



A Proposal to Expand the Wild Rogue Wilderness and Wild and Scenic Rivers Protections for the Rogue River

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A wilderness boundary line has two sides.

On the inside, all the lands that are federally-owned are subject to the protections of the Wilderness Act. On the other side, the Wilderness Act has absolutely no direct effect.

The Wild Rogue Alliance is seeking expansion of the Wild Rogue Wilderness to include the Zane Grey roadless area, and add Wild and Scenic Rivers protections to the tributary streams on lands between Graves Creek and Marial.

Why are these expansions important?

A recent economic study found over \$30 million annually in economic output from the Wild and Scenic Rogue River: \$1.4 million annually from commercial fishing, and \$16 million annually from sport fishing. The report also found that the Rogue contributes over \$1.5 billion annually for associated non-use values. Many of the streams that feed the Rogue River between Graves Creek and Marial are important spawning and rearing habitat for salmon. This section of the Rogue is also critically important to many outdoor businesses and lodges that work within the area. From an economic standpoint, Wilderness designation would benefit adjacent communities. Businesses and individuals are increasingly looking to locate in areas that provide significant outdoor recreation opportunities, open space and scenic vistas. Also, providing the world renowned Rogue River and its salmon more protections would increase the visibility and attraction of this special place. Providing long-term permanent protection for these values is not just good for the environment, it is sound business strategy.

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From an ecological standpoint, Wilderness and Wild and Scenic Rivers protections can help safeguard air quality, watersheds, biodiversity, wildlife habitat, open space and natural ecological processes. Once an area or stream is designated it will remain unaltered, and in pristine condition providing a refuge for tranquility and wildlife.

WILDERNESS

What is Wilderness?

The Wilderness Act of 1964 defines Wilderness 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.” The Act goes on to describe Wilderness as “an area of undeveloped federal land” which “generally appears to have been affected primarily by the forces of nature, with the imprint of man’s work substantially unnoticeable...” Wilderness areas are designated by Congress.

How much of Oregon's land is protected as Wilderness?

Oregon has a reputation of being a green state, however only 4% of Oregon is designated as Wilderness, while 15% of California, 8% of Idaho, and 10% of Washington are protected as Wilderness.

What activities are allowed in Wilderness areas?

Any form of non-mechanized use is generally permitted, and motorized travel is allowed in cases of emergency. Wilderness areas are open to hiking, camping, hunting, fishing, outfitting and guiding, kayaking, canoeing, rafting, swimming, backpacking, horseback riding, pack trips, wheelchairs (including motorized wheelchairs), skiing, snowshoeing, bird-watching, scientific research and nature study, control of fire and insect and disease outbreaks, livestock grazing, mining on pre-existing claims, and continued use, with reasonable access, of tracts of private or state land that may be within the boundaries of some Wilderness areas.

What activities are off-limits?

The Wilderness Act protects our Wilderness areas from road building, oil and gas drilling, logging, mechanical vehicles such as dirt bikes, off-road vehicles, mountain bikes, snowmobiles, new mining claims, new reservoirs, power lines, and pipelines.

Are private property rights adversely impacted by Wilderness designation?

No. Wilderness designation will not affect private property. Wilderness designations apply only to federally owned lands. Private property owners are guaranteed access to their land.

If you own property near or adjacent to the Wilderness boundary designation does not infringe on your ability to use or develop your land. All adjacent private lands near the Wild Rogue Wilderness proposal have existing road access and that access will not be altered in anyway. In fact, studies show that property values go up in areas near protected federal lands and rivers.

If you own land completely adjacent to designated Wilderness (often called an "inholding"), management restrictions for Wilderness areas do not apply to private land. Also, the Government cannot force you to sell your land. There are no plans to acquire private lands in this proposal, even if there were, the federal government only purchases private lands if the owner is a willing seller – the federal government has never used eminent domain to expand wilderness.

What about protection from fire, disease and insects near Wilderness areas?

State and Federal agencies have the authority to use whatever means necessary to prevent and control disasters in Wilderness. The Wilderness Act provides flexibility to deal with catastrophic wildfires. Section 4(d)(1) of the Act states that "such measures may be taken as necessary in the control of fires, insects and diseases" within Wilderness. Additional language for the Endangered American Wilderness Act further clarifies that these actions can include, "the use of motorized equipment, the building of fire roads, fire towers, fire breaks, or fire pre-suppression facilities where necessary and other techniques for fire control. In short, anything necessary for the protection of public health and safety is clearly permissible." For example, recently firefighters in the Umpqua and Deschutes National Forests used chainsaws and bulldozers within Wilderness areas to fight fires.

Under an approved Wilderness Management Plan, some wildfires may be allowed to burn, and some controlled burning (to prevent large-scale wildfires) can be used to reduce fuels when appropriate. Additionally, by restricting the construction of new roads, Wilderness may help prevent human-caused fires.

