Final
General Management Plan
Environmental Impact Statement



Missouri /Niobrara/ Verdigre Creek

National Recreational Rivers
Nebraska • South Dakota

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General Management Plan
Final Environmental Impact Statement

Missouri / Niobrara / Verdigre Creek
National Recreational Rivers

Gregory, Charles Mix, and Bon Homme Counties, South Dakota
Knox and Boyd Counties, Nebraska

The Missouri National Recreational River, Niobrara National Recreational River, and the Verdigre Creek National Recreational River were added to the national wild and scenic rivers system by the Niobrara Scenic River Designation Act, which was passed by Congress on May 24, 1991. As the river administrator, the National Park Service (NPS) has prepared this *General Management Plan / Final Environmental Impact Statement* (GMP/FEIS). Federal, state, or local agencies with special expertise or jurisdiction served as cooperating agencies and planning team members. The legislation also authorized the establishment of the Missouri National Recreational River Advisory Group to advise the secretary for this plan. This group will continue in a consulting role with the National Park Service until the year 2001.

In 1991 the 39 miles of the Missouri River between Fort Randall Dam and Lewis and Clark Lake was designated as a recreational river. The lower 20 miles of the Niobrara River and the lower 8 miles of Verdigre Creek were included. The 59-mile segment of the Missouri River below Gavins Point Dam was designated in 1978 and is the subject of a separate plan.

The purpose of the *General Management Plan / Final Environmental Impact Statement* is to set forth the basic management philosophy for the recreational rivers. Alternatives were developed to provide comprehensive approaches to implementing this philosophy for resource management, visitor use, and facility development. The intent is to implement the plan over the next 10 to 15 years.

The *Draft General Management Plan / Environmental Impact Statement* presented management and boundary alternatives (including a preferred alternative, now called the proposed action) and an analysis of the environmental consequences of each. The land along the recreational rivers is now managed by private property owners, tribes, and local, state, and federal agencies, some with overlapping jurisdictions. The plan is needed to present a consistent and unified approach to management of the recreational rivers. It has been prepared to meet the requirements of the enabling legislation, the National Environmental Policy Act, and other regulations.

This final plan was created to achieve the purpose of the rivers' designation. The National Park Service and its partners would implement the plan. The National Park Service role would be very active in the initial stages but could decrease over time to the extent that other agencies and governments effectively assumed responsibilities. The *Draft General Management Plan / Environmental Impact Statement* was prepared for public review from July to September 1996. This plan will become final 30 days after a record of decision is issued and signed by the field director, Midwest Area. For more information, please contact:

Superintendent
Niobrara/Missouri National Scenic Riverways
P. O. Box 591
O'Neill, Nebraska 68763-0591

or call: 402-336-3970

The Missouri River is composed of six parts of sand and mud and four parts of water. But if the river is not fair to look upon, there is some of the grandest country on either side of it the sun ever shone upon. How such a river came to run through such a paradise is more than I can understand.

Robert J. Burdette, 1903 (Botkin 1955)

SUMMARY

In May 1991 Congress added the Missouri and Niobrara Rivers and Verdigre Creek to the national wild and scenic river system. Thus, national attention was brought to the remarkable qualities of these river segments. The National Park Service was given responsibility for administering the rivers and developing comprehensive management plans that would identify a preferred management alternative and boundary for the rivers. The National Park Service established an office in O'Neill, Nebraska, in October 1991. Its role was to establish local relationships with the individuals, organizations, and governments of the 14-county, two-state area involved in the studies mandated by the Niobrara Scenic River Designation Act. Responsibilities were shared by the local O'Neill office, the Denver Service Center, and the field office in Omaha.

The purpose of this *General Management Plan / Final Environmental Impact Statement* is to set forth the basic management philosophy for the recreational rivers. The plan is needed to present a consistent and unified approach to management of the recreational rivers in compliance with the Wild and Scenic Rivers Act. Alternatives that were presented in the drafts of this plan provided different potential scenarios for management and administration. The alternatives also presented different boundaries for management of the designated rivers.

The planning team included representatives from: U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Ponca Tribe of Nebraska, Santee Sioux Tribe, Yankton Sioux Tribe, Nebraska Game and Parks Commission, South Dakota Game, Fish and Parks, Nebraska and South Dakota Historic Preservation Offices, and county government representatives from Knox and Boyd Counties in Nebraska and Gregory, Charles Mix, and Bon Homme Counties in South Dakota. The National Park Service was charged with protection of the river and its values; it was equally important not to dramatically affect the lives of the people who live and work along the recreational rivers.

Local knowledge of the Missouri, Niobrara, and Verdigre Creek National Recreational Rivers designation was limited. Most of the preauthorization debate had been focused 120 miles to the west on the proposed middle Niobrara Scenic River designation. There had been congressional meetings, but no hearings were held in the area with local people. There were few references to these rivers in the preauthorization legislative history.

Public interest has been high and has provided a helpful perspective. The following issues were identified as important in the planning process:

landscape conservation
establishment and maintenance of public facilities
recreational management
public information service
use of condemnation
removal of private land from the tax base would raise county taxes
possible restrictions on development and use of private land
current land use patterns and management by local landowners best
increased residential and recreational development changing area
recreation enhancement and environmental protection potentially at landowners expense

Local interests, including county governments, expressed an interest in participating in the planning process and had zoning and other powers that the National Park Service did not have, so representatives were invited to join the planning team. Their knowledge of and sensitivity to local concerns were critical in the deliberations. They also provided a role for local land use regulation in the general management plan.

