
VII. Wild and Scenic River Designation

This chapter discusses the proposed Wild and Scenic River designation and its relationship to this Taunton River Stewardship Plan and Taunton River Stewardship Council.



“Partnership” Wild and Scenic Rivers

The National Park Service currently manages three congressionally designated “Partnership” Wild and Scenic Rivers in New England. These are the Farmington River in CT, the Sudbury, Assabet & Concord Rivers in MA, and the Lamprey River in NH. The designation proposal for the Taunton River is modeled on these precedents and the local-state-federal partnerships upon which they are based.

The National Park Service and US Congress recognize these as a distinct application of the Wild and Scenic Rivers Act, typified by the following characteristics:

- Little or no federal land ownership, and no federal acquisition associated with the Wild and Scenic River designation.
- A locally supported Management Plan is developed during the study process (in this case, the Taunton River Stewardship Plan) and is referenced in the designating legislation as “the Plan” by which the river will be managed.
- Implementation of the Plan after designation is overseen by a locally-based advisory committee (the proposed Taunton River Stewardship Council) which advocates for the river and its Outstanding Values.
- They are considered “affiliated areas” of the National Park System, rather than “Units” of the National Park System due to the lack of federal land owned and managed by the NPS.

More information about “Partnership Wild and Scenic Rivers” can be found on the following web site (www.nps.gov/pwst), or by contacting the National Park Service.

From the Wild and Scenic Rivers Act

The Wild and Scenic Rivers Act (PL 90-542) lays out the basic tenets and purposes which are fundamental to all designated rivers, whether managed through a Partnership model, as Units of the Park System, or by other state or federal agencies.

Purposes

“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.....”

Section 10

Section 10(a) states that *“each component of the national wild & scenic rivers system shall be administered in such a manner as to protect and enhance the values which caused it to be included in the said system...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.”*

Section 7

Section 7 of the Wild & Scenic Rivers Act specifies that *“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.”* It also prohibits new hydroelectric development on designated Wild & Scenic River areas.

Effects of a Wild and Scenic River Designation

The collective effects of the legislative mandates of the Wild and Scenic Rivers Act are to establish:

- A general federal policy to protect and enhance the values for which a river was designated.
- A specific mandate that no federally assisted “water resource development project” shall be allowed that would have a “direct and adverse” impact upon those values. The National Park Service is charged with ensuring such federal consistency.

National Park Service Role

The National Park Service will represent the Secretary of the Interior in fulfilling the legislative mandates of the Wild and Scenic Rivers Act. The NPS will review any proposed, federally assisted water resource development project for consistency in protecting and enhancing the values for which the Taunton River is designated as a component of the Wild and Scenic Rivers System.

The National Park Service accomplishes this review through existing regulatory schemes, such as federal permitting under the Clean Water Act by the US Army Corps of Engineers or US Environmental Protection Agency, and through the required project review processes of the NEPA, under which federal agencies must conduct environmental impact reviews (Environmental Assessments; Environmental Impact Statements) of proposed federal actions.

There are no new permits associated with the designation.

What Wild and Scenic Designation will Not Do

Designation itself would only effect federally licensed or assisted water resource projects that would impact the river's outstanding values. Other types of development would continue to be regulated by local and state land use laws.

Designation will not rezone private land or change property rights. Land use controls on private land are solely a matter of state and local jurisdiction. Any changes to local or state zoning regulations stimulated by the designation would

only occur through existing procedures at the town or state levels. Wild & Scenic designation also does not give the federal government any authority to infringe on an individual's privacy or property rights. Landowners are under no obligation to provide access to their property, even if they have decided to grant a conservation easement.

Role of the Taunton River Stewardship Plan

The Taunton River Stewardship Plan would serve as the Comprehensive Management Plan required of all congressionally designated Wild and Scenic Rivers. When evaluating proposed water resource development projects, the National Park Service would specifically consider the goals, objectives and standards contained in the Plan, and will base its determinations on the degree to which proposed projects are consistent with that Plan and its stated purpose of preserving and enhancing the values for which the Taunton is designated.

