

Protecting the Wild Neches



The forests of the Neches River bottomlands abound with wildlife — bald eagles, deer, squirrels, otters, wood ducks, mallards, wild turkeys, fish, and colorful songbirds. Along the river’s 400-mile course are the Neches River National Wildlife Refuge, the Davy Crockett and Angelina National Forests, Big Slough and Upland Island Wilderness Areas, Martin Dies Jr. State Park, and the internationally-known Big Thicket National Preserve.

The river and its natural areas provide memorable days outdoors for local residents and are increasingly seen as tourist destinations. The Big Thicket Preserve draws conventions to Beaumont and nearby cities. Three hundred paddlers annually join in the Neches River Rendezvous, a half-day canoe trip sponsored by the Lufkin/Angelina County Chamber of Commerce. Fishing, hunting, hiking, camping, and canoeing/kayaking, account for thousands of visits to the river each year.

Texas Conservation Alliance and numerous other citizen groups are proposing the Neches River be designated a National Scenic River – to protect the river and highlight its value for economic development.

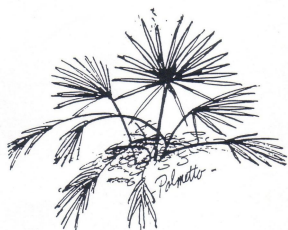
Designating the Neches a National Scenic River

Before the Neches can be named a Scenic River, the U.S. Congress must authorize the National Park Service or U.S. Forest Service to conduct a thorough study of the river’s eligibility and suitability under the Wild and Scenic Rivers Act. The study would assess the river’s “outstandingly remarkable” values — historic, cultural, geologic, scenic, fish and wildlife, archeological, recreational, and free-flowing state. It would also determine the benefits to the community and identify any impacts such a designation might have.

As part of the study, a local advisory group would be formed, including landowners, hunters, representatives of the timber and tourism industries, paddlers, and others with a stake in the designation. The agency and the advisory group would work together to determine whether creating a Neches Scenic River would be good for local communities. If the study resulted in a recommendation that it be named a National Scenic River, Congress would have to pass another bill before the designation became official.

If the agency recommends the Neches for a Scenic River, and the U.S. Congress approves it, the designated river segments would be protected from damming or channelization projects that would be detrimental to the river. As has often happened elsewhere, the Neches could join other Scenic Rivers that encourage tourism and public enjoyment of the outdoors.

To learn more about the Scenic River proposal, contact:



Texas Conservation Alliance

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Or log on to TCAtexas.org



SPECIFICS OF A SCENIC RIVER DESIGNATION

- ◆ Designation as a Scenic River would mean that no federal agencies could assist by loan, grant, permit, or otherwise, any water resource project that would have a direct, adverse effect on the values for which the river was designated. In short, it would prohibit major reservoir projects.
- ◆ Other activities typical of the river would continue. According to the Interagency Wild and Scenic River Coordinating Council, the Wild and Scenic Rivers Act *“neither gives nor implies government control of private lands within the river corridor...People living within a river corridor would be able to use their property as they had before designation.”* * Adjacent landowners would be encouraged to use good management practices, but the federal government would be given *“no authority to regulate or zone private lands.”* * Current land use would continue to be subject to existing ownership, current laws, and local law enforcement.
- ◆ According to Park Service staff, designation of the Neches is not expected to alter timber harvesting or logging practices beyond existing limitations to protect wetlands and streamside zones. Currently, all activities such as timber harvesting, industrial operations, and agricultural practices must comply with state laws and with the federal Clean Water Act. If landowners adjacent to the river corridor are conducting an activity that already requires a federal permit, such as a Clean Water Act 404 wetland permit, then the agency granting the permit must take the close proximity of the Scenic River into account in that permitting process. Such a consideration would be very minor compared to laws (such the Clean Water Act itself) with which the landowner must already comply.
- ◆ A major component of the study is for the federal agency conducting the study to establish relationships with adjacent landowners and to determine whether there are any impacts on them. It is usual for the National Park Service or other federal agency to seek the local counties as partners in encouraging good management practices along the river.
- ◆ A management plan would be developed for the river by the federal agency and the advisory group, and shared with local governments, to encourage people not to build structures at the river's edge or conduct other activities that impact the naturalness along the river and the view from the river. However, *“these guidelines are not binding on local governments”* *.
- ◆ Designating the Neches a Scenic River is *not* a land acquisition project. Land acquisition has only very rarely occurred under the Wild and Scenic Rivers Act and is not expected along the Neches. If there are landowners who *want* to sell their land to the federal government, criteria might be included in the management plan for willing-seller purchases, but proponents of the Scenic River are not proposing land acquisition.

***Source: Interagency Wild and Scenic River Coordinating Council, Reference Guide, A Compendium of Questions & Answers Relating to Wild & Scenic Rivers, January 1999.**