

Bureau of Land Management Colorado Wild and Scenic River (W&SR) Eligibility and Suitability Studies

FACT SHEET

What is W&SR Designation?

The Wild and Scenic Rivers Act was passed in 1968 to preserve selected rivers or sections in their free-flowing condition to protect “the water quality of such rivers and to fulfill other vital national conservation purposes.” *Only Congress can make W&SR designations.* When a river is designated, all federal agencies are directed to take actions that maintain and enhance river-related natural resource values, such as recreation, fish, and scenery.

Why is BLM conducting this W&SR Evaluation?

The BLM is required by the Wild and Scenic Rivers Act to assess river and stream segments under its management jurisdiction as part of its resource management plan (RMP) revision process.

What is the difference between the eligibility study and the suitability study?

. The eligibility study is compiled during the planning process, and it consists of a comprehensive inventory of river-related values. It incorporates data from the BLM; other federal, state and local government agencies; published sources and experts. It focuses on the specific eligibility criteria described below. The suitability study incorporates analysis of potential current and future uses of the eligible stream segments, state and local plans concerning the segments, pre-existing rights, water rights, land ownership constraints and political support and opposition. The suitability analysis is incorporated into the Draft RMP. The Draft RMP analyzes a range of possible management alternatives for each segment including no action, suitable and not suitable.

What are the criteria for a stream segment to be eligible?

To be eligible for W&SR designation, a river or stream segment must possess one or more “outstandingly remarkable values,” have sufficient water quality to support those values, and be free-flowing. Outstandingly remarkable values could be scenic, recreational, geological, fish-related, wildlife-related, historic, cultural, botanical, hydrological, paleontological, scientific, or other similar values..

How will the BLM management change as a result of eligibility/suitability determinations?

The BLM’s policy is to protect any outstandingly remarkable values identified in the eligibility study until a decision on suitability is made. The BLM must protect the free-flowing character, tentative classification of the segment (based on the level of stream corridor development), and identified outstandingly remarkable values of eligible segments. The BLM is also obligated to protect the water quality that supports the outstandingly remarkable values. These protections apply only to lands/waterways under BLM management. If a stream is determined to be suitable in the land use plan, these protections continue. If a stream is determined to be not suitable, these interim protections are deleted from the plan.



How does BLM define “free-flowing”?

Free-flowing means that within the analyzed stream segment, there are no dams or diversion structures that store a significant amount of water for extended periods of time. Congress has designated W&SRs immediately below major storage projects, even though the natural flow regime is changed significantly by the project.

What specifically does the BLM analyze during the suitability study?

The BLM analyzes all potentially competing uses for each segment, potential management prescriptions for each segment, and the positive and negative impacts of various management approaches. The BLM fully considers the possible impacts to other values, such as water supply. During this process, the BLM considers alternative approaches to managing water-dependent values, fully recognizing that W&SR designation may not be the only way to protect these values.

How will stakeholder and public involvement be incorporated into the suitability determination?

The suitability process is designed to be a highly inclusive process. The BLM actively seeks input from stakeholders with knowledge in oil and gas development, grazing, water rights and water supply, environmental protection, private land ownership and policy analysis. Stakeholders have the opportunity to comment at the eligibility and suitability phases, as well as after the draft RMP is published.

Do the BLM’s eligibility and suitability determinations create any federal water rights to protect the outstandingly remarkable values?

No. A federal water right is not created until Congress designates a stream segment as a W&SR.

How could a BLM suitability determination affect a future water supply project?

If the BLM determines a stream segment is suitable, it cannot take any actions that would significantly impact the outstandingly remarkable values, water quality, and free-flowing nature of the stream segment. If a proposed water supply project is located within a suitable stream segment, the project proponent can apply to the BLM for a land use authorization. The BLM may or may not grant the request, relative to its potential impacts. Federal agencies that are asked to authorize water projects upstream from the suitable segment are required to seek BLM comments on the proposed project.

What are the different classifications under the W&SR analysis and designation?

The BLM is required to assign a classification to each segment during the analysis process that reflects the current level of development within the stream corridor. The classification names should not be confused with names that are used for outstanding remarkable values. For example, a segment classified as “scenic” based upon the level of development does not necessarily possess “scenic” qualities when viewed from the perspective of outstandingly remarkable values.

“Wild” river areas -- Those rivers, or sections of rivers, that are free of impoundments and are generally inaccessible except by trail, with watersheds or shorelines essentially primitive and unpolluted waters.

“Scenic” river areas – Those rivers, or sections of rivers, that are free of impoundments, with primitive and undeveloped shorelines or watersheds, and may be accessed in places by roads.

“Recreational” river areas -- Those rivers, or sections of rivers, that are readily accessible by road or railroad, may have some development along their shorelines, and may have undergone some impoundment or diversion.