

Question: What factors are considered in the suitability evaluation and determination process?

Answer: Factors to consider include, but are not limited to:

1. Status of landownership (jurisdiction or administrative role and/or presence); minerals (surface and subsurface); uses in the area, including the amount of nonfederal land involved; and associated or incompatible uses.
2. Reasonably foreseeable, potential uses of the land and related waters which would be enhanced, foreclosed, or curtailed if the area were included in the National System, and the values which could be foreclosed or diminished if the area was not protected as part of the National System. Alternatives for protecting river values other than wild and scenic designation are also addressed.
3. Federal, state, local, tribal, public, or other interests in designation or nondesignation of the river, including the extent to which the administration of the river, including the costs thereof, can be shared by state, local, or other agencies and individuals.

Controversy exists in WSR studies. The mere presence of controversy will not preclude a river segment from being studied. The final recommendation as to whether a particular segment should or should not be recommended suitable for designation is determined only after a complete evaluation, public review, and impact analysis.

4. Estimated cost of acquiring necessary lands, interests in lands, and administering the area if it is added to the National System. Refer to Section 6 of the Act for policies and limitations of acquiring lands or interests in land by donation, exchange, consent of owners, easement, transfer, assignment of rights, or condemnation within and outside established river boundaries.
5. Ability of the agency to manage and/or protect the river area or segment as a WSR, or other mechanisms (existing and potential) to protect identified values other than WSR designation.

Where there is limited public lands (shoreline and adjacent lands) administered by the study agency within an identified river study area, it may be difficult to ensure the ORVs can be protected.

Where the agency is unable to protect or maintain the ORVs, river segments may not be suitable for designation without assistance from the state and local agencies with land-use planning responsibility in order to protect identified river values.

State or local government, citizen initiated efforts under Section 2(a)(ii) of the Act, or joint studies under Section 5(c) of the Act are also factors.

6. Historical or existing rights which could be adversely affected. In determining suitability, consideration of any valid existing rights must be afforded under applicable laws (including the Act), regulations, and/or policies.
7. Other pertinent factors, e.g., alternative ways to protect rivers.

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