being driven on closed Forest Development Roads, on the Ozark Highlands Trail, and within developed recreation sites except for entry and exit.

TRAILS

There is one maintained trail within the area, the Ozark Highland Trail. This is one of the more recently built portions but is becoming more and more popular. It affords the hiker opportunities to view Richland Creek downstream from the Recreation area bridge. It then leaves the corridor heading more northerly into an area that winds through house-size boulders and interesting drainages and general forest before entering the Gene Rush Wildlife Area.

2360 HERITAGE RESOURCES

The river corridor is considered a high probability area for both historic and prehistoric sites. There are at least 4 General Land Office fields recorded in Richland Valley on public land and one on private land. Civilian Conservation Corps' Camp Moore is within the corridor. Additionally there are at least fifteen recorded historic and prehistoric sites. Most of the sites are either prehistoric shelter bluffs or remnants of old houseplaces (rock walls, linear rock piles, chimney falls).

2380 SCENERY MANAGEMENT

Richland has state designation as a "Natural and Scenic Waterway" because of its extraordinary, scenic, scientific, and recreational values. The entire Richland Creek has been placed on the Arkansas Natural and Scenic Rivers Registry by the Arkansas Natural and Scenic Rivers Commission.

Richland Creek upstream from the Wilderness boundary was classified for modification. With the congressional designation of Wild and Scenic River status, this was changed to protect scenic values. The portion of the creek within the Wilderness has a visual quality objective of preservation. Downstream from the Wilderness, Richland is classified for retention of visual qualities.

2400 VEGETATION MANAGEMENT

Vegetation within the corridor is composed largely of upland hardwood species with a few stands of mixed hardwoods and shortleaf pine or predominant shortleaf pine--mainly in historic old fields that have succeeded to pine or been planted in the last 30-40 years. Typical hardwood species include red and white oaks, shagbark, mockernut and bitternut hickories, and black gum. Within riparian areas better site conditions allow for the growth of other species such as basswood, sweetgum, river birch, sycamore and hophornbeam. Such areas may exhibit lush understory characteristics with species such as witch hazel, spice bush, black cohosh and paw paw present. It may also include herbaceous species such as columbine, jacob's ladder, larkspur, alumroot, and goldenseal.

Along bluff lines and where soils are thin, species composition is more limited. The primary species composition consists of red and white oaks mixed with hickory species and black gum are primary. Typically the understory will be comprised of such species as dogwood and red maple and herbaceous

species such as huckleberry, greenbriar, Virginia creeper and scattered native grasses and sedges such as poverty grass, little bluestem and panicums. Most of the corridor shows evidence of historic logging activity.

2500 WATERSHED AND SOILS MANAGEMENT

Richland Creek has been designated as "Extraordinary Resource Water" by ADPC&E. No degradation of water quality is allowed. The Ozark National Forest takes up 68,400 acres (82%) of the Richland Creek watershed (83,458 acres).

Since 1965, the total number of acres of pasture and forest combined has remained constant. Land clearing has caused a drastic shift from forest to pasture. ["Buffalo River Tributaries, Watershed Plan, Environmental Assessment", May 1995, p.29 - Natural Resources Conservation Service (NRSC)]. Of all the tributaries in the project area, Richland Creek had the least clearing (1,402 acres). NRSC estimated that by the year 2019 an additional 22,000 acres of forest will have been cleared and converted to pasture. For Richland Creek that estimate is for an 800 acre pasture gain - forest lost.

Increase demands for forest products have placed a greater demand on public and private forests. These conditions make small holdings of private forests attractive sources for wood. The cattle industry is the basis of the farm economy of the area. After selling their timber, farmers reinvest the income from timber sales to "clean up the land" and convert to pasture. [NRCS, May 1995]

In TABLE XXV of the Buffalo River tributaries Watershed, the following estimated sediment volume rates were given for Richland Creek. Sediment delivered from sheet & rill erosion on forest & other 77,534 acres out of the drainage area of 83,458 acres, would show a loss of some 5,507 tons/yr. Whereas sediment delivered from gullies, roads, and streambanks would be 13,418 tons/yr. Water quality data collected by the Buffalo National River was used to list the tributaries in order of highest median fecal coliform count to the lowest: Tomahawk-54, Richland-20, Bear-18, Calf-16, and Brush Creek-1. Almost all water monitoring stations show concentrations during a storm rising to a level of about 45,000 colonies/100 mL. Values exceeding 400 colonies/100mL are considered unsafe for primary contact recreation.

This area is located in the Boston Mountain Plateau of the Ozark Highlands. Limestone, common to the Springfield Plateau, is exposed in the bluffs at lower elevations along Richland Creek. Along Richland Creek there are many outcrops of limestone that contain fossils. The Ozark Mountains are actually plateaus, uplifted as a unit with few folds or faults. The ruggedness of these mountains is due to erosion of the plateaus by swift rivers flowing in them. The narrow V-shaped valleys are bordered by a combination of steep sided slopes and vertical sandstone and limestone bluffs over 100 feet high. Ridge tops are primarily a deeply dissected sandstone with shale plateaus being narrow and rolling. Elevations range from 1,000 to 2,200 feet above sea level.

Topography within 1/4 mile on either side of Richland is quite rugged and scenic. Rock bluffs over 100 feet high and extending over a mile along each side of Richland Creek graphically reveal the earth's development. The area immediately beyond the 1/4-mile zone exhibits topography representative of the typical uplands in the Boston Mountain Plateau that encompass most of the Ozark National Forest.

There are two major tributaries in addition to Richland Creek within the Wilderness, Falling Water Creek and Long & Big Devils Fork. The Richland Creek watershed includes all of the Wilderness area and extends up the to State Highway 7 near Pelsor/Sand Gap. This area is a watershed divide, with lands to the west and south draining off into the Big Piney/ Arkansas River Valley watershed. The

Richland Creek drainage area is eastward from this divide and drains into the Buffalo National River which drains into the White Rivers.

The average annual water yield for the Richland Creek is estimated at 17,247 acre feet per year. The average annual precipitation is 55 inches. Richland Creek usually maintains a suspended sediment below 10 milligrams per liter, but may peak during storms up to 200 milligrams per liter.

The use of 2,700 acres of private land existing in the Richland Creek watershed above the wilderness area consists of woods, pasture, farms and residents of some 58 landowners.

2600 WILDLIFE, FISHERIES, AND RIPARIAN RESOURCES

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

A variety of animal life is found within the corridor. Mammalian species such as eastern pipistrelle bats, gray squirrels, raccoons, white-tailed deer, wood rats and black bear occur. Neotropical migrant birds such as the ovenbird, wood thrush and red eyed vireo are well represented along with species like the Louisiana waterthrush and parula warblers which favor riparian habitat.

2670 THREATENED AND ENDANGERED, AND SENSITIVE SPECIES

Sensitive species (species being monitored by the State and the Ozark National Forest) which are likely to occur within Richland Creek include the following:

Common Name	Scientific Name	Status
Ozark Chinquapin	<u>Castanea pumila var. ozarkensis</u>	Sensitive
Golden Seal	<u>Hydrastis canadensis</u>	Conservation
Bald Eagle	<u>Haliaeetus leucocephalus alascanus</u>	Threatened

One species, the mountain lion (Felis concolor), is listed as federally endangered; however, the U.S. Fish and Wildlife Service considers the species to be extirpated within the state.

In the **WATERSHED PLAN-ENVIRONMENTAL ASSESSMENT** for Buffalo River Tributaries Watershed (May 1995), the following were listed:

Gray bat	<u>Myotis grisescens</u>	Endangered
Indiana bat	<u>Myotis sodalis</u>	Endangered

The endangered bats forage for insects along the river and depend upon protective cover along the stream banks. Preservation of riparian travel corridors and aquatic insects are listed as recovery plan objectives for the bats.

Other species that occur in the watershed, other than Federally listed, are as follows: [None of these species have been reported with the Richland Creek corridor. Future inventories would be needed for confirmation.] Isopod (Lirceus bicuspidatus), Great Blue Heron (Ardea herodias), American Brook Lamprey (Lampetra appendix), Moore's Larkspur (Delphinium newtonianum), Trelease's Larkspur (Delphinium treleasei), Illinois Tick-treefoil (Desmodium illinoense), American

Water-pennywort (Hydrocotyle americana), Floriferous Monkeyflower (Mimulus floribundus), Sand Phlox (Phlox bifida), Wood Stonecrop (Sedum ternatum), Celandine Poppy (Stylophorum diphyllum), and Acorn-Salad (Valerianella ozarkana).

2700 SPECIAL USES

There are no permitted outfitters nor concessionaires in the Richland Creek corridor.

For the past fifteen years or more, there has been an annual horseback trail ride from Snowball to Richland Recreation Area. The last two years this event has been administered under guidelines established by the special use permit process. The intent was to better direct traffic for emergency purposes and so as to not impact others camping at the Recreation Area. Also it has provided a mechanism for protecting the resource by establishing designated areas where horses can be tied and watered.

2800 MINERALS

2810 - Mining Claims - Public Domain (Pd)

There are 1839 acres of PD land within the corridor.

2820 - Leasable Minerals

There are 220 acres of public land with active oil and gas leases within the corridor. There has been no activity on any oil and gas leases.

2830 - Outstanding & Reserved Mineral Rights

Outstanding rights are mineral rights owned by private parties and the interests and rights having been reserved and excepted in a deed prior to the acquisition of the surface by the United States. There are 96 acres of subsurface ownership on Richland.

While the owner of the mineral rights (outstanding) has unquestioned right to enter upon the surface property for the purpose of access and extracting his minerals, he must exercise such rights with recognition of surface rights and take appropriate action to prevent unnecessary disturbance to the owner of the surface.

Reserved rights are subject to the Secretary of Agriculture's rules and regulations.

2850 - Minerals Materials

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

5100 FIRE MANAGEMENT

Wildfire

Wildfires within the corridor are treated the same as those that occur within the general forest area except for the "wild" segment. The Wilderness areas have a separate fire management plan which contains a decision-tree process to determine needs to contain, confine, or control for resource values and private land protection. There have been no wildfires within the river corridor within the last five years.

Prescribed Burning

Currently, prescribed burning could be used only where it appropriately maintains or improves scenic or recreational values. Within Wilderness, the existing Forest Land and Resources Management Plan stipulates no use of prescribed burning. No prescribed burning has been done within the final river corridor.

5300 LAW ENFORCEMENT

Jurisdiction

The Forest Service law enforcement officers have jurisdiction to enforce Federal laws, regulations and Forest Supervisor's Orders on National Forest lands. County Sheriffs and the Arkansas State Police enforce state laws and also have jurisdiction within the National Forest boundary. The Arkansas Game and Fish Commission the primary enforcer of State fisheries and wildlife laws on both public and private lands.

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

Cooperative Agreements

The Ozark National Forest has a cooperative agreement with the Searcy County Sheriff to patrol National Forest recreation areas under certain conditions. An informal mutual assistance agreement continues between the Sheriff's office, State Police, Arkansas Game and Fish Commission, the Forest Service, and the National Park Service, where officers will reciprocate for back-up and assistance.

Forest Supervisor'S Orders

The following applies only to Upper Buffalo, Hurricane Creek, Richland Creek, East Fork, Leatherwood Wilderness areas. Order no. 00-04-61 prohibits possessing or using a wagon, cart, or other mechanized vehicle [CFR 261.57 (h). Pursuant to 36 CFR, Section 261.50 (e), the following persons are exempt from this order: (1) Wheelchair users when used as a necessary medical appliance.

5400 LAND OWNERSHIP PATTERNS

Eighty percent of the land within the corridor is public ownership administered by the U.S. Forest Service.

5460 Rights-Of-Way

Existing rights-of-way will be identified using the district's geographic information system [G.I.S.] when available.

6700 HEALTH AND SAFETY

In the fall of 1995, the Forest developed a Search and Rescue Plan to facilitate rescues in remote areas. [see Appendix H]

7700 TRANSPORTATION

Wild segment

The Wild portion of the corridor falls within the Richland Creek Wilderness which is restricted to non-motorized, non-mechanized access with the exception of wheelchairs.

Scenic segment

The Scenic segment of Richland Creek is traversed by a number and variety of roads. There are two bridges across Richland Creek. They are located on Newton County road NE32 (Moore Road) and Searcy County Road SE1 (Falling Water road). Forest Development Roads 1220 and 1254 weave in and out of the creek. Forest Development Road 1220 turns into a Searcy County Road and provides access for landowners along the creek. There are a variety of lesser used Forest Development roads which provide access to the creek, developed and dispersed campgrounds, other public lands as well as to private lands.

Within the Scenic corridor there are 12.29 miles of road. There are 11.31 miles of open road and 0.98 miles of roads not currently in use.

This area has not been inventoried for old roadbeds. Based on historical data, there are another 20% not mapped or in inventory systems.

DESIRED FUTURE CONDITIONS

INTRODUCTION

The Desired Future Condition statement provides general long-term management goals for Richland Creek and describes a vision of the future river corridor. This section, for ease of review, is divided into Forest Service resource area code designations which tie to the Forest Plan, the Forest Service Handbook and Manual System.

PROGRAM AREAS

1600 INFORMATION SERVICES

Signs are restricted to those which are necessary for safety, effective law enforcement, direction, and interpretation. Signs are located outside the Wilderness where possible. Information regarding the course of the river (a river map), safety, backcountry use ethics, and National Forest regulations are available from sources like the Ozark Interpretive Association and other area outlets. Emphasis is placed on providing information to visitors before they enter the area.

2100 ENVIRONMENTAL MANAGEMENT

Environmental waste and hazardous materials do not enter the Richland. Problems are corrected as soon as possible contacting appropriate agencies and/or personnel. [Each district has a hazardous waste coordinator.]

2300 RECREATION

The Richland Creek corridor is managed for a variety of recreation opportunities. Richland Recreation Area facilities are maintained to meet the needs of the public and enhance the quality recreational experience enjoyed by those visiting the area.

River recreation use levels may rise, but the quality of the recreation experience is maintained. Information is disseminated to the public which encourages protection of river values, respect for private landowner's rights, and Leave-No-Trace principles.