The Plan will also establish the basis for federal technical and financial assistance to the Taunton River under the Wild and Scenic Rivers Act.

Role of the Taunton River Stewardship Council

The Taunton River Stewardship Council will serve as the principal partner of the National Park Service in implementing and overseeing the Wild and Scenic River designation. The National Park Service will implement its responsibilities regarding Wild and Scenic River management in consultation and coordination with the Council.

All expenditures of any federal appropriations resulting from designation will be coordinated and reviewed with the Council. The Council will assist in establishing priorities and implementation strategies based upon the Plan and upon consideration of opportunities to leverage federal assistance through partnerships with communities, member institutions of the Council, and other partners.

In implementing its review of proposed, federally assisted water resource development projects, the National Park Service will coordinate with the Council and consider the input of the Council in making its determinations. The National Park Service may also seek the input of other agencies, entities and

individuals as appropriate, and must ultimately make an independent professional judgment.

Technical and Financial Support for Implementing the Designation/Plan

The ability of the National Park Service to provide technical and financial assistance toward implementation of the Taunton River Stewardship Plan is dependant upon congressional appropriations. In Fiscal Year 2004, the congressional appropriation for management of Partnership Wild and Scenic Rivers was \$900,000, divided among 7 rivers. These funds are utilized by the National Park Service to fund staff support, technical assistance and project “seed” funds to assist in Plan implementation.

Cooperative Agreements

The Wild and Scenic Rivers Act authorizes the National Park Service to enter into Cooperative Agreements with state and local governments and non-governmental entities in furtherance of river protection activities. This has proven to be a most useful tool to accomplish cooperative planning, research and conservation on other Partnership W&SR’s, and it is anticipated that Cooperative Agreements will be utilized on the Taunton if designated.

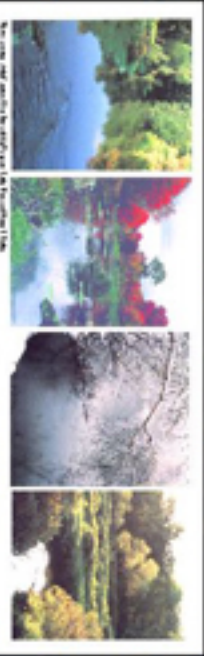
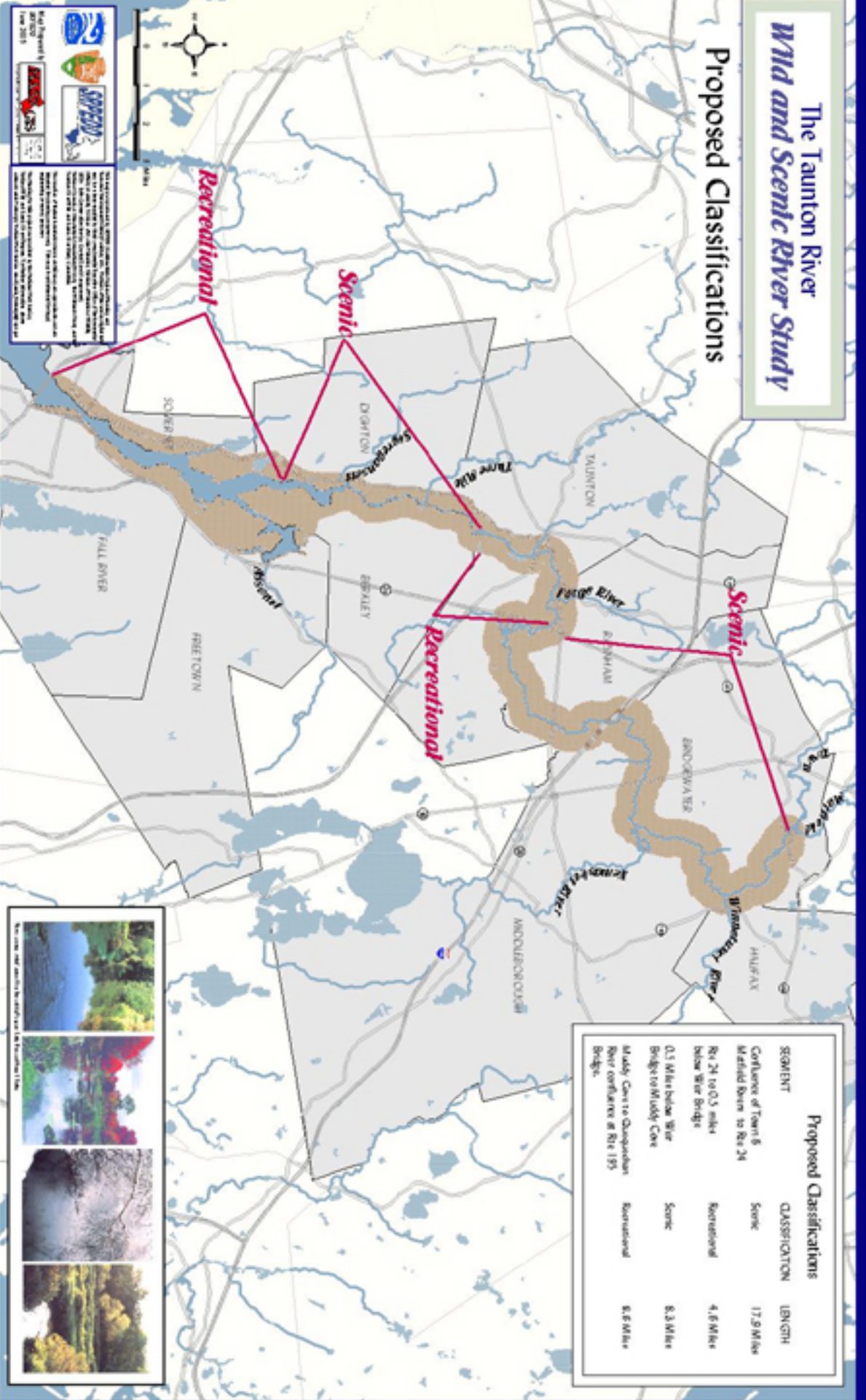
Cooperative Agreements allow the National Park Service to transfer federal funds to local partners to accomplish specified goals and projects – often by matching non-federal dollars and/or in-kind project contributions.