How is motorized/mechanized access restricted in Wilderness?

The Wilderness Act prohibits use of motorized/mechanized equipment and general access by motor vehicles and mechanical transport such as mountain bikes. However, the law makes exceptions for situations such as search and rescue operations, fire fighting to protect adjacent private lands, and insect and disease control.

Does Wilderness designation curtail the public's opportunity to be involved in Wilderness management decisions?

No. While there are certain statutorily mandated land use principles the appropriate federal agency must adhere to in managing Wilderness areas under its jurisdiction, agency officials are expected to establish management plans for each unique Wilderness area. A Wilderness management plan is often developed as part of the broader forest management planning process, which includes a strong public involvement component. Wilderness planning must also comply with the National Environmental Policy Act (NEPA), which allows for significant public comment.

WILD AND SCENIC RIVERS

What are some other social and economic benefits of WSR designation?

Benefits may include, but are not limited to: maintaining the river's free-flowing character, water quality and Outstandingly Remarkable Values (scenery, recreation, wildlife, etc.); promotion of economic development, tourism, or recreational use; community pride; potential increases in property values near the river; increased funding and opportunities for restoration and other river related work for the river.

What are the effects of WSR designation private property within the river corridor?

The National Wild & Scenic Rivers Act confers no federal authority over private land use or local zoning of private lands. There is no practical impact on private property, except that federal protection typically increases private property values and contributes to the local economy by attracting tourists and recreational visitors. People living within a river corridor would be able to use their property as they had before designation.

Will designation affect the existing landowner's ability to control access to the riverbanks?

WSR designation does not change land ownership or grant new privileges to the public on private lands. If the riverbanks are in private ownership, the landowner continues to control their use after designation.

Can the private landowner sell land within the Wild and Scenic River corridor after designation?

Yes. The ability of the owner to buy or sell private property is not affected.

Does Wild & Scenic protection affect existing water rights?

No, the state's authority to regulate water rights remains unaffected by designation. There is a federal water right conferred by designation, but it begins at the date of designation and is junior to all other existing rights.

Can the federal government regulate or zone private lands?

No. Under the Act, the federal government has no authority to regulate or zone private lands. Land use controls on private lands are solely a matter of state and local zoning. Although the Act includes provisions encouraging the protection of river values through state and local governmental land use planning, there are no binding provisions on local governments.

How will the federal government control unauthorized use (trespass) on private land within the river corridor?

Administering agencies do not control public use of private lands. Unauthorized uses are discouraged by the managing agency, which often provides maps, signs and brochures to direct users to publicly owned access sites. Use of private lands is subject to the landowner's permission.

What are Wild & Scenic Rivers?

The National Wild & Scenic Rivers Act is the nation's primary river conservation tool. Congress passed the Act in 1968 to specifically balance our existing policy of building dams to develop rivers for the water, power, and flood control resources, with a new policy of protecting some free flowing rivers with outstanding natural and cultural values for the benefit and enjoyment of present and future generations.

What does National Wild & Scenic River designation mean?

Wild & Scenic protection explicitly prohibits the federal government from licensing or permitting new hydroelectric dams or major diversions on protected stream segments. The federal government may license new water resource projects upstream or downstream of protected segments as long as the projects do not unreasonably diminish the stream. Public lands within an average quarter mile wide corridor on both sides of the streams are managed to protect their outstanding scenic, recreational, historical/cultural, fish, wildlife, ecological, geological, and hydrological values.

How does Wild & Scenic protection affect public lands?

Public lands within an average of 1/4 mile on each side of the river are managed to protect the river's free flowing character and outstanding values. Federal agencies that administer public lands are responsible for the management of designated rivers and are required to develop a plan within three years of designation to guide future management of the protected stream.

What does Wild, Scenic, or Recreational classification mean?

In addition to protecting a river's free flowing character and outstanding values, federal agencies are also required to manage the public lands along protected segments according to their Wild, Scenic, or Recreational classification. Classification is based on the existing level of development along the river. The following guidelines are used to establish and manage for classification:

- Wild - These segments are unroaded and undeveloped. Logging, road building, new mining claims, developed campgrounds, and motorized access are generally prohibited on Wild segments. All other activities associated with public lands such as grazing, mining of valid existing claims, hunting and other forms of non-motorized recreation are permitted subject to the protection of outstanding values.
- Scenic - These segments are generally undeveloped, but may have occasional road crossings and riverside structures that are visually screened from the river. Motorized use on trails may or may not be permitted based on existing use. All other activities normally associated with public lands are permitted, as long as visual quality and outstanding values are protected.
- Recreational - These segments are generally developed, with parallel roads, bridges and structures. All activities normally associated with public lands may occur provided that the stream's outstanding values are protected.



If you have any additional questions, or would like to help please contact:

Lesley Adams, Rogue Riverkeeper, 541.488.5789, or Shane Jimerfield, Siskiyou Project, 541.476.6648