The Wild Segment of the River corridor is managed for experiential qualities such as physical challenge, spiritual values and opportunities for solitude. It continues to be popular among technical paddlers. Most recreational users access the area by foot. Use remains relatively concentrated in the vicinity of the Ozark Highlands Trail and Richland Recreation Area. ATV use is restricted to open roads or designated trails. Dirt bikes are not using the OHT.

The Scenic Segment provides opportunities for camping, hunting, fishing, hiking, and horseback riding.

2230 RANGE/GRASSLANDS

Within the corridor no grazing of domestic livestock takes place. Woodland allotments are phased out or require permittees to keep stock out of the corridor.

2360 HERITAGE RESOURCES

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

Plants, animals, and culturally important areas are located within the river corridor, providing an element of cultural continuity to local communities. Richland Creek is culturally important to local communities, contributing to their sense of pride and stewardship of both Falling Water and Richland Creek.

2380 SCENERY MANAGEMENT

In general, naturally eroded areas are left untreated, allowing visitors to experience the dynamics of free-flowing rivers. Natural riverine processes proceed unhindered by human manipulation. Eroded areas may need to be stabilized especially if accelerated by disturbances upstream or downstream. Area materials are utilized so as to camouflage these efforts.

2400 VEGETATIVE MANAGEMENT

Richland Creek corridor is designated as unsuitable for timber production. While this designation does not add these acres to the "old growth" prescription, it does contribute similar characteristics as described in the current Forest Land and Resources Management Plan (p. 4-7). The variety of native upland and riparian vegetation communities support significant biological diversity in the river corridor. Vegetation is managed to enhance scenic, wildlife, old growth, and recreation values. Timber stands are not managed for timber production.

Follow Best Management practices recommended by USDA Natural Resources Conservation Service in WATERSHED PLAN-ENVIRONMENTAL ASSESSMENT FOR BUFFALO RIVER TRIBUTARIES WATERSHED, May 1995.

Vegetation character and structure continue to provide a diverse component of the ecosystem. Species composition provides diversity reflective of the different community types within the corridor. For example, riparian vegetation, for the most part, should reflect a multi-layered canopy with a mature overstory and multi-species understory. Historic old fields are maintained if consistent with Wild & Scenic values.

The desired condition of the forested land within the corridor is late seral (large mature) hardwood and late seral hardwood/shortleaf pine. The desired condition of the pasture lands within the corridor is a combination of native warm season grasses, forbs, and shrubs. The riparian areas adjacent to open land are managed similar to what is described in Forest Publication NA-PR-07-91 "Riparian Forest Buffers". This includes a buffer strip of late seral vegetation. This buffer is developed to stabilize the stream banks and provide a forested link between the late seral vegetation.

2500 WATERSHED AND SOILS MANAGEMENT

Excellent water quality is an important component of this healthy aquatic cool water ecosystem. Aquatic habitat is provided by preserving cover in the form of overhanging banks and large woody debris in the river channel. In general, the water quality parameters remain within baseline levels present in 1992 and continue to exceed the standards set by the Arkansas Department of Pollution Control and Ecology.

Natural erosional and depositional processes are in a state of dynamic equilibrium within the river. Natural changes in the stream channel may occur, resulting in eroding streambanks which creates habitat for those species dependent on such disturbances.

Within the Scenic corridor, human-caused erosion is rehabilitated using natural appearing methods. Bank stabilization and other watershed improvements are undertaken to protect roads or bridges or where private property is threatened. All erosion protection structures are designed to provide long-term stability and blend in with natural surroundings.

2600 WILDLIFE, FISHERIES AND RIPARIAN RESOURCES

Wildlife communities dependent on mature forest landscapes remain abundant, while other species sustain numbers relative to habitat availability. Populations of game and non-game species are at healthy levels, balancing ecological and recreational needs.

The Richland Creek corridor provides a linkage between core areas such as the Richland Creek Wilderness and the Buffalo National River. This linkage allows the diversity of animal species present to better maintain population viability across geographic distances by allowing mobility and genetic exchange.

Richland Creek continues to support diverse aquatic communities of organisms. Small-mouthed bass are managed to maintain or enhance viable populations to meet biological and recreational demands [does not apply within wild segment].

2670 THREATENED, ENDANGERED AND SENSITIVE SPECIES

Threatened, Endangered, and Sensitive species, and unique communities are managed to maintain and enhance viability. Non-wilderness segments are prioritized for efforts to provide quality habitat.

2700 SPECIAL USES

Wild Segment

All outfitter and guides that use public lands on the National Forest operate under special use permit. New permit applications are evaluated to ensure river values are protected.

Scenic Segments

Special use permits for recreation events are issued when the event does not degrade the outstandingly remarkable values.

Other temporary and long term permits (utilities and road rights-of-way) are evaluated on a case-by-case basis. Special use permits to access private lands are allowed when no other reasonable, non-Forest Service route is available. Also, the proposed route is located to protect the outstandingly remarkable values identified for this River.

2800 MINERALS

Wild Segment: There is no mineral entry.

SCENIC segment: Surface occupancy outside the corridor protects water quality and river values.

2830 Outstanding & Reserved Rights

The Forest Service recognizes the private mineral owners' rights and encourages a spirit of cooperation and understanding by both parties.

5100 FIRE MANAGEMENT

Wildfires are suppressed to protect life, property, private lands, air, water, soil productivity and other resource values. Prescribed burning is a tool used prudently for Forest Health, subordinate to Wilderness and Scenic values.

5400 LAND OWNERSHIP

Partnerships exist between the private land owners, the Forest Service, and State of Arkansas to protect the river attributes while respecting each partner's rights and responsibilities. Where conflicts occur, the ownership boundaries are delineated to minimize conflict.

6700 HEALTH AND SAFETY

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

7710 TRANSPORTATION/ACCESS

The forest road system is maintained to facilitate year round access. Selected roads are maintained for high clearance vehicles only. Road closures are maintained to be effective. Road maintenance and construction improve access for multiple uses while protecting the river's values. The Wild portion of the corridor falls within the Wilderness which is restricted to non-mechanical and non-motorized access.

STANDARDS AND GUIDELINES [S] or [G]

INTRODUCTION

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

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

PROGRAM AREAS

2200 RANGE MANAGEMENT

Wild Segment

Same as Management Area 1- Wilderness.

Scenic Segments

[S] - Issue no new grazing permits.

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

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

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

2300 RECREATION MANAGEMENT

Wild Segments

Same as Management Area 1 - Wilderness, in addition;

[S] - Apply LAC standards based on indicators selected for river segment classification.

Scenic Segments

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

[S] - Facility development reflects ROS classification.

[S] - Extend LAC standards for scenic segments adjoining Wilderness.

2350 TRAILS

Wild Segment

[S] - Trails allowed in the corridor for resource protection.

Scenic Segment

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

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

2380 SCENERY MANAGEMENT

Wild Segment

Same as Management Area 1 - Wilderness.

Scenic Segments

[S] - The Visual Quality Objective is Retention.

2400 VEGETATION MANAGEMENT

Wild Segment

Same as Management Area 1 - Wilderness

Scenic Segments

[S] - Lands within the corridor will not be managed for timber production.

[G] - Vegetation management activities may be used to enhance the outstandingly remarkable values with an emphasis on aesthetic, scenic, historic, archeological, and scientific features.

[G] - Comply with the management objectives specific for each river.

[G] - Correct impact or salvage material resulting from a catastrophic natural or human-caused disaster if necessary to maintain the outstandingly remarkable values.

[G] - Remove invasive, non-indigenous vegetation when appropriate for protecting river values.

[G] - Remove hazards for visitor safety using ROS guidelines (from "paved to primitive" settings).

[G] - Incidental or downed fuelwood may be removed for campfires.

2500 WATERSHED AND SOILS MANAGEMENT

Wild Segment

Same as Management Area 1 - Wilderness, in addition;

[S] - Prohibit all new water supply dams, flood control dams, hydroelectric power facilities, levees or other major diversions in the channel or river corridor.

[S] - Use LAC standards to monitor water quality.

Scenic Segments

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

2600 WILDLIFE, FISHERIES AND RIPARIAN RESOURCES

Wild Segment

Same as Management Area 1 - Wilderness.

Scenic Segments

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

2700 SPECIAL USES

Wild Segment

Same as Management Area 1 - Wilderness, in addition;

- [S] - Prohibit new transmission lines, gas lines, water lines, rights-of-way.

Scenic Segments

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

2800 MINERALS

Wild Segment

Same as Management Area 1 - Wilderness

Scenic Segments

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

5100 FIRE MANAGEMENT

Wild Segment

Same as Management Area 1 - Wilderness.

Scenic Segments

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

5400 LAND OWNERSHIP

Wild and Scenic Segments

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

Land Acquisition:

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

7700 TRANSPORTATION

Wild Segment

Same as Management Area 1 - Wilderness.

Scenic I Segments

- [S] - Use minimal tool rule when doing maintenance on roads within Scenic segments that are within the Wilderness. Apply only the minimum tools, equipment, device, force, regulation, or practice that will bring the desired result.
- [S] - Motorized vehicles may only cross at designated crossings. They may not travel up and down the river channel.
- [G] - Maintain or reconstruct existing roads serving private land and those authorized for National Forest Management. Manage existing National Forest roads and proposed new construction to protect and enhance the river corridor

OPERATIONS AND DEVELOPMENT

INTRODUCTION

After approval of the comprehensive river management plan, the Forest Supervisor shall ensure that all permits, contracts, and cooperative agreements are consistent with the Forest Plan. All later administrative activities including budget proposals will be based on the comprehensive river management plan. The Forest Supervisor can change proposed implementation schedules without an EIS when funding does not match proposed annual budgets, provided long term goods and service levels are not jeopardized.

Monitoring and evaluation objectives determine how well plan objectives have been met and how closely management requirements have been applied. Based upon the evaluation, the inter-disciplinary team may recommend to the Forest Supervisor necessary management direction changes, revisions, or amendments to the comprehensive river management plan.

LIMITS OF ACCEPTABLE CHANGE

The Wild & Scenic River Plans which also contain Wilderness acres, use the concepts outlined in LIMITS OF ACCEPTABLE CHANGE (LAC) System for Wilderness Planning, by Stankey et.al. (1985). LAC is a planning process consisting of a series of interrelated steps leading to the development of measurable objectives, defining desired backcountry and wilderness conditions. It also suggests management actions necessary to maintain or achieve desired conditions. Emphasis is placed on defining and achieving the resource and social conditions desired for the area rather than determining how many users an area can absorb. This process has been determined to be more effective than attempting to establish carrying capacity. Carrying capacity was first designed for range management.

The LAC process requires managers to define desired backcountry and wilderness conditions and to undertake actions to maintain or achieve these conditions. The process consists of nine major steps:

- Step 1 identifies area concerns and issues.
- Step 2 defines and describes opportunity classes (management zones).
- Step 3 is the process of selecting resource and social indicators which represent backcountry conditions.
- Step 4 is an inventory to determine the condition of the indicators selected.
- Step 6 identifies alternative opportunity allocations.
- Step 7 identifies management actions required to implement each alternative.
- Step 8 is the evaluation and selection of an alternative.
- Step 9 is the implementation of the preferred alternative and the establishment of a program to monitor indicators.

Goals, by definition, are broad statements of intent, direction and purpose. Management objectives are statements that describe the specific conditions sought, serve as criteria in determining what management actions are needed, and are used as the basis for evaluating the effectiveness of management actions.

All areas within the river corridors and the Wilderness are designated in one of four Opportunity Classes. Each Opportunity Class is described in terms of the desired resource, social, and managerial conditions for that area. These descriptions provide guidance for management decisions related to backcountry resources and use.

LIMITS OF ACCEPTABLE CHANGE (LAC)

Opportunity Classes are designated based upon the following criteria:

1. Type and amount of use
2. Accessibility and challenge
3. Opportunity for solitude
4. Current resource conditions
5. Management uses

Opportunity Class Description

Class 1: Natural environment with little evidence of recent impact by humans. Outstanding opportunities for solitude exist and the sense of challenge is high. No trails are maintained and no signs are provided for visitor assistance.

Class 2: Natural environment with some evidence of human impact in the form of trails and campsites. Opportunities exist for solitude and sense of challenge is still high. New trails will be built only for resource protection.

Class 3: Natural environment with evidence of land use and/or recreational activities. Opportunities for solitude often exist but may be rare in peak recreational seasons. Trails and signs may be provided for natural resource and visitor protection. Existing trails will be maintained (for light use) at primitive trail standards. Scenic values are primary emphasis.

Class 4: Natural environment with obvious evidence of land-use and/or recreational activities and impacts. Opportunities for solitude may exist. Trails and/or signs may be provided for natural resource and visitor protection, and for educational purposes. Modest facilities may be provided for recreational activities.

Segment	Classifications	Length	Class
Headwaters	Scenic	7.8	3
Richland Wilderness	Wild	5.3	2 & 3
Rec area & East	Scenic	3.4	3 & 4

The delineation of Opportunity classes was based on river use patterns, access, management concerns, and resource considerations.

INDICATORS AND STANDARDS

Indicators and standards are used to help determine when corrective management actions should be implemented. Indicators are relevant, measurable factors which signify the condition of the backcountry setting. Standards are threshold levels established for each indicator. Standards are set at the upper level of what is considered acceptable, not necessarily what is desirable. Monitoring of indicators will enable management to know whether backcountry conditions are getting better or worse. Management still has the latitude to correct unanticipated problems not addressed by standards. The indicators and standards for each opportunity class are displayed in the following table. A policy of nondegradation will be employed. The nondegradation policy seeks to prevent further degradation of current resource and social conditions in areas which are still well within standards and restore substandard settings to minimum levels.

