



## Wild and Scenic Rivers & Road and Bridge Projects



Just as we have National Park and Wilderness designations to protect the nation's most special lands, we have Wild and Scenic River designations to protect our highest-quality rivers. Wild and Scenic designation permanently protects a river's free-flowing character, water quality and outstanding values such as fish, wildlife, scenery, recreation and cultural resources. The National Wild and Scenic Rivers Act, signed into law in 1968, is the strongest tool available to protect high-quality, free-flowing rivers. The National Wild and Scenic Rivers System now includes more than 12,000 miles along 252 rivers in 40 states.

### **How does Wild and Scenic River Designation Affect Maintenance of Roads, Bridges and other Transportation Infrastructure?**

A frequently-asked question about Wild and Scenic River designation is whether existing roads, bridges and other transportation-related infrastructure can be maintained in a Wild and Scenic River corridor, and what additional requirements there might be for these projects as a result of the designation. There are many examples of road and bridge projects that have been implemented on Wild and Scenic Rivers (see below), maintaining important existing infrastructure while also benefiting the river and its outstanding values.



Generally speaking, existing infrastructure can be maintained, but there are certain requirements under the Wild and Scenic Rivers Act that ensure the river's free flow, water quality and outstanding values will not be adversely affected.

#### Project Review

Any proposed federally-assisted<sup>1</sup> project within the bed or banks of a Wild and Scenic River requires a formal consultation with the federal Wild and Scenic River managing agency, unless it is very minor maintenance of an existing project. This review, required under Section 7 of the Wild and Scenic Rivers Act (WSRA), is one of the strongest protections of the WSRA and determines whether the project is likely to have a 'direct and adverse' effect on the river's free-flowing character, water quality, or "outstandingly remarkable values<sup>2</sup>." If the Wild and Scenic River managing agency finds that the project is likely to have a direct and adverse effect, the agency may suggest changes to the project's design in order to avoid the adverse impacts to these values and a revised proposal can be resubmitted for review. If the project can not be revised accordingly, federal assistance cannot continue.

Many road or bridge maintenance and bank stabilization projects meet the criteria of being both within the bed or banks of the river and having a federal nexus, and thus are subject to a Section 7 review. Without the review required by the Wild and Scenic Rivers Act, many projects are designed and implemented without meaningful consideration of protecting river values and free flow. But as result of the Section 7 review, projects which would have been detrimental to the health of the river and fish and

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<sup>1</sup> Federally-assisted: requires a permit, license, funding or technical assistance from a federal agency

<sup>2</sup> 'Outstandingly Remarkable Values' are determined by a federal agency during a formal Wild and Scenic River eligibility study. Examples include fish, wildlife, scenery, recreation, cultural/historical values, etc.

wildlife can be designed to be much more river and habitat-friendly. For example, a Section 7 review may lead to a design which replaces an existing bridge that constricts and intrudes into the river channel with a longer-span bridge that does not require any structures within the river's ordinary high-water mark, or placement of woody debris rather than riprap for bank stabilization. Fish, wildlife and vegetation values will be improved over existing conditions due to improvements in the free flow of the river and use of natural materials.

Although the Section 7 requirement does add another layer of review, early coordination between project proponents and the WSR managing agency in the design of the project can ensure that the project meets the requirements of the WSRA, while avoiding significant additional time or expense in the design and completion of the project. In many cases, there are a number of review/permits required for road and bridge projects, particularly where listed species are involved; with appropriate planning the Section 7 review can be integrated with these other required reviews and associated environmental analysis.

### Potential Additional Resources with Wild and Scenic River Designation

Wild and Scenic River designation can be helpful in securing funding and other resources for projects that are deemed beneficial to the river and its outstanding values. Although it is difficult to trace a direct 'cause and effect' relationship between Wild and Scenic designation and gaining additional funding (as so many factors go into the application and receipt of funds), many project proponents and agency staff believe that the designation is quite helpful in bumping projects up on funding priority lists, and providing access to funding sources that would not have been available without the federal nexus that the Wild and Scenic River designation provides. For several examples of how designation has been helpful in this area, please see "*Beyond Banning Dams: Benefits of Wild and Scenic River Designation for Northwest and National River Systems*" (American Rivers, 2009).

## Examples of Road & Bridge Maintenance/Replacement on Wild and Scenic Rivers

### ***State Route 530 Bank Stabilization and Road Realignment Project (Sauk Wild and Scenic River, Washington)***

Since the early 1990s, the Sauk River has eroded its stream banks and the SR 530 highway shoulder. Each time this occurs, the Washington State Department of Transportation must close the road, creating a significant problem for many drivers, businesses and residents because the highway is the primary road in and out of the area.



The first phase of the project, immediate protection of the river bank, has been completed. A large log wall was created to divert the Sauk River away from SR 530 south of Rockport, involving installation of 112 steel piles to hold 355 logs and 15,000 cubic yards of woody debris and rock in place. The Section 7 consultation required under the Wild and Scenic Rivers Act resulted in a large improvement of the habitat elements of this project, by encouraging the use of substantial amounts of large woody debris in the structure.