The most likely partners for Cooperative Agreements on the Taunton would be members of the Taunton River Stewardship Council. Prior to entering into any such agreement with a member of the Council, the National Park Service will coordinate and seek the advice and support of the Council as a whole.

The Taunton River Wild and Scenic River Study

Proposed Classifications

SEGMENT	CLASSIFICATION	LENGTH
Confluence of Town 8 Mudford Dam to Riv 24	Scenic	17.9 Miles
Riv 24 to 0.5 miles below West Bridge	Recreational	4.6 Miles
0.5 Miles below West Bridge to Muddy Cove	Scenic	8.3 Miles
Muddy Cove to Quabbin River confluence at Riv 195	Recreational	8.6 Miles



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TAUNTON RIVER WILD AND SCENIC RIVER STUDY
 THE TAUNTON RIVER WILD AND SCENIC RIVER STUDY IS A JOINT EFFORT OF THE TAUNTON RIVER WATERSHED DISTRICT AND THE TAUNTON RIVER WATERSHED DISTRICT BOARD OF SUPERVISORS. THE STUDY IS A PART OF THE TAUNTON RIVER WATERSHED DISTRICT'S EFFORTS TO PROTECT AND ENHANCE THE TAUNTON RIVER WATERSHED'S WILDLIFE AND SCENIC VALUES. THE STUDY IS A PART OF THE TAUNTON RIVER WATERSHED DISTRICT'S EFFORTS TO PROTECT AND ENHANCE THE TAUNTON RIVER WATERSHED'S WILDLIFE AND SCENIC VALUES. THE STUDY IS A PART OF THE TAUNTON RIVER WATERSHED DISTRICT'S EFFORTS TO PROTECT AND ENHANCE THE TAUNTON RIVER WATERSHED'S WILDLIFE AND SCENIC VALUES.