LAC INDICATORS & STANDARDS

Indicators	Class 1	Class 2	Class 3	Class 4	Comments
Total campsite area (sq.ft.)	Less than 500sq.ft.	750-800 sq.ft.	800-1000sq.ft.	90% of sites are less than 2,000 sq.ft. with none greater than 3,500 sq.ft.	Evident by vegetation impacts
Number of fire rings	zero	zero	No more than 1	No more than 1	In order to maintain a standard of "0" in Class 1 and 2, there may need to be a "stoves only" restriction
Campsite condition (1=Best, 4=Worst) [Maximum number per square mile]	None rated more than "2"	No sites rated "4"	No sites rated above "4"	No more than 4 campsites within 1/4 sq.mile; condition "4" sites should be evaluated for restoration or closure	See campsite condition descriptions
Overall satisfaction (rate experience 1-10 with 10=Best)	Overall rating 8 or above	Overall rating 8 or above	Overall rating 8 or above	Overall rating 8 or above	Average overall experience rating from registration cards for 1992-94 was 8.6
Contact with other groups (Average # of groups encountered per outing)	No more than 1	No more than 2	No more than 5	No more than 5	Not to be exceeded more than 4 days/yr (weekends holidays)
Preferred group size	6	6-8	No more than 10 (90% of the time)	No more than 10 (90% of the time)	More than 75 requires a special use group permit [10/96 LAC]

OPPORTUNITY CLASS DESCRIPTIONS

Class 1: Natural environment with little evidence of recent impact by humans. Outstanding opportunities for solitude exist and the sense of challenge is high. No trails are maintained and no signs are provided for visitor assistance.

Class 2: Natural environment with some evidence of human impact in the form of trails and campsites. Opportunities exist for solitude and a sense of challenge is still high. New trails will be built only for resource protection.

Class 3: Natural environment with evidence of land use and/or recreational activities. Opportunities for solitude often exist but may be rare in peak recreational seasons. Trails and signs may be provided for natural resource and visitor protection. Existing trails will be maintained (for light use) at primitive trail standards. Scenic values are primary emphasis.

Class 4: Natural environment with obvious evidence of land-use and/or recreational activities and impacts. Opportunities for solitude may exist. Trails and/or signs may be provided for natural resource and visitor protection, and for educational purposes. Modest facilities may be provided for recreational activities.

CAMPSITE CONDITION DEFINITIONS

Condition 1. Campsite barely distinguishable; slight loss of vegetation cover and/or minimal disturbance of organic litter.

Condition 2. Campsite obvious; vegetation cover lost and/or organic litter pulverized in primary use areas.

Condition 3. Vegetation cover lost and/or organic litter pulverized on much of the site, some bare soil exposed in primary use areas.

Condition 4. Nearly complete or total loss of vegetation cover and organic litter, bare soil widespread. Soil erosion may be obvious, as indicated by exposed tree roots and rocks and/or gullying.

RICHLAND CREEK WILDERNESS WILDERNESS/WILD & SCENIC RIVERS LAC INDICATORS

Limits Of Acceptable Change	Indicators	LAC Standard
Water Quality	Fecal Coliform	Lower site = 18 col/100mL Upper site = 32 col/100mL
*Nondegradation based on arithmetic mean (baseline data collected quarterly in 1990-95)	Turbidity	Lower site = 10 FTU Upper site = 10 FTU
		**Exceeding standard would trigger management action to determine cause [10/96 mla & cn]

Monitoring for LAC indicators

All indicators listed require a monitoring program to determine whether they are within the standards set for each of the Opportunity Classes.

Campsite Condition: Monitoring procedures are detailed in the Buffalo Ranger District Backcountry Campsite Inventory and Monitoring Procedures (1992). All sites will be monitored at least once every five years on a rotating basis. Sites which failed to meet standards will be monitored the following year to determine whether corrective actions have been successful. A data management program has been developed to store and analyze all campsite monitoring data.

Social Indicators: Group size, contact with other groups, and overall satisfaction will be monitored yearly using data collected from wilderness registration cards (both those collected at portals and those mailed in to the district office at Jasper). For example, if there's a swing downward in overall satisfaction, this will trigger on-site discovery as to cause at that location. For example, it could be tied to increased encounters with other groups or perhaps more encounters increases overall experience.

Water Quality: Monitoring of water quality indicators will be accomplished through the existing monitoring program. Site specific investigations will be carried out in additional areas if evidence of water quality degradation is found.

POTENTIAL MANAGEMENT ACTIONS

Improving Unacceptable Site Conditions (In order of Preference)

Opportunity Class 1 & 2:

- * Offsite Leave No Trace Education
- * Contact Repeat Users
- * Campsite Restoration
- * Designated Campsites
- * Limit Size of Groups Camping
- * Prohibit Open Fires
- * Seasonal Campsite Closures
- * Individual Campsite Closures
- * Area Camping Closure
- * Camping Permit

Opportunity Class 3 & 4

- * Information and Education
- * Increase Forest Service contacts
- * Contact Repeat Users
- * Campsite Restoration
- * Limit Size of Groups Camping
- * Designate Campsites
- * Campsite Closures
- * Prohibit Livestock
- * Install Toilets
- * Require Camping Permits

Directed at Social Indicators (In order of Preference)

Opportunity Class 1 & 2:

- * Encourage Use in Other Areas
- * Modify or Remove Existing Facilities
- * Limit Size of group
- * Camping Permits

Opportunity Class 3 & 4

- *Encourage Use at Other Times or Places
- *Improve or Modify Existing Facilities
- *Limit Size of Groups Camping
- *Camping Permits

PROGRAM AREAS

1600 INFORMATION SERVICES

Information services will address three needs: informational, regulatory, and interpretive/educational. They will inform river users about the general character of the river, the laws and regulations and opportunities that pertain to recreation activities in the corridor, and about specific natural or cultural values or features. Information will be provided through a variety of means, including signs, brochures, and personal contact.

Wilderness backcountry ethics and information are provided "in-town" rather than on-site.

Signs

Minimize "sign pollution" by keeping the number of signs to the minimum necessary for safety, effective law enforcement, direction and interpretation. Forest Development Road are subject to the Highway Safety Act standards.

Informational

The bulletin board at Richland Recreation Area will display important information to visitors. All non-regulatory information will be placed on ONE sign board.

Types of information to include on the sign board are:

- * Visitor use guidelines, Leave No Trace outdoor ethics.
- * Safety precautions and emergency contact numbers.

Informational signing within the river corridor will be minimal. There will be no signing within the wilderness portions of the corridor.

No reflective surfaces, tape, lettering or symbols should be used on informational signs unless critical for visibility from moving vehicles.

Regulatory

Regulatory signing will be kept to a minimum. In general, regulatory information will be posted on informational sign board.

Existing roads, not open to public motor vehicle traffic, shall be signed for non-motorized travel. Signs identifying the designated river corridor boundary shall be posted only where the corridor coincides or crosses a primary road.

Warning signs are usually made with reflective material.

Construction may require signs for safety and directions.

Brochures

A brochure may be developed for the designated portion of the river corridor. The brochure would include the following information:

- * Classification of rapids and inherent dangers associated with Wilderness and backcountry recreation.
- * A map that identifies public & private lands, recreation facilities and access sites, landmarks and primary roads and trails
- * Recreation opportunities available in the river corridor
- * Brief description of the values for which the river was designated a National Wild and Scenic River, reasons for protection, and how users can help protect these values

- * Inform visitors about regulations
- * Interpretation of outdoor ethics, respecting private property rights and LEAVE NO TRACE practices.

Personal Contact

Wild - Opportunities for solitude prevail.

Scenic - Contacts between Forest Service representatives (Forest Service personnel or volunteers) and visitors in the river corridor will be mostly at the Recreation Area during group events, during hunting season and ginseng season, and on traditionally busy fall/spring seasons. Holiday rounds are made if budgets permit.

The District Ranger and District representatives shall develop and maintain working relationships with area landowners, local and state agencies, and user groups to assure support and participation in successful river management.

2100 ENVIRONMENTAL MANAGEMENT

Operations. Septic systems on National Forest lands will comply and meet all Arkansas Department of Health regulations. Education and information programs and materials will discuss solutions to disposal of human waste. "Leave No Trace" programs can be used by the river manager to encourage responsible human waste disposal.

Support "pack-it-in and pack-it-out" and LNT concepts for kayakers, hunters, hikers and other recreationists. Discourage bringing glass containers into the river.

Pesticides may be used within the corridor on public lands if restrictions regarding the type, frequency, methods of application, monitoring, and safety are strictly followed. Actual application of pesticides may be to maintain or enhance the outstandingly remarkable values or may be used if there is no adverse effect on those values.

Monitoring and Evaluation.

Meet or exceed State of Arkansas standards at all waste disposal and treatment facilities. Soil, Water, and Air section of the Forest Plan addresses evaluation and monitoring of pesticides. Perceptual monitoring of dispersed recreation sites will occur to assess the need to add or improve toilet facilities.

2120 Air Quality Management

WILD & SCENIC SEGMENTS ARE WITHIN CLASS II AIR QUALITY STANDARDS; same as the general forest area.

Allow for the use of prescribed fire for purposes of ecosystem management. Assure that prescribed burning programs comply with the provisions of the Clean Air Act as well as all other applicable State & Federal Laws.

2230 RANGE MANAGEMENT

Wild & Scenic = Issue no new grazing permits that include the area within the corridor. Phase out existing woodland range allotments according to direction in the current Forest Land and Resource Management Plan.

Monitoring & Evaluation Plan.

Track NEPA process for range allotment analysis when pertinent to river corridor values.

2300 RECREATION MANAGEMENT

RECREATION OPPORTUNITY SPECTRUM EXPERIENCE CHARACTERIZATION

Wild Segment - Primitive River

Naturalness - Unmodified natural environment. No evidence of human development. No impoundments, diversions, or channel modifications.

Access - No developed access sites along the river. Traditional water craft consistent - motorized use prohibited.

Remoteness - Highest expectations of experiencing isolation from the sights and sounds of humans. Strong sense of remoteness.

Social Encounters - No expected contact with other individuals. None to little evidence of other individuals. Very small party size (6-12) and few boats per group.

Visitor Management - Self-reliance through application of outdoor skills in an environment that offers a high degree of challenge and risk. No on-site visitor management controls or regulations apparent. On outfitter trips, visitors participate in orientation of the river and perceive a high degree of challenge and risk.

Facilities - No facility development for user comfort. Regulations for human waste disposal. Low impact camping practices required.

Scenic Segment - Roaded Natural River

Naturalness - Alterations to the landscape are subtle. Natural characteristics remain dominant. Moderate evidence of human development. There may be small nodes of rural development.

Access - Developed access sites provided. Roads parallel some portions of the river. Some auto and off-road vehicle use is consistent and may be seen from the river. Traditional watercraft is non-motorized limited by natural features.

Remoteness - Moderate evidence of the sights and sounds of others.

Social Encounters- Moderate use occurs. Contact with others is expected and occasionally continual, some chance for isolation.

Visitor Management - Opportunities for challenge in a natural environment but less expectation of risk. A few on-site visitor management controls or regulations may be expected. Contacts with management personnel are more frequent.

Facilities - Rustic facilities, developed for protection of the resource and to accommodate visitor use. See ROS Primer and Field Guide.

Recreation Opportunities

- 1.) A roaded natural recreation setting shall be maintained on National Forest system lands within the Scenic River corridor; a primitive, non-mechanical/non-motorized recreation setting shall be maintained for the Wild River corridor.
- 2.) Motorized recreation travel shall be restricted to "open" roads on public lands. ATV use is governed by current Forest policy.
- 3.) Dispersed camping shall be discouraged within 200 feet [**70 adult steps**] of creek unless on hardened surface (rock slab or gravel bar).
- 4.) Conduct a survey of recreation use in the corridor within the first ten years of plan implementation. The study should focus on storm-event paddlers, hunting seasons, with incidental sampling via registration portals and an infra-red river traffic counter during seasonal use periods. Design shall be to collect, at a minimum, the following information:
 - *use patterns (activity participation, timing and frequency, location)
 - *visitor characteristics (origin, group type and size, first-time visitor)
 - *visitor perceptions (desired experience, preference for management actions, conflicts or problems, expectations for visiting Richland Creek)
- 5.) Monitor watercraft at put-in and take-out points.
- 6.) Dispersed recreation in the corridor shall be monitored to evaluate potential social, biological and physical impacts, and appropriate corrective actions taken if unacceptable impacts are identified. Use LAC indicators and standards selected for that segment.

Recreation Development

The Forest Service will maintain recreation facilities appropriate for the Recreation Opportunity setting. No new recreation developments or facilities are proposed within the river corridor. Facilities must meet river management objectives and satisfy the protection requirement of W&SR law.

Trails

Ozark Highlands Trail crosses Richland just downstream from the Recreation Area and then parallels the creek for a short distance. Maintain at same standard as other non-wilderness portions of the trail. Look for opportunities to enhance creek vistas.

Currently, there are no trails proposed for development. Development of new trails that enter or fall within the corridor (excluding Wilderness) should only be constructed where anticipated visitor needs indicate that a trail is necessary to provide access consistent with the outstandingly remarkable values and unavailable outside the corridor, to provide for important interpretation of resources found within

the corridor, or to prevent degradation of resources within the corridor. Any planned trail should meet Forest Service standards for the intended trail use and be consistent with Forest Land and Resource Management Plan guidance for overall trail system development. Design and layout should be an interdisciplinary process.

User-developed trails which cause unacceptable resource or social impacts shall either be closed and fully rehabilitated, relocated to a less sensitive location or hardened. Evaluation of the best corrective measures should consider the traditional uses of the trails, the relative importance of the trail as an access route to unique attractions in the corridor, potential impacts to area landowners, and significance of the resource impacts. In general, user-developed trails determined to be causing unacceptable impacts should be closed and rehabilitated. Those user-developed trails that provide important access to the river or recreation attractions may be reconstructed to meet Forest Service standards if compatible with long-term management goals for the river corridor.

2360 HERITAGE RESOURCES

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

Wild Segment

- Remove old fences from the trees and posts where feasible.
- Do not do any brushing in the old road system but let nature re-claim.
- Sites or structures that do not qualify for the National Register of Historic Places are allowed to deteriorate naturally unless they are deemed necessary for the purposes of wilderness, or serve administrative purposes.

Scenic Segment

Historic and Prehistoric Resources

- Conduct site specific surveys for all proposed ground-disturbing projects.
- Complete Determinations of Effect and National Register evaluations and/or nominations for all cultural resource sites identified and recorded within proposed project areas.
- Sponsor a Partners-in-Time partnership to do a complete inventory of the river corridor.