The second phase of the project, road realignment, is scheduled for 2011 pending additional funding from the state legislature.

<http://www.wsdot.wa.gov/projects/sr530/saukriverrealignment/>

### ***Bridge Maintenance (Suiattle Wild and Scenic River, Washington)***



Flood-damaged Boundary Bridge  
(Federal Highway Administration)

In 2009, the U.S. Forest Service restored driving access over the flood-damaged Boundary Bridge on the Suiattle River by constructing a 210-foot extension to the existing bridge. This extension allows natural river migration rather than confining the river channel with a large rip-rap structure, as originally proposed by the Federal Highway Administration. The Section 7 review required under the Wild and Scenic Rivers Act resulted in this improved project, and also made it possible for the USFS to contribute additional funds to construct it. <http://www.wfl.fhwa.dot.gov/projects/boundarybridge/>

### ***Highway 138 maintenance project (North Umpqua Wild and Scenic River, Oregon)***

This Oregon Department of Transportation project (ODOT), funded by the federal Public Lands Highway Program, was initiated to correct existing pavement and safety deficiencies along the North Umpqua Highway, which is part of the National Scenic Byway System. The project involved bridge widening without modifications/additions to the existing footing and columns (thereby protecting an important anadromous spawning area), and the access site was redesigned without additional excavation or embankment construction. Early coordination between the Wild and Scenic River managing agency and ODOT as a result of the Section 7 review resulted in an improved design that protects the river's connection with its floodplain and aided in protection of its outstanding values.



North Umpqua River (U.S. Forest Service)

### ***Bridge Replacement (Imnaha Wild and Scenic River, Oregon)***

Built in 1969, the Lower Imnaha Road bridge across the Imnaha Wild and Scenic River serves as a link for agricultural and recreational traffic with Oregon Highway 350 and Wallowa County's Upper Imnaha Road. According to a 2005 Oregon Department of Transportation inspection report, the bridge was found to be load limited with a narrow width, structural deficiencies and the bridge rail did not meet current standards. The bridge is owned by Wallowa County. Plans to replace the bridge required the County to seek a 404 permit from the Army Corps of Engineers; which triggered a review under Section 7 of the Wild and Scenic Rivers Act to ensure that the river's free flow, water quality and outstandingly

remarkable values would not be adversely affected by maintenance or replacement of the bridge. The Imnaha River was designated as a Wild and Scenic River in the 1980s.

Due to the condition of the existing bridge and abutments, and structural deficiencies including sagging girders and narrow bridge width, it was determined that it would not be feasible to rehabilitate the bridge to current standards, and that the bridge should be replaced. A new 83-foot single-span bridge was built to replace the existing bridge that constricted the channel to 55 feet. By replacing the old bridge that constricts and intrudes into the channel with a longer, single-span bridge that does not require any structures within the river's ordinary high water mark, the project allows a more natural flow of the river. Longer-term positive effects include improved floodplain transport characteristics, floodplain connectivity and free flow of the river due to the wider opening of the new bridge, improved ability of the river to change course, re-occupy former segments and inundate its floodplain. Increasing the channel width will also reduce stream bank erosion potential and debris loading. Fish and wildlife habitat will be improved over previous conditions, due to increased free flow of the river.

### ***Oregon Bridge Delivery Program***

The Oregon Department of Transportation (ODOT) is currently implementing a bridge program under the Oregon Transportation and Investment Act III. This 'State Bridge Delivery Program'<sup>2</sup> is delivered by Oregon Bridge Delivery Partners. The objectives of the program include stimulating Oregon's economy and maintaining traffic mobility in the state while building projects that are sensitive to local communities and landscapes. The program is party to a Memorandum of Agreement (MOA)<sup>3</sup> with ODOT, the Bureau of Land Management (BLM), the United States Forest Service Region 6, and the Federal Highway Administration (FHWA). This MOA establishes agreements for bridge repair and replacement projects that will occur on BLM and Forest Service lands, where most Oregon Wild and Scenic Rivers are located.

For bridges located within Wild and Scenic Corridors, the MOA stipulates the following:

*Section 7 [Endangered Species Act] evaluation shall be prepared and submitted to the BLM or USFS for their use in the Section 7 determination prior to preparation of NEPA documentation, using design details pertinent to Wild and Scenic River (WSR) Outstandingly Remarkable Values (ORVs) for the river segment. ODOT and the relevant BLM or USFS staff will agree upon necessary performance standards to ensure that projects outside WSR corridors do not encroach or unreasonably diminish the scenic, recreational, fish or wildlife values of the WSR, and that projects within WSR corridors have no direct and adverse effects to free flow, water quality, and the ORVs of the WSR. These measures will satisfy all FHWA obligations with regard to designated Wild and Scenic River resources.*

The ODOT Bridge Delivery Program and associated MOA require that bridge project designs and implementation on Wild and Scenic Rivers are consistent with the directive of the Wild and Scenic Rivers Act. This program serves as a model for bridge repairs on Wild and Scenic Rivers. Projects in 2009 along designated rivers include the Rogue River, the John Day River, and Rock Creek, a tributary to the North Umpqua River.