MANAGEMENT PLANS

A management plan is developed for each river in the National Wild and Scenic Rivers System. In the past, for rivers that flow through federal lands, the management plans were usually written after the river was added to the System. When a river flows through private lands, however, waiting till later to develop the management plan leaves too much uncertainty for landowners and other river users.

More and more often, private lands rivers proposed for the System are having the management plan developed during the study process, *before* the river is designated. Such rivers are typically protected by methods other than federal land acquisition, which require cooperation among state and local governments, landowners, and other organizations and individuals with an interest in the river.

If Congress authorizes a study of the Neches River as a Wild and Scenic River, the management plan will be a cooperative one developed in consultation with landowners, local governments, river authorities, port authorities, navigation districts, industries along the river, chambers of commerce, tourism officials, timber companies, the Texas Forestry Association, farmers and ranchers, recreational users of the river, state and local elected officials, and other community leaders. This allows landowners, local governments, and users of the river to be the ones to determine the river's management strategies.

If landowners, local governments, and users of the river cannot agree on a management plan that protects the *outstandingly remarkable values* of the river, while allowing compatible activities to continue, then the river will not be designated as a Wild and Scenic River.

Suitability Assessment

At this time all that is being proposed for the Neches River is a *study* of the river for its potential inclusion in the Wild and Scenic Rivers System. The purpose of the study is to find a meaningful and manageable structure for protecting the river and the interests of landowners and river users. If the study results in a recommendation that the Neches be designated a Wild and Scenic River, a second bill would have to be passed by Congress for the Neches to become a Wild and Scenic River. This provides an added safeguard for landowners and others dependent on the river, as such a bill would be carried by local Members of Congress responsive to their constituents' concerns.

During the study, the National Park Service and U.S. Forest Service, in consultation with landowners, local governments, and users of the river, would identify *outstandingly remarkable values* of the river, such as scenic, fish and wildlife, historic, archeological, or recreational. The suitability analysis is designed to determine whether the river's free-flowing character, water quality, and outstandingly remarkable values can be protected without violating the rights of riverside landowners and river users. If not, the Wild and Scenic River designation would not go forward.

It is anticipated that current conditions are adequate to protect some of the values of the Neches River. For example, water quality standards set by the State of Texas for each river segment are

likely to be sufficient to protect water quality. Naturally occurring features, such as flooding and steep banks, might preclude some activities harmful to the river without the need for any further protection.

For some values, the study may conclude that additional protections are needed. These can come from a variety of sources.

Examples of Management Strategies for Existing Wild and Scenic Rivers

Along the Rio Grande in Texas, for example, management is determined by voluntary agreements signed with landowners along the river. In return for allowing tourists recreational use of the river, including camping along the banks, the National Park Service assumes liability for any problems relating to park visitors and exempts landowners from park rules that apply to river recreation visitors. These agreements are registered in the courthouse and run with the deed, to give the landowner permanent protection.

On some rivers, the federal government has purchased land to protect the river, but proponents of designating the Neches anticipate little or no land will be acquired. In other situations, federal agencies have purchased scenic or recreational easements or negotiated voluntary agreements with landowners for specific protections. For the Neches, it might be an agreement by a landowner not to log within 100 feet of the river's edge or a cooperative project under which the federal government would help fund erosion control. All agreements would be voluntary and federal funding is often available to offset costs.

On some occasions conservation organizations have acquired land or easements along Wild and Scenic Rivers from donors or willing sellers. Landowners who voluntarily donate a conservation easement to a land trust or government agency receive a tax deduction for the donation and often reduce their property taxes. Under the conservation easement, the landowner agrees to specific management activities, but retains all other uses of the land.

In the northeastern states, where private lands dominate and where, as in many places, there is resistance to federal control or federal land acquisition, federal agencies have not acquired land on any of the ten rivers added to the Wild and Scenic Rivers System. The primary method of protection in the Northeast is zoning authority that was already held by local townships.

In summary, if a study is authorized for the Neches River, a management plan would be developed during the study process. This would *not be a regulatory document* – rather a cooperative protection framework for private lands that is achieved by voluntary agreement. The federal government may offer incentive programs or offer to buy land or easements from willing sellers. *But **federal managers will be given no enforcement authority on private land and no authority to direct management on private land.***