Cultural Values

- Preserve elements of the river corridor contributing to local social and cultural values. Reassess social and cultural values of the river corridor once every ten years.
- Maintain relationship with the Newton County Historic Society and the Arkansas Archeological Society to ensure recognition of culturally significant features.

Interpretation

- Provide off-site interpretation of cultural resources within the Richland Creek corridor. (refer to brochure discussed in 1600 Information Services).
- No specific location information will be included in any developed interpretive material without full SHPO and Advisory Council for Historic Preservation concurrence.

2380 SCENERY MANAGEMENT

Operations:

Wild Segment

-Preserve scenic and historic character of area.

Scenic Segment

-Management actions on National Forest system lands, such as vegetation management, development of recreation facilities, or construction of erosion control structures, must meet the Visual Quality Objective of Retention and be appropriate for the Recreational Opportunity Setting.

Monitoring and Evaluation.

Ask the questions: Does this protect and/or enhance the outstandingly remarkable value of scenery? Does it meet the intent implied by the overall objectives for this Wild & Scenic River.

2400 VEGETATIVE MANAGEMENT

Wild Segment

-Vegetative cover should be managed to retain the primeval character of the environment and to allow ecological processes to operate freely.

Scenic Segment (outside Wilderness boundary only)

-Vegetation management can enhance and promote the appearance and structure of a biologically diverse ecosystem within the river corridor such as to favor sensitive species habitat. Let future inventories determine needs for restoration.

Vegetation may be managed to:

- Enhance the quality of wildlife habitat for native species within the corridor with emphasis on enhancement of habitats which support native populations.
- Correct impact or to salvage material resulting from a catastrophic natural or human-caused disaster. Concern should be on the EFFECT of disasters, not on what may have caused it.
- Control erosion and screen structures and developments visible from the river.
- Sustain the integrity of vegetative communities in the corridor by removal of encroaching vegetation (like mimosa or multiflora rose).
- Removal of hazards where visitor safety is a concern.

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

safety reasons. Prescribed burning in this zone should be used sparingly and done under cool burn techniques.

Fuelwood

- Cutting or collecting of firewood is not permitted within the corridor for commercial or private home use unless this takes you towards a desired future condition.
- Incidental collection of downed woody material for use at campsites is permitted [use of camp stoves is preferred].

Monitoring and Evaluation. Continued monitoring of the vegetative component will be necessary to determine the progress in reaching a late seral stage. This will be used to determine what strategies to take to achieve this community. The establishment of the riparian zone adjacent to open land will need monitoring to determine health.

2500 WATERSHED AND SOILS MANAGEMENT

The Forest will continue to coordinate with the Arkansas Department of Pollution Control and Ecology, and the National Park Service to assess and prevent future impacts to the water quality of Richland Creek. Follow current Forest Service direction and Regulation No. 2, as Amended for Regulation Establishing Water Quality Standards for Surface Waters of the State of Arkansas [see sec. 6. specific standards].

Achieve the goals in the Federal Water Pollution Control Act, as amended. Water quality protection and improvement needed to meet the requirements of the Act will be attained through implementation of Best Management Practices (BMPs) as identified in "Water Quality Management for National Forest System Lands", April, 1979. The FLRMP provides direction to protect water quality in the entire watershed outside the corridor.

Wild Segment - Water Quality

-Continue water quality monitoring program established in 1990 for the Richland Creek Wilderness (TREND ANALYSIS). Current sampling regime is quarterly.

Scenic Segment - Watershed Management

Operations. Water quality protection and improvement needed to meet the requirements of the Act will be attained through implementation of Best Management Practices (BMPs). Identification of the appropriate BMP and implementation will be accomplished through individual projects. Participate in all studies and evaluations of projects affecting the Wild and Scenic River.

The Forest will continue to coordinate with the Arkansas Department of Pollution and Ecology, Arkansas Game and Fish Commission, Arkansas Forestry Commission, Arkansas Department of Health, and Arkansas Natural and Scenic Rivers Commission, to assess and prevent future impacts to the water quality of the Richland Creek. Emphasize coordination with the Buffalo National River, National Park Service.

Where watershed improvement projects are undertaken, use materials that will blend in with the area naturally. Improvement actions should occur on erosion sites/banks that are threatening other forest

investments such as roads, or private land. Emphasis will be placed on minimizing visual and/or water quality impacts of erosion control activities.

Streambank stabilization

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

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

1. Streamside forests should be used in conjunction with sound land management systems that include nutrient management and sediment and erosion control.
2. Sediment removal - The streamside forest must be wide enough to filter sediment from surface runoff. Maximal effectiveness depends on uniform shallow overland flow. Percent removal of Total Suspended Solids is a good indicator of effectiveness.
3. Nutrient removal - Periodic flooding and the presence of forest litter contribute to conversion of nitrate to gaseous nitrogen by denitrification. Plant uptake also accounts for significant removal of nitrogen.
4. Periodic minor ground shaping may be necessary to encourage dispersed flow and prevent concentrated flow.
5. A portion of the riparian forest immediately adjacent to the stream should be managed to maintain a stable streamside ecosystem and to provide detritus and large stable debris to the stream.
6. Crown cover should be managed to minimize fluctuations in stream temperature and to maintain stream temperatures within the range necessary for instream aquatic habitat.
7. Instream slash and debris removal practices should be revised to conserve existing large stable debris by retaining useful stable portions of jams whenever possible. Unstable tops and smaller debris with potential to form problem jams should be removed a sufficient distance to prevent re-entry during storm events.

Follow Best Management practices recommended by USDA Natural Resources Conservation Service in WATERSHED PLAN-ENVIRONMENTAL ASSESSMENT FOR BUFFALO RIVER TRIBUTARIES WATERSHED, May 1995. Follow guidelines in USDA FS bulletin NA-PR-07-91, "Riparian Forest Buffers".

Monitoring and Evaluation Plan.

Effectiveness of methods for preventing further erosion will be regularly monitored.

Scenic Segment - Soils

Operations.

-Sedimentation into Richland Creek or tributaries, or impacts to soils from existing human uses, shall be reduced either through information and education methods, structural or vegetative stabilization, or enforced closures. Where possible, the least restrictive methods should be implemented first and monitored for effectiveness. Further restrictions or stabilization methods may be phased in if necessary.

-Any Forest Roads or segments of roads identified as causing unacceptable resource impacts will be evaluated for reconstruction or closure. Projects (including road reconstruction or other significant changes in vegetative cover or soil movement) within the designated Scenic corridor shall have a site-specific reconnaissance performed and specific mitigating measures will be developed if necessary.

-Continue to coordinate with County Judge and soil conservation agencies to eliminate erosion and other resource impacts from county road crossings/roads in the corridor.

Monitoring and Evaluation Plan. Effectiveness of methods for preventing further erosion will be regularly monitored.

2600 WILDLIFE, FISHERIES AND RIPARIAN RESOURCES

The Arkansas Game and Fish Commission (G&FC), has the primary responsibility for the management of fish and wildlife populations, while the Forest Service has the primary responsibility for management of habitat on National Forest system lands. All riparian and aquatic habitat management activities will be coordinated with the Arkansas G&FC.

Wild Segment - Wilderness Management Objectives for Wildlife:

- 1.) To seek natural distribution, numbers, population composition, and interaction of indigenous species of wildlife.
- 2.) To allow natural processes, as far as possible, to control wilderness ecosystems and their wildlife.
- 3.) To keep wildlife wild, with its behavior altered as little as possible by human influence.
- 4.) To permit viewing, hunting, and fishing where such activities are: biologically sound, legal, and carried out in the spirit of a wilderness experience.
- 5.) To favor the protection and restoration of threatened and endangered species dependent on wilderness conditions whenever appropriate.
- 6.) To seek the least possible degradation of the qualities that make for wilderness - naturalness, solitude, and absence of permanent visible evidence of human activity - within the constraints of all overriding legislation applicable to wildlife in a particular wilderness.

GUIDELINES

- 1.) Respect overriding legislation.
- 2.) Allow natural processes to shape wilderness habitat.
- 3.) Use minimum impact tools where natural processes must be supplemented or simulated.
- 4.) Favor wilderness-dependent endangered species.
- 5.) Manage for wild indigenous species.
- 6.) Encourage angling styles that are part of and compatible with wilderness experience.
- 7.) Favor hunting and trapping methods and conventions that foster wilderness-dependent experiences.
- 8.) Promote wilderness wildlife research using appropriate methods.

Scenic Segment - Wildlife Habitat Management

1. Management activities will contribute to the support of viable populations of native wildlife species found in the planning area.
2. Protect and enhance special habitat components within the corridor such as bark and cavity nesting habitat, wetlands and seeps, raptor nests, large woody debris, and exposed banks.

3. Provide information on the wildlife habitat and values associated with the corridor for visitors.
4. Prescribed burning may be considered to enhance wildlife habitat and ecosystem functions as long as scenic values are not measurably impaired. [see 2120 Air Quality].

Fisheries Habitat Management

Riparian vegetation shall be managed for late seral stage to provide for the long-term input of woody material (large woody debris) to adjacent aquatic ecosystems.

Instream woody debris shall be left undisturbed. Navigational hazards are not to be considered.

(Wilderness and backcountry paddling have inherent risks which require more technical knowledge and scouting needs.) In general, the maximum watercraft clearing width for navigational hazards shall not exceed four feet. This procedure is not allowed within the Wilderness boundaries.

Monitoring and Evaluation Plan. [see **Policies and Guidelines for Fish and Wildlife Management in National Forests and BLM Wilderness areas; Chapter 20, Sec., 23 in FSH 2309.10**]

2670 THREATENED, ENDANGERED AND SENSITIVE SPECIES

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

Wild Segment

Actions necessary to save endangered species should include only what is necessary and should follow the minimum tool rule.

Scenic Segment

Implement current conservation strategies for species identified.

Emphasize information, education, and enforcement of regulations designed to protect endangered, threatened or sensitive species. Coordinate with visitors, landowners, partners, and other resource agencies.

Prevent the introduction of non-native plant and animal species that may have adverse affects on river values.

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

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

2700 SPECIAL USES

Wild Segment

Prohibit special uses which do not protect and enhance river values.

Favor wilderness-dependent activities. Coordinate with the Resource Management Division of the Buffalo National River.

Scenic Segment

All outfitters and guides that use public lands on the National Forest operate under special use permit. New permit applications are evaluated to ensure river values are protected.

Special use permits for recreation events will be issued provided the event does not affect the outstandingly remarkable values.

Rights-of-way for public roads, major utility lines, and gas pipelines are permitted within the following parameters:

-New transmission lines, gas lines, water lines will be discouraged. Where no **reasonable** alternative exists, restrict additional or new facilities to existing rights-of-way. Where new rights-of-way are needed, evaluate the proposal against the effect or impacts to the outstandingly remarkable values as well as any additional scenic, recreational, fish and wildlife values in the corridor.

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

2800 MINERALS

Wild Segment

There are no existing rights prior to 1/1/84. Grant no new mining claims or mineral leases as per the Wilderness Act of 1964.

Federal lands within the corridor of the river, designated and classified as WILD, are withdrawn from appropriation under the mining and mineral leasing laws by Section 9 of the Wild and Scenic Rivers Act.

Scenic Segment

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

Federal lands within the boundaries of river areas, designated and classified as SCENIC are not withdrawn under the Act from the mining and mineral leasing laws.

Existing valid claims or leases within the river boundary remain in effect and activities may be allowed subject to regulations in a manner that minimizes surface disturbance, water sedimentation, pollution and visual impairment. Reasonable access to mining claims and mineral leases will be permitted. Mining claims, subject to valid existing rights, can be patented only as to the mineral estate and not the surface estate, subject to proof of discovery prior to the effective date of designation.

For rivers designated as SCENIC, filing of new mining claims or mineral leases is allowed but is subject to reasonable access and regulations in a manner that minimizes surface disturbance, water sedimentation, pollution and visual impairment.

All authorized surface use of a mining claim will be included in the plan of operations.

Monitoring and Evaluation Plan. See "minerals and geology" section of the Forest Plan. See also Section 9 of the Wild & Scenic Rivers Act.

5100 FIRE MANAGEMENT

Wild Segment

The Richland Creek wild segment shall follow the fire policy established for the Forest Wilderness areas.

Use light-on-the-land techniques based on contain, confine, and control decision tree for Wilderness fire plan.

Abide by the minimum tool rule.

Scenic Segment

Wildfire Suppression in the river corridor will follow the guidelines stated in the FLRMP, except additional efforts should be made for prompt rehabilitation of all control activity generated disturbances. The Incident Commander and Line Officer shall review the need for a Burned Area Rehabilitation Plan, regardless of fire size.

Depending on severity of potential fire conditions, there should be an increase in patrols during fire seasons, as well as an effort made to increase public awareness of fire risk.

Prescribed Burns

Prescribed burning may be used as a tool to achieve vegetation, visual or recreation management objectives. Burn within parameters for air quality of Class II Airshed and riparian zones which need cool, not hot, burns.

[see 2120 Air Quality]

Monitoring and Evaluation Plan. Monitoring and evaluation in this resource area is found in the "Protection" section of the Forest Plan. For example, each prescribed burn and wildfire will be reviewed by resource staff areas to assess the effectiveness of Forest Service actions and to assess the effectiveness of the prescribed burn or the damage caused by the wild fire.

5300 LAW ENFORCEMENT

Operations. Enforcement of laws and regulations is critical for effective river plan implementation. Adequate enforcement has been a primary concern for area landowners, conservation groups, traditional user groups, and Forest Service administrators.

1. Maintain appropriate agency law enforcement presence for primitive and semi-primitive recreational setting in the river corridor.
2. The Forest Service shall maintain cooperative agreements with the Newton County Sheriff's Department to provide:
 - a.) Search and Rescue [SAR] operations for visitor protection and assistance. [see Appendix H, Search and Rescue Plan for Wilderness Areas] River rescue efforts will require technical expertise in order to provide that rescuers are not put at risk. The Buffalo National River SAR unit should be contacted immediately along with the Searcy County Sheriff.
 - b.) Assistance and support for Forest Service personnel in the enforcement of Federal and state regulations. This shall include violations such as the illegal harvesting of ginseng, etc.
3. The Forest Service shall maintain cooperative agreement with the Arkansas Game & Fish Commission in the enforcement of state regulations.

Supervisor's Orders:

Order no. 00-08-108

-prohibits operating any motorized vehicle on a Forest Development Road or any portion thereof that is posted as closed or closed by an earthen mound, gate or other object which a reasonable and prudent person would consider closed. 36 CFR 261.54(e)

-prohibits operating any motorized vehicle on a closed and/or rehabilitated temporary travelway or operating a motorized vehicle in an area posted as closed or closed by an earthen mound, gate or other object which a reasonable and prudent person would consider closed to motorized traffic. 36 CFR 261.56

-prohibits possessing or using a wagon, cart, or other mechanized vehicle in Wilderness areas on the Ozark National Forest. 36 CFR 261.57 (h). Wheelchair use is exempt from this order.

Pursue obtaining Supervisor's Orders to:

Prohibiting driving ATVs up and down the stream bed.

Monitoring and Evaluation Plan. Law enforcement is seen as supporting other resource areas, such as vehicle restrictions, public safety, ginseng harvesting restrictions. The effectiveness of this function area will be measured by perceptions of the officers and use of the Law Enforcement Monitoring and Assessment System. Variability that would initiate further action would be non-compliance of Forest Supervisor's Orders, Federal Laws and Regulations, as well as state and local laws.

5400 LAND OWNERSHIP

Operations.

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

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

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

The Forest Service should work cooperatively with other land owners in the river corridor to meet the objectives of the National Wild and Scenic Rivers Act as well as objectives of the landowners. This could include assistance in getting technical and/or financial support from sister agencies like the Natural Resource Conservation Service, Arkansas Department of Pollution Control and Ecology, and the U.S. Corps of Engineers.

Monitoring and Evaluation Plan.

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

Land Acquisition

Lands in the river corridor, particularly those with frontage on the river or with important habitat for threatened or endangered species, shall be acquired on a willing-buyer, willing-seller basis as opportunities occur.

Land Exchange

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

Monitoring and Evaluation Plan. Monitoring will be for compliance with the Wild and Scenic Rivers Act.

6700 HEALTH AND SAFETY

Operations. Health and safety planning will address the following risks:

Annual safety inspections will be conducted at Richland Recreation Area. Unsafe conditions will be corrected.

Whitewater canoeing is inherently dangerous. All brochures and bulletin boards will address this risk. Public information will discuss actions which can be taken to lower the risk of personal injury, such as, having equipment in good condition, not boating when the river is in flood stage, using U.S. Coast Guard approved personal floatation devices, using safety equipment appropriate for the watercraft being used, not consuming alcohol or drugs while boating, know your abilities and skill levels, portage around difficult areas, provide key people with your trip plan.

There are no developed recreation sites on these segments of the Richland Creek. Suggested wording for bulletin boards would be:

"WARNING!"

"This recreation area has not been inspected for safety. Hazardous conditions, including falling trees and limbs, may exist in this area. Those choosing to use the area do so at their own risk."

In-channel dangers are inherent in whitewater streams. Dangers cannot, nor should not be eliminated within a Wilderness setting. In-channel blockages such as limbs and down trees should be portage unless this is more risky than clearing the channel. The area where most paddlers launch is outside the Wilderness. Generally, a four foot wide section will be considered wide enough for passage of boats.

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

Search and Rescue is coordinated with local SAR units including the Buffalo National River. See appendix for further information and key contacts. Note: Key contacts need to be updated every five years (annually would be better, but may not be practical).

Monitoring and evaluation is dealt with in several sections of the Forest Plan and through the Health and Safety Code Handbook (Forest Service Handbook 6709.11). Monitoring of accidents, incidents, and fatalities will be documented in Law Enforcement Incident Reports and from personal observations.

7700 TRANSPORTATION

Operations. River use may increase slightly or not at all as a result of designation. Provide maps and signs to direct use to publicly owned access sites. No use of private lands is allowed unless special arrangements are made with the landowner. Private landowners are still entitled to post their property with "No Trespassing" signs or require users to obtain landowner permission. In the state of Arkansas, purple (lavender) paint is used to mark private land.

No easements for public access have been identified as needed; however, a trail or road easement for public use must be specifically purchased from the landowner. Other types of easements such as for protection of visual resource qualities would probably not involve provisions for public use.

Monitoring and Evaluation Plan. District Ranger needs to stay in contact with private landowners to insure that public access problems are not impacting them.

FOREST SERVICE ROADS

Operations. No new roads shall be developed in the river corridor without appropriate environmental analysis.

Layout and design of permanent system roads should consider protection of scenic, recreational and other river values.

-Comply with Best Management Practices.

-Temporary forest roads (roads constructed for short-term use and not intended to be part of the Forest's transportation system) may be developed for emergency and for resource protection and management purposes.

- Layout and design of temporary roads should consider protection of scenic, recreational and other river values, and prevention of future illegal vehicle use.
- Temporary roads should be rehabilitated as soon as feasible upon termination of administrative need.
- Close and restore roadbeds if needed to protect and/or enhance riparian values.
- Roads under other jurisdictions

Operations. The Forest Service shall coordinate with the counties, state and owners of private access roads to eliminate resource or social impacts to assure long-term protection and enhancement of river values.

BRIDGES

Operations. Both the Moore Bridge and the one downstream from Richland Recreation Area were built by the Civilian Conservation Corps [see district files recorded for SHPO in 1994]. Bridge installation and/or repair [contingent on SHPO approval] would be permitted only if an environmental analysis and Section 7 analysis (under direction of the Wild and Scenic River Act, 1968) determine a net benefit to the values and objectives of the National Wild and Scenic Corridor.

Monitoring and Evaluation Plan. See "Facilities" section of the Forest Plan. Transportation records will be kept on the Transportation Inventory System. Roads or trails found to be in non-compliance of the service level standards or which are causing an adverse effect to the river will be closed, rehabilitated, and/or repaired.

APPENDIX A

LEGISLATIVE HISTORY

The Wild & Scenic River Study Report and Legislative Environmental Impact Statement on Thirteen Rivers in the Ozark National Forest, completed in September 1991, recommended the designation of six rivers to the Wild and Scenic Rivers System. The rivers received official designation in April 1992 with the passage of the Arkansas Wild and Scenic Rivers Act by Congress. The law required that the Ozark-St. Francis National Forests establish river management corridors and management plans to protect the free flowing nature of the rivers. The Forest Land Management Plan was amended on December 28, 1993, creating Management Area #9 for these boundary corridors. Creation of the management plans began shortly after that with draft plans completed in June 1996.

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

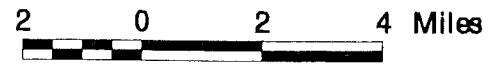
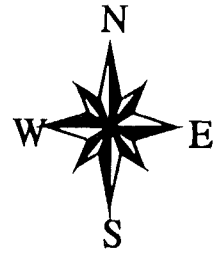
- 1.) Establish detailed boundaries to include an average of not more than 320 acres per mile on both sides of the river [Amendment 7].
- 2.) Determine the classifications applicable to each segment of the river [Public law S.1743, "Arkansas Wild and Scenic Rivers Act of 1992"].
- 3.) A management plan is to be prepared for the actions needed to administer the river area.




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




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



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

APPENDIX B
VICINITY MAPS

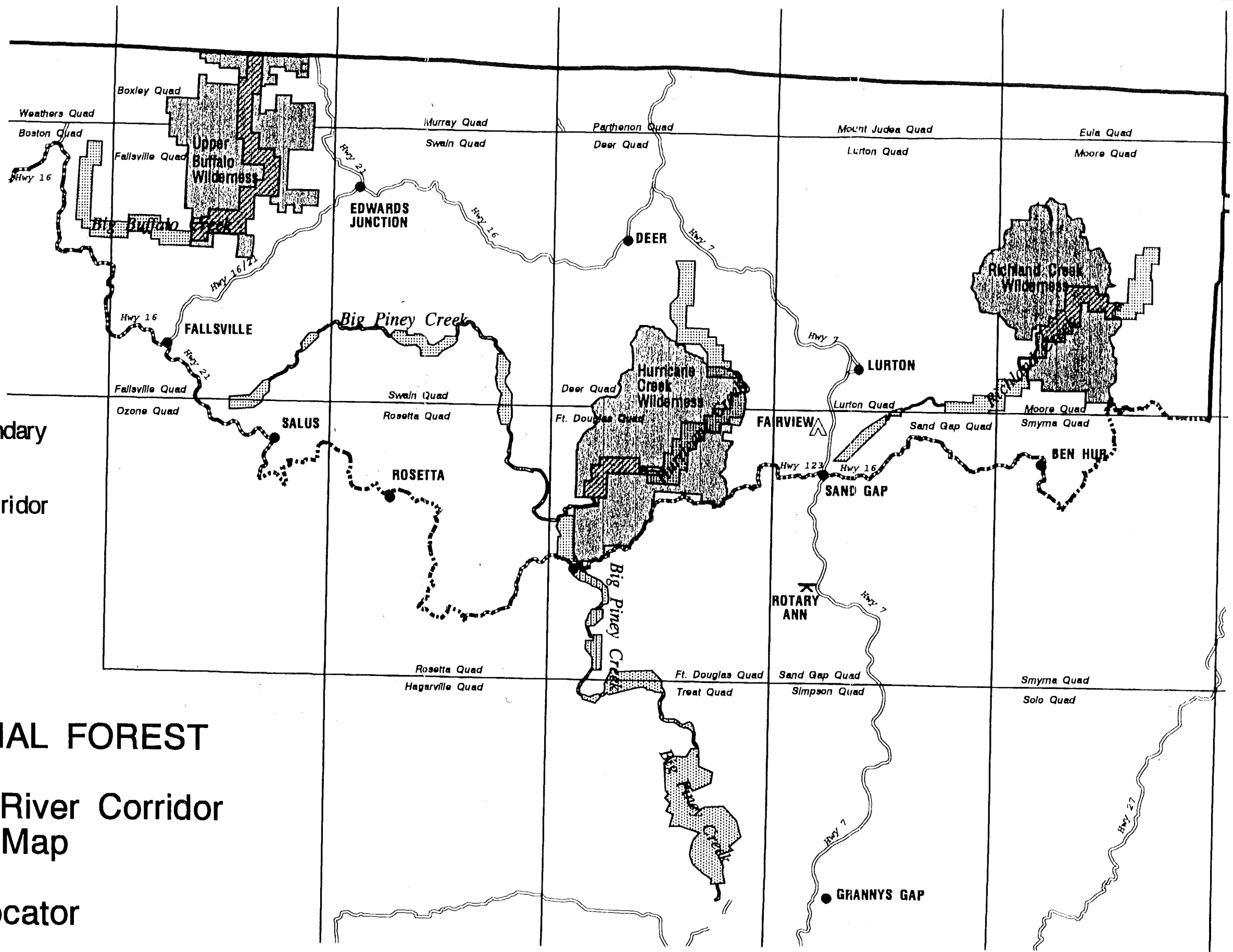


-  Forest Boundary
-  Ranger Districts Boundary
-  Main Highways

-  Wild and Scenic River Corridor
-  SCENIC
-  WILD

-  Wilderness
-  Quad Boundary

OZARK NATIONAL FOREST
Wild and Scenic River Corridor
Vicinity Map
and
Quad Locator

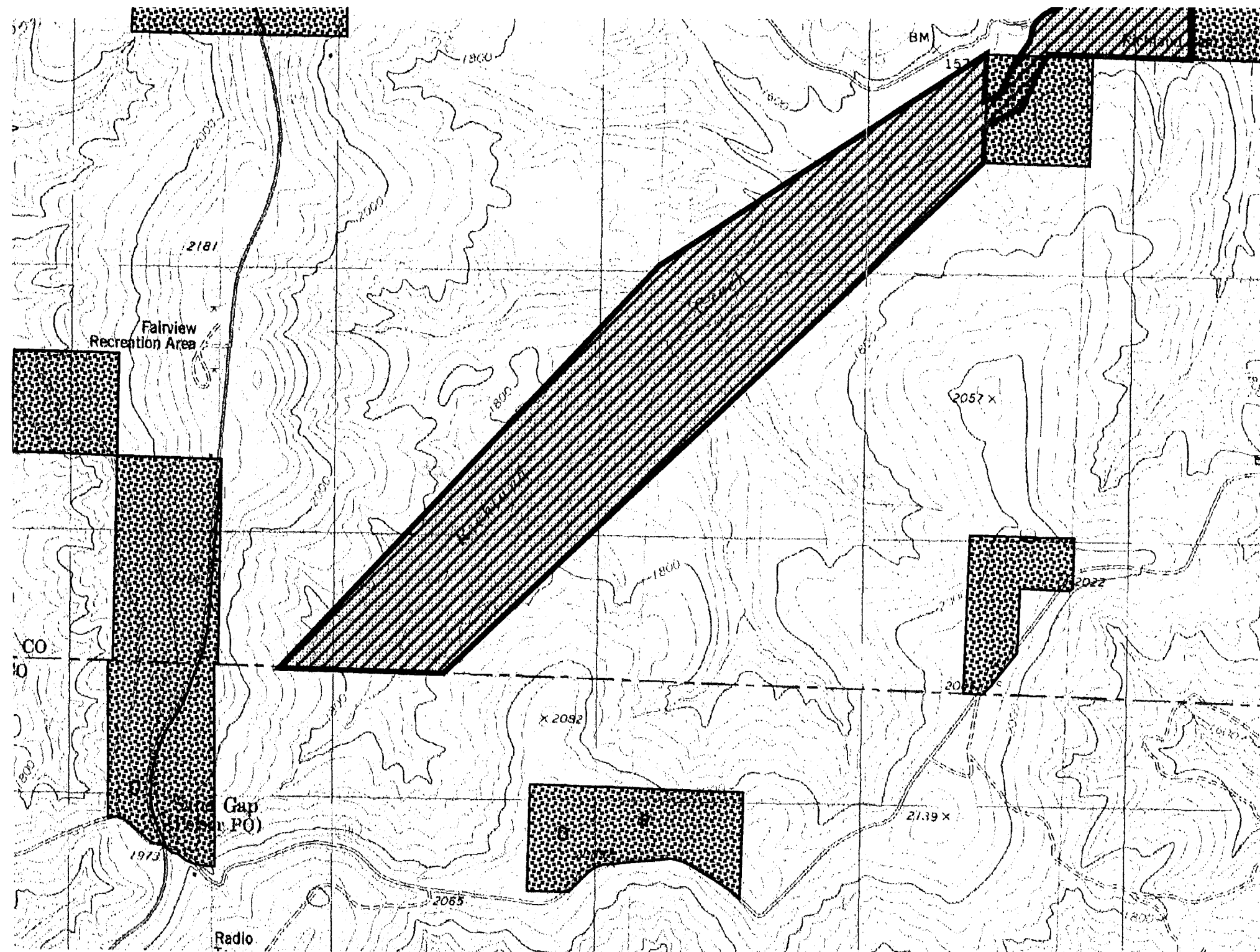












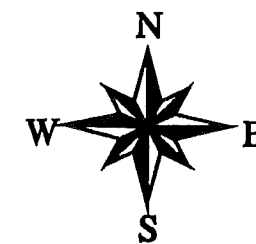
APPENDIX C

RIVER SEGMENTS BY WILD & SCENIC CLASSIFICATIONS

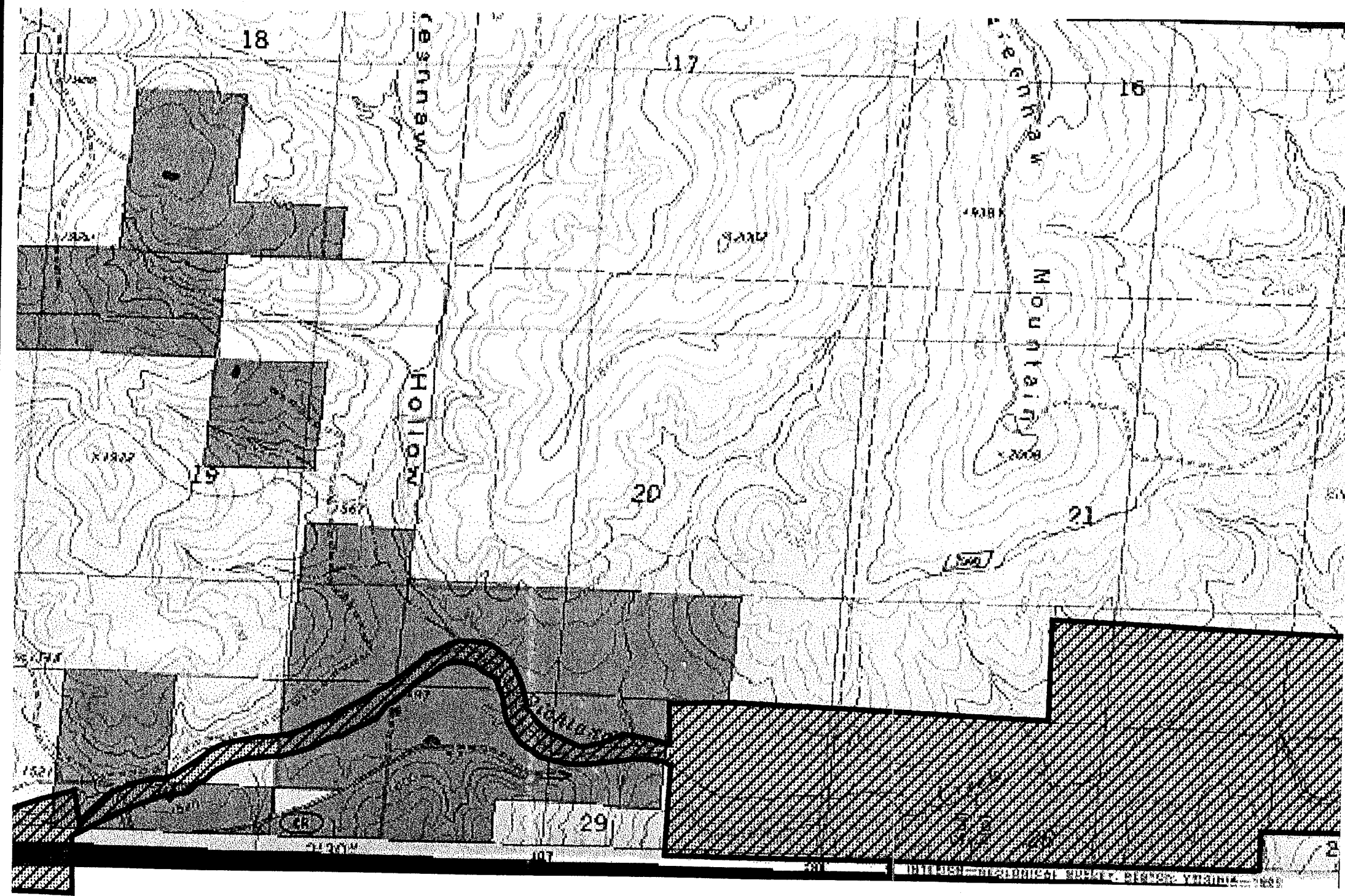
Ozark National Forest Richland Wild and Scenic River Sand Gap Quad



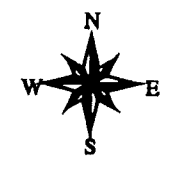
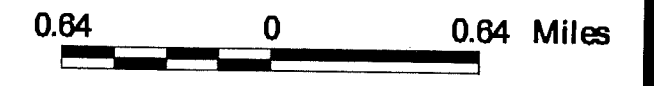
-  Private Land
- Opportunity Classes
-  1 - Most Stringent Standards
-  2
-  3
-  4 - Less Restrictive Standards
-  Wild & Scenic Corridor
-  SCENIC
-  WILD



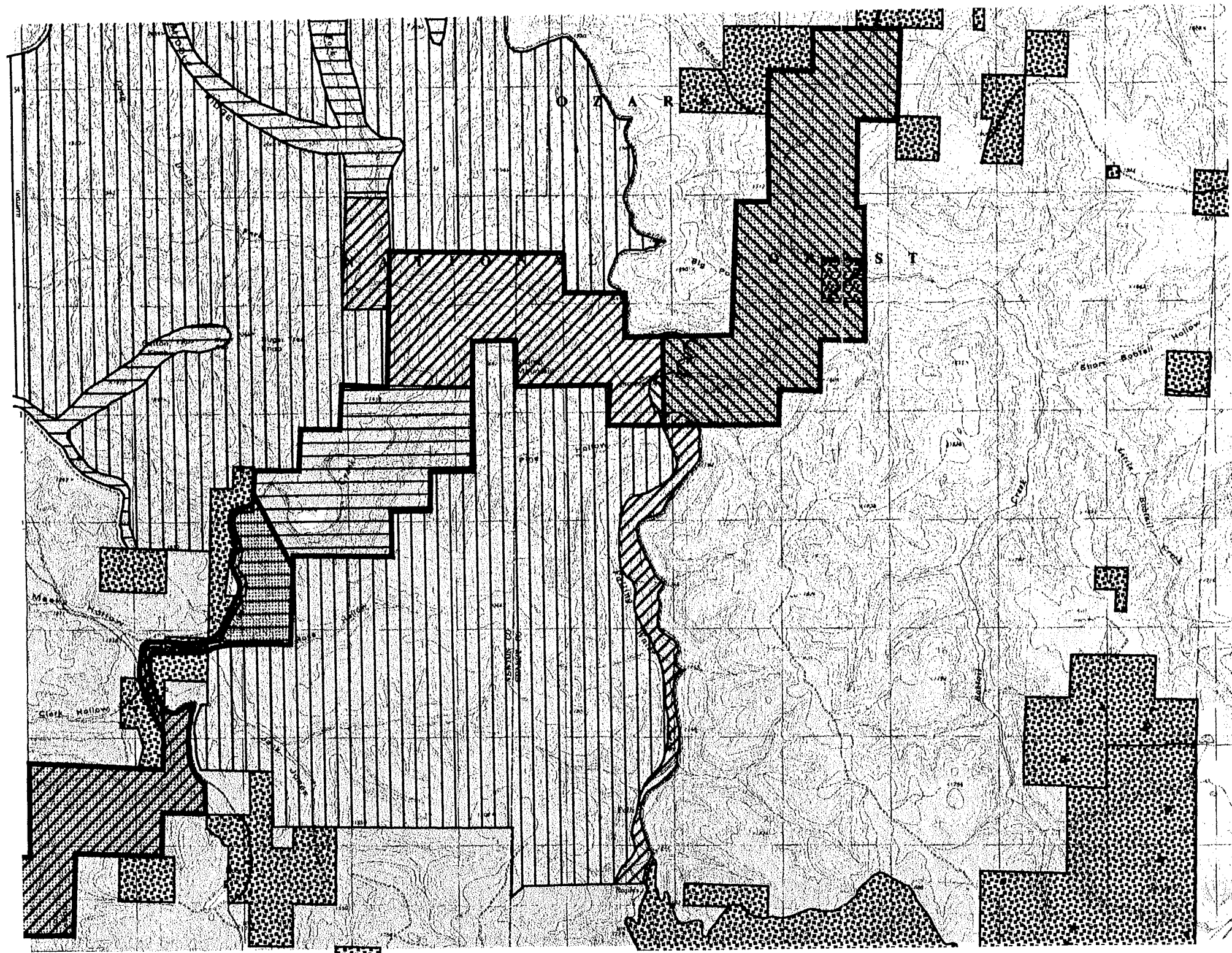
Ozark National Forest
 Richland Wild and Scenic River
 Lurton Quad











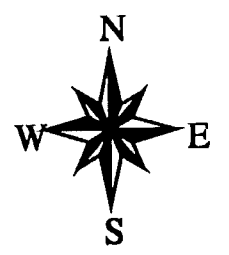
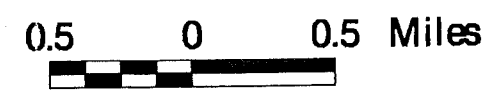
- Private Land
- Wild & Scenic Corridor
 - ▨ SCENIC
 - WILD
- Opportunity Classes
 - ▤ 1 - Most Stringent Standards
 - ▥ 2
 - ▧ 3
 - ▨ 4 - Less Restrictive Standards



Ozark National Forest Richland Wild and Scenic River Moore Quad



-  Private Land
- Opportunity Classes
-  1 - Most Stringent Standards
-  2
-  3
-  4 - Less Restrictive Standards
-  Wild & Scenic Corridor
-  SCENIC
-  WILD





APPENDIX D

SUMMARY OF PUBLIC CONCERNS

Prior to July 25, 1996

This summary of public of public concerns was drawn from telephone calls, letters, personal conversations, and an Open House held at the district office in Jasper on 10/17/92.

District personnel also held five public meetings:

- 12/5/92 - Deer cafeteria (32 present plus Forest Service personnel)
- 1/30/93 - Deer Community Building (27 present plus FS personnel)
- 2/27/93 - Deer Community Building (17 present plus FS personnel)
- 4/24/93 - Deer Community Building (13 present plus FS personnel)
- 6/12/93 - Boxley Church (12 present plus FS personnel)

Late in the year of 1993 LAC task force members provided input on the Opportunity Class allocations for the Wilderness and the Wild and Scenic River corridor. Since then, this planning process has been on hold for several reasons.

For one, the Forest Supervisor wished to proceed slowly after the strong sentiments expressed by the Arkansas Scenic Rivers Landowner Association. Also at this same time the Ozark-St. Francis National Forests were gearing up for the Land & Resource Management Plan revision. Comprehensive management plans for the designated Wild & Scenic Rivers would be developed during this plan revision process. Politically a few things happened that brought about swift changes within the agency. The Chief endorsed ecosystem management and landscape scale planning within a regional context. Thus the assessment of the Ozark-St. Francis, and the Ouachita, and the Mark Twain National Forests has been initiated and is in the first stages of gathering data in order to begin the joint analysis.

The other reason is that since the initial efforts in downsizing government, the agency has begun to do less with less. Customer Service is one of the Chief's priorities. The reality is that we have less people doing the same work which continues to grow exponentially in complexity. Devoting resources to developing river plans means something else doesn't get done. Health and Safety have always been top priorities with resource protection and meeting recreational expectations following.

In a nut shell, that about explains this long delay. The time and energy committed to this planning process by members of the LAC task force has been inordinate. Step by step the process has proceeded and hopefully has continued to garner support.

Public comments have also been solicited from the Forest Supervisor at several points throughout this Wild and Scenic River determination process. The first request for comments occurred when 13 rivers were selected for study to be included in the Wild and Scenic Rivers System. Additional comments were received when the Forest Land Management Plan was amended to protect the study rivers (Amendment #2), when the corridor locations were evaluated for the six congressionally designated rivers, when the Forest Land Management Plan was amended (Amendment #7) to establish corridors, and finally, when drafting this comprehensive management plan process.

Landowners in Northern Arkansas are very concerned about land condemnation and the possibility of condemnation of scenic easements. They have farmed, raised families and lived on the land along the streams for many years; some since pioneer days in the early 1800's. They want no interference from the Forest Service or any other agency and strongly oppose inclusion of their land in the corridor. Their opposition is based on the belief that this another move by the Federal Government to acquire additional land as was done along the Buffalo National River in the 1970's. They are convinced there is no need for additional protection for the creek since it has fared well under their stewardship in the past.

Concerns about condemnation and encroachment of the Federal government into private landowner rights stimulated formation of the Arkansas Scenic River Landowners Association. These concerns arose over the past history of condemnation used by the National Park Service in establishing the Buffalo National River corridor in Arkansas and used by the Forest Service on the Eleven Point Wild and Scenic River in Missouri. Current Federal implementation of the Threatened and Endangered Species Act and wetland protection issues have reinforced landowner concerns. This group strongly supported scenic river management alternatives which minimized inclusion of private lands within a river corridor.

1600 INFORMATION SERVICES

Public concern: In general commentors felt that additional signage would not be necessary or appropriate. Some landowners would like for the Forest Service to discourage recreational use of their lands alongside the creek.

2300 RECREATION / 6700 USER SAFETY

Public concern: Designation to the Wild & Scenic Rivers System and permitting the U.S.G.S. gage to be installed on Richland will increase river use.

Public concern: With these state and national designations for protection, there will be more restrictions on historical uses of the area. Area residents would like to continue to recreate on the Forest as they always have in the past.

2360 HERITAGE RESOURCES

Public concern: With the increase of people in these areas there will be more inherent destruction of cultural resources. Another concern was for visitor safety and animal loss from man-made hazards such as old ground level wells.

2400 VEGETATION MANAGEMENT

Public concern: Overall perception is that these areas would not be managed for timber but rather preserved.

2500 WATERSHED AND SOILS

Public concern: Harvesting timber on public lands is causing irreparable harm.

2600 WILDLIFE AND FISHERIES

Public concern: Direction in draft plan discussed in-stream slash and debris removal under both vegetation and wildlife sections. Comment was that these guidelines were too restrictive for safety reasons for paddlers. Specifically, portaging and maximum watercraft clearing width at 4ft. were too restrictive.

2670 THREATENED, ENDANGERED AND SENSITIVE SPECIES

Public concern: Need for protection provisions for PETS (Proposed Endangered, Threatened and Sensitive species) including restrictions on commercial collection of goldenseal, ginseng and other herbs).

2700 SPECIAL USES

Public concern: What would happen if a large group came to use one of these areas? Would outfitters and guides be allowed?

2800 MINERALS

Public concern: What would be the protection from strip mining such as those for lead mining in Missouri?

5400 LAND OWNERSHIP PATTERNS

TRESPASS ON PRIVATE LAND

Public concern: One landowner is concerned that this designation will bring more recreators who don't respect private land. More recreational use will bring more trash to private land.

5300 LAW ENFORCEMENT

Public concern: Will the Forest Service be able enforce regulations for these areas (e.g., for illegal ATV use, user conflicts, responsiveness to private landowners problems from increased recreationists).

7700 TRANSPORTATION

Public concern: Would public land access points be better identified to avoid landowner conflicts? In general the sentiment was to not upgrade road levels in these areas.

COMMENTS OUTSIDE THE SCOPE OF THIS DOCUMENT

Public Concern: Overall concern that just putting these areas in national systems (Wild and Scenic Rivers System, National Wilderness Preservation System) poses its own threats. Recreational pressures are expected to increase just because of these designations. Some landowners feel that this brings more people to the area who don't have knowledge or respect for private landowner rights and concerns.

Others expressed a concern that due to national recognition, this would increase development on the edge of these wilderness areas.

Public concern/issues: There was an overall concern about whether or not the Forest Service would have the increased recreational funding to administer program needs and for overall monitoring. Others expressed an interest that parking areas for portage and for emergency evacuation would be warranted with the increased usage. Also would the Forest Service be providing facilities at heavy use sites such as parking, signing, and toilets?

Public concern: Americans With Disabilities Act. Concern is how will this affect administration of these areas. Other concern was whether or not this would restrict ATV access for those with disabilities.

Public concern: There was an overall concern that herbicides and pesticides contribute to overall degradation of the watershed. Public comments extended this concern beyond the river corridor.

SUGGESTED ACTIONS:

One comment suggested that the agency dedicate and promote other backcountry areas (Thomas Creek or Cole Creek) to take recreational pressure off the Wilderness and Wild & Scenic River areas.

Summary Of Public Concerns after July 25, 1996

INTRODUCTION

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

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

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

Forty three of the 182 form letters were generated from a news article that appeared in the Northwest Arkansas Times on August 14, 1996. The individual simply clipped the letter from the newspaper and signed their name. The remaining 136 form letters (51 from out-of-state residents) were comment cards

issued by an unknown group that allowed individuals to check one of seven topics that they'd like to see addressed in the revised plans. This card also included a box to check if the individual wanted a moratorium issued on all soil disturbing activities in the affected watersheds. The issues and comments identified in the form letters are included in this summary.

METHOD

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

A coding system is used to keep the analysis process systematic, visible and trackable. The coding system was designed specially for this project capturing the topic description, as well as any editorial comments and information requests. The coding system used for this phase of the project is located in Appendix 2 of this report.

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

RESULTS

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

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

The following is a summary of public comment by topic:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Public Content Analysis Team:

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APPENDIX E

WATER MONITORING PROGRAM

In January of 1990 the district initiated a water monitoring program on all three wilderness streams [Buffalo, Hurricane, Richland]. This has included quarterly grab samples on six sites, an upstream and a downstream site for each stream. Fecal coliform and macroinvertebrate samples have been collected bi-annually up until fiscal year 1996.

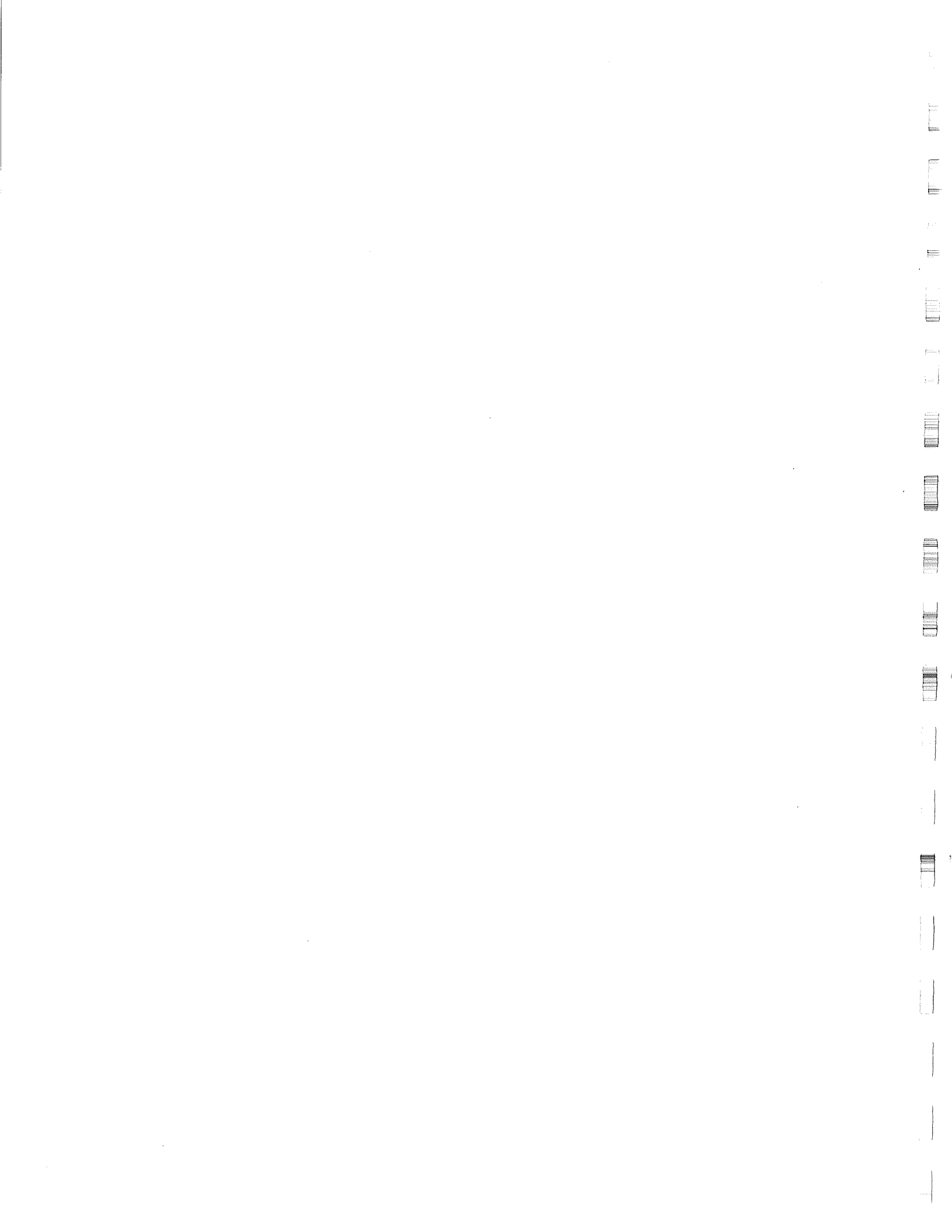
On Richland, the two sample sites are located upstream and downstream from the Wilderness. The upper site is at Moore Bridge and the lower site is at the Richland Recreation Area bridge.

Parameters monitored include suspended sediment, turbidity, phosphorus, nitrogen, sulfate, alkalinity, pH, and benthic macroinvertebrates. From 1/90 - 9/92 grab samples were analyzed by Berea Lab, KY, From 10/92-9/93 grab samples were analyzed by U.S.G.S Lab, FL. From 10/93 - 9/95 grab samples were analyzed by Arkansas DPC&E Lab in Little Rock. Benthic identification has been done by contract with Arkansas State University at Jonesborough.

LAC INDICATORS

The five year (arithmetic) average for fecal coliform count for the upper sample site near Moore was 87col/100mL and 23col/100mL for the lower site near Richland Recreation Area. The geometric mean for the three year period of 1/90 to 12/93 on the upper site was 7 col/100mL and 6 col/100mL for the lower site.

Turbidity values taken over the five year period were not in comparable units. Beginning in 1993, through 1995, turbidity was measured in FTUs. Field data collected in 1993 - 1995 shows average turbidity values for the upper site are 7 FTUs and 7 FTUs for the lower site. The FTU unit of measure will be employed to monitor LAC standards.



APPENDIX F

**WILDERNESS
MINIMUM TOOL DECISION QUESTIONNAIRE**

If this action is covered in an approved planning document, do not complete this form.

PROPOSED
ACTION _____

[When considering Wilderness values/resources, address: natural and cultural resources, solitude, primitive character, visitor experience, research effects, and recreation resources.]

1. What are the alternatives to the proposed action?

2. What long and short term impacts to Wilderness values are associated with each alternative?

3. What mitigating measures can be taken in association with each alternative?

4. How will the proposed action (if non-emergency) contribute to the management of Wilderness resources?

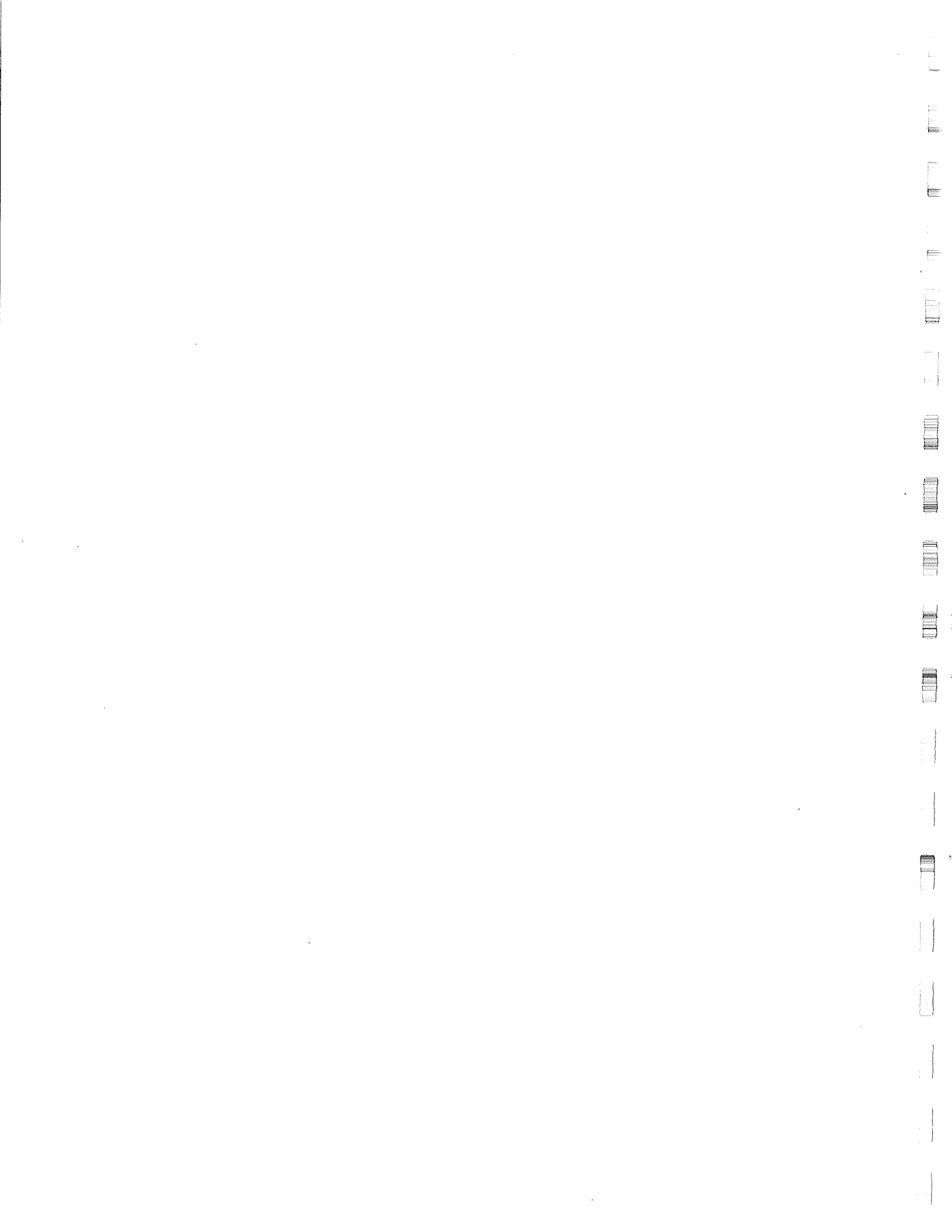
Comments:

Action Approved: _____

Action Denied: _____

DISTRICT RANGER or
DEPUTY DISTRICT RANGER

(Date)



APPENDIX G

REFERENCES

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APPENDIX H

STANDARD OPERATING PROCEDURES FOR SEARCH AND RESCUE INCIDENTS ON THE OZARK NATIONAL FOREST

PURPOSE: To provide standard procedures and guides for U. S. Forest Service personnel in responding to a search and/or rescue.

RESPONSIBILITY: It is the responsibility for all OZARK NATIONAL FOREST Employee's to become familiar with contents of this operating plan and be able to implement this plan should the need arise. Insure all Forest Service personnel involved in wilderness SAR operations are trained in Forest Service and external agency SAR protocols, wilderness management policy, and delegations of authority.

AREAS OF RESPONSIBILITY: The appropriate county sheriff's department has overall responsibility for conducting search and rescues in the state of ARKANSAS. The U. S. Forest Service will act as advisors and provide technical assistance for search and rescues within the boundaries of the Forest. Requests for additional resources may be provided with the approval of the District Ranger.

REQUEST FOR SEARCH AND/OR RESCUE: Timely response to requests for search and/or rescue is vital. It is of equal importance to obtain the necessary information that would be critical for responding resources (e.g., information that will enable them to organize and effect a timely and professional search and/or rescue.)

Note: Most First Responders are not trained for backcountry rescue. It is imperative that we not put rescuers at risk. Often times we get in the 911 mentality and think it's best to do SOMETHING quickly. It may be more prudent to wait and get the RIGHT people first (e.g., a SAR unit trained in backcountry rescue).

A. Background

The following is a philosophical background paper that may be used to help explain and/or support decisions concerning search and rescue operations in Wilderness.

The Wilderness Act of 1964, amended in 1978 (16 U.S.C. 1131-1136), specifies congressional policy to secure for the American people an enduring resource of wilderness for the enjoyment of present and future generations. Wilderness "in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain." This definition is important as it establishes the basis for all USDA Forest Service management actions in classified Wildernesses. With certain exceptions, the Act prohibits motorized equipment, roads, and mechanical transport. Parts 293, 261, 219 and 228 in Title 36 of the Code of Federal Regulations apply to wilderness management.

At all times, Wilderness is to be managed to prevent degradation. The nondegradation principle seeks to maintain each Wilderness in at least as wild a condition as it was at the time of classification. The nondegradation policy assures appropriate diversity and Wilderness character are maintained.

Wilderness is managed to protect the values associated with it, specifically, the user's experience, natural ecological process, spiritual meaningfulness, and scientific research. Frequently, this means we must manage the people, including users and other agencies that traverse, study, and use the wilderness resource. Ninety nine (99) percent of the problems associated with impacts on the wilderness resource can be tied to inappropriate use. For this reason, the Forest Service has standards and guidelines that are used to manage wilderness. Unless changed by the Forest's Plan, these standards are in place, and are listed by wilderness resource spectrum ranging from transition to pristine classifications (Forest Service Manual 2320).

Forest Service policy is to encourage and support strong local and State leadership in Search and Rescue operations. Field personnel must continue to be responsive to the public needs, particularly as they relate to the protection of life and property.

As stated in FSM 2326.1, the Forest Supervisor may approve the use of motorized equipment or mechanical transport in Wilderness for emergencies "where the situation involves an inescapable urgency and temporary need for speed beyond that available by primitive means." Normally, **the District Ranger and/or a representative approved by the Forest Supervisor has the authority to authorize motorized equipment or mechanical transport in Wilderness where a "life-threatening" emergency or a death exists.**

These guidelines will help the local manager make the appropriate decision. However, the local manager rarely has all the facts at hand when the decision must be made, and it is better to err on the side of safety than to risk further injury or a life. Also, life-threatening criteria can be applied to rescuers themselves as in the case where the use of a helicopter is the only "safe" way to carry out the rescue. There may also be embarrassing public relations problems associated with a bureaucratic approach to securing approvals in emergencies. **The most important factor is communication; the Forest Service needs to communicate internally and externally what Wilderness is and how it should be utilized and all parties need to communicate early and often during a search and/or rescue operation.**

Technically, the Sheriff's Department is in charge of all Search and Rescue; however, the Forest Service's job is to make sure the search and rescue organization is familiar with the terrain and its land allocations in which the Search and Rescue is occurring. When the local Forest officer makes a decision to use motorized equipment in the Wilderness for an emergency Search and Rescue situation, a brief narrative should be prepared documenting the situation in which they granted approval. This should be sent to the Forest Supervisor as soon as possible.

We do not want to cause undue stress to family members of an individual that is facing life-threatening conditions, or who is deceased. While death diminishes the urgency, in some ways it increases the urgency so the family may finally come to grips with the outcome and deal with it accordingly.

B. Approval Guidelines for Use of Motorized and Mechanical Equipment for Search and Rescue Within Wilderness

RESCUE

Always Approve

1. Removal of deceased persons.

2. Removal of people with obvious life-threatening injuries; e.g., heart attack, stroke, serious bleeding, fractured skull.
3. Whenever there is real doubt as to whether or not the injury is life-threatening.

Usually Approve

1. Injury is not life-threatening, but delay in rescue or rescue transportation by hand litter or stock may result in additional injury or serious complications resulting from initial injury; e.g., broken leg where the pain resulting from the primitive transportation would put the person into shock, serious cut from a source with high potential for infection to a person that is several days travel from a trail head.
2. Injury is not life-threatening but it is serious and the present and/or predicted weather would likely cause delays in travel that would make the injury life-threatening.
3. Where the topography or footing is so hazardous that it will expose the injured person or the rescue team to a very high probability of additional or new serious injury (approval here might depend on the skill or experience of the rescue team). Normally refers to use of aircraft.

Never Approve

1. When the injury is not life-threatening and the person can transport him or herself or be transported by non-motorized or non-mechanical means to the nearest logical point of rescue; e.g., simple fracture of arm, sprained ankle.

SEARCH

This pertains only to those items requiring Forest Service approval; i.e., air drops, landing of aircraft in wilderness or the use of motorized or mechanical equipment in the wilderness. (Overflights are not an approved item, but we should advise potential violators of the FAA 2,000 feet advisory that overflight criteria should be essentially the same as landing criteria.)

Always Approve

1. There is good reason to believe that the person being searched for has a life-threatening injury; e.g., age, health condition, mental condition.
2. There is good reason to believe the lost person will be placed in a life-threatening situation such as a result of a predicted adverse change in the weather; e.g., person was lightly-dressed and snow storm is predicted.
3. The only potential rescuers are not physically capable of accomplishing the search without motorized or mechanical equipment.
4. When there is an external situation requiring immediate location of a person within the wilderness; e.g., immediate relative is in critical medical situation.
5. When there is serious doubt concerning whether or not the situation is life-threatening.

Usually Approve

A close relative has died and the family has requested the person be located so they can perform a necessary function within uncontrollable time constraints.

Never Approve

1. There does not appear to be any real indications that the person is in a life-threatening situation; e.g., person in good health, dressed for the situation is slightly overdue.
2. Outside request is made to locate a person for noncritical external reasons; e.g., attend funeral of a friend, to make financial decisions, to see if person is okay.
3. The specific requested method will result in physical impact to the wilderness and there are alternate methods that accomplish the objectives of the search without the impacts.

C. SEARCH AND RESCUE GUIDELINES OVERVIEW

Group Size: Where possible, **maximum party size** should be six people in pristine wilderness resource settings. Primitive, SEMI-PRIMITIVE, and transition settings can accommodate up to 6 or 12 people. Livestock limits should be based on NEED...MINIMUM TOOL CONCEPT APPLIES TO MINIMUM NUMBER OF PEOPLE AND HORSES TOO.

(Note: Realize that it takes approximately six persons per mile to carry out an injured person, **the party should be limited to only what is necessary.**)

Equipment: As a rule, no mechanized or motorized equipment is allowed in wilderness. Exceptions are made for life-threatening injuries or death. These are determined on a case-by-case basis by the Forest Supervisor or the District Ranger responsible for the area. Where motorized equipment must be used, attention must be paid to access points, timing of landings or of use of noisy equipment or both, interactions with other users, impacts to vegetation and wildlife, and determine how they fit into the desired managed wilderness experience.

Dogs: Assess this need early on as tracking is based on human scent. It may only add to the chaos if used as a last resort. Ask if this is the minimum tool needed.

Method of Travel: In all cases, the preferred mode of travel is by foot or by horseback.

Managerial Standards - Evidences of Search and Rescue Operations: In all cases, the search and rescue operation should be as unobtrusive as possible in how the wilderness resource and visitor's experience might be affected. All efforts should be made to minimize any potential degradation of the resource or of the visitor's experience or both. In some cases, it may be useful for the District Ranger to place a Forest Service person on-the-ground, in the field of operation, to inform the general public as to the situation and why non-Wilderness methods are being used.

D. REQUEST FOR SEARCH AND/OR RESCUE: Timely response to requests for search and/or rescue is vital. It is of equal importance to obtain the necessary information that would be critical for responding resources. Information that will enable them to organize and effect a timely and professional search and/or rescue.

OBTAIN THE FOLLOWING INFORMATION:

1. Name, alias or nickname of person.
2. Address
3. Race Sex Age Height Weight Color Hair Color Eyes Build
(other descriptive information (scars, beard, limp, glasses, etc.)

Description(include color, type material, etc.)

4. Shirt/Blouse
5. Pants/Dress/Skirt
6. Coat/Suit
7. Tie and/or Hat
8. Socks/Hose
9. Shoes/Boots-Sole Pattern
10. Point Last Seen-Time: AM/PM
11. Direction of Travel-Method of Travel
12. Knowledge of Area
13. Backcountry Experience
14. If Land Search-Carrying a Pack, Description and Contents
15. Name of Person Reporting
16. Relation to Missing Person
17. Present Location and Telephone No.
18. Other Locations and Telephone Nos.
19. Other witnesses.

E. NOTICATION: (During Normal Duty Hours)

1. Notify the District Ranger or lead Forest Service Officer.
2. Determine the county jurisdiction and notify the appropriate county sheriff's office. The following is a list of county sheriff's and rescue agencies:

SPECIFY THAT THIS WILL BE A BACKCOUNTRY RESCUE [i.e., not volunteer fire department or First Responders/SAR UNIT IS NEEDED]

BAXTER COUNTY

Sheriff's Office - (501) 425-2400

CONWAY COUNTY

Sheriff's Office - (501) 354-2411

JOHNSON COUNTY

Sheriff's Department - (501) 754-2200

Johnson County Search and Rescue Team: 1-800-538-7243, after tone dial 6227, enter your return telephone number after the second tone.

Contact: Kevin Caldwell, Team leader (501)754-6304

Office of Emergency Services - (501) 754-6383

MADISON COUNTY

Sheriff's Office (501) 738-2320

Madison County SAR*

Contact: Mike Bowles (501) 677-2765

***several team members are certified on the national level in cave rescue and whitewater rescue.**

MARION COUNTY

Sheriff's Office (501) 449-4236

Buffalo Point Ranger Station, NPS, Buffalo National River (501) 449-4311

NEWTON COUNTY

Sheriff's Office (501) 446-5124 **Emergency-446-2002**

Office of Emergency Services (501) 294-5227

Contacts: Skip Krumwiede

Buffalo National River SAR - **Searcy County Dispatch*(501-448-2340)**

*they have radio contact with BNR

Contacts: Carl Hinrichs, Chief Ranger(501)741-5443#111

PRUITT RANGER STATION 446-5373

UPPER DISTRICT RANGER 446-5477 (home)

Gary Kiramidjian

POPE COUNTY

Sheriff's Department- (501) 968-2558

Office of Emergency Services - (501) 890-6914

Northern Pope County for Search and Rescue - (501) 284-2291 contact Jerry Brock

SEARCY COUNTY

Sheriff's Department-Phone **(501)448-2340 *BNR contact for SAR unit**

EMS or Fire (501)448-2525

Witt Springs EMS (501)496-2495 [Gerald "Skip" Warner] note: these are First Responders, not a SAR unit.

VAN BUREN COUNTY

Sheriff's Office - (501) 745-2112

Van Buren County Rescue, Leslie AR. (501) 745-2495, contact Steve Myers

OTHER CONTACTS

Susan Peters (Search and Rescue Dogs) Ozone, AR (501) 292-3292

Explorer Search and Rescue Post 393 (501) 982-4256, 24hr Pager 660-7337 contact Allen Lawrence

Carrol Stuchell (Search and Rescue Dogs) (501) 988-5141



APPENDIX I

Glossary of Acronyms and Terms

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. Primitive - Area is characterized by an essentially unmodified natural environment of fairly large size. Interaction between users is very low and evidence of other users is minimal. The area is managed to be essentially free from evidence of human-induced restrictions and controls. Motorized use within the area is not permitted.

2. Semi-Primitive Non-motorized - Area is characterized by a predominately natural or natural appearing environment of moderate to large size. Interaction between users is low, but there is often evidence of other users. The area is managed in such a way that minimum on-site controls and

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

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

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

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

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

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

Riparian Forested Buffer - An area of trees and other vegetation located in areas adjoining and upgradient from surface water bodies and designed to intercept surface runoff, wastewater, subsurface flow and deeper groundwater flows from upland sources for the purpose of removing or buffering the effects of associated nutrients, sediment, organic matter, pesticides or other pollutants prior to entry into surface waters and ground water recharge areas.

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

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

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

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

Level 1 - Highest Sensitivity

Level 2 - Average sensitivity

Level 3 - Lowest sensitivity

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

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

Preservation - Ecological changes only.

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

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

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

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

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

APPENDIX J

WILD AND SCENIC RIVERS ACT



WILD AND SCENIC RIVERS ACT

¹An Act

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

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

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

(b) It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations. The Congress declares that the established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes.

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

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

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

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

(1) Wild river areas - Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.

(2) Scenic river areas - Those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.

(3) Recreational river areas - Those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.

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

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

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

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

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

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

SEC. 4 (a) The Secretary of the Interior or, where national forest lands are involved, the Secretary of Agriculture, or, in appropriate cases, the two Secretaries jointly shall study and submit to the President reports on the suitability or 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.... In conducting these studies the Secretary of the Interior and the Secretary of Agriculture shall give priority to those rivers (i) with respect to which there is the greatest likelihood of developments which, if undertaken, would render the rivers unsuitable for inclusion in the national wild and

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

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

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

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

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

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

(designation language for individual W&S study rivers)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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