This plan addresses the above concerns as follows:

- The National Park Service has agreed not to condemn any land; any acquisitions would be from willing sellers only.

- Farming and ranching are appropriate activities in the recreational rivers boundaries.

- Managing partnerships would enter private land to monitor resources only with property owner permission.

- Success of the plan depends largely on the cooperative efforts of property owners, local communities, and the National Park Service.

- Property owner stewardship would be vital to resource preservation and protection on private land within the boundary.

- Most of the land inside the boundary would not be federally owned.

- All alternatives are resource protection based and must meet the intent of the Wild and Scenic Rivers Act, including the mandates, purposes, significance statements, desired future conditions, and primary interpretive themes.

The National Park Service and its partners would implement the plan. The National Park Service role would be very active in the initial stages but would decrease with time as the other agencies and governments assumed the responsibilities.

There are five management alternatives described in this document. Boundary alternatives are also described. Alternative 1, no action, is required in order to provide a description of baseline conditions from which the action alternatives can be compared. The no-action alternative would not implement the act as directed by Congress. Alternative 1 would use the legislative interim boundary of 0.25 mile above the 1991 ordinary high water mark. Alternative 2 emphasizes the rural landscape, and would provide for the preservation of that landscape, its integrity and character. Alternative 2 includes a 200-foot setback from the riverbank. Corps of Engineers (COE) fee land is included up to 0.25 mile. Alternative 3 would emphasize the biological factors of the river ecosystem and would provide strong management for natural values of the area. Alternative 3 allows for a minimum setback of 200 feet from the riverbank. Significant bottomland areas would be included as well. Alternative 4 would balance visitor use with resource protection. Alternative 4 includes a minimum setback of 200 feet from the riverbank plus significant biological and public use areas. State land and COE fee land within 0.25 mile of the high water mark would be included. In alternative 5 the boundary for the Missouri National Recreational River would include a minimum setback of 200 feet from the ordinary high water mark, plus significant biological bottomland areas and land that would be flooded by 60,000 cubic feet per second. Karl Mundt National Wildlife Refuge is included in this boundary. This boundary also includes all federal and state fee land within 0.25 mile of the ordinary high water

mark. The Niobrara River and Verdigre Creek boundaries would include a minimum setback of 200 feet from the riverbank plus biologically significant bottomland. Also included are COE projections on areas that might be affected by a rise in the groundwater table.

All alternatives were fully analyzed for environmental impacts. The positive and negative, direct and indirect, and cumulative impacts of each alternative were analyzed. Important components considered in the environmental analysis included threatened and endangered species, wetlands, historic resources, visitor use, property ownership, and county revenues.

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Purpose of and Need for the Plan

INTRODUCTION

The national recreational rivers discussed in this plan include:

the Missouri River segment from Fort Randall Dam downstream 39 miles to just below its confluence with the Niobrara River at the headwaters of Lewis and Clark Lake (the Missouri National Recreational River)

the lower 20 miles of the Niobrara River (the Niobrara National Recreational River)

the lower 8 miles of Verdigre Creek (the Verdigre Creek National Recreational River)

These rivers are classified as recreational rivers under the Wild and Scenic Rivers Act and are collectively known as the 1991-designated Missouri National Recreational Rivers (see Region and Vicinity/Study Area maps).

The Missouri National Recreational River, while influenced by controlled releases from Fort Randall Dam, remains in a generally free-flowing condition. The river is relatively accessible, with limited recreational fishing and boating use. It is 2,000–3,000 feet wide above its confluence with the Niobrara River. It meanders through a valley that varies in width from 5,000–9,000 feet. Much of the shoreline along the Nebraska banks is composed of forested chalkstone bluffs adjacent to gently rolling to flat agricultural crop and range bottomland. The shore is occasionally screened by cottonwood forests interspersed with several concentrated seasonal cabin developments. On the South Dakota side the valley bottom is up to 1 mile wide and is bordered by forested chalkstone bluffs and rolling hillsides. Agriculture remains the predominant upland use. Grazing of the bottomland is interspersed among wetlands and riparian land along the northern shoreline. Several wooded islands and sparsely vegetated sandbars dot the river. This natural-appearing area is reminiscent of the river as reported by the Lewis and Clark expedition of 1804–1806.

The Niobrara National Recreational River is not easily accessible, and there is very limited recreational fishing use. It is an undammed, shallow, 0.25-mile-wide, sand-bottomed, braided river buffered with dense riparian vegetation and bordered by gently rolling crop and rangelands. The adjacent land is primarily used for agriculture, but the riparian land also provides habitat for wildlife.

The Verdigre Creek National Recreational River, varying in width up to several hundred feet, is a very shallow, slow-moving, and slightly meandering creek that lies in a fairly narrow watershed bordered by a mixture of riparian bottomland vegetation with gently rolling crop and grazing land. Farming and grazing are the dominant land uses.

LEGISLATIVE BACKGROUND

The Missouri National Recreational River, Niobrara National Recreational River, and the Verdigre Creek National Recreational River were added to the Wild and Scenic Rivers Act by amending Public Law 90-542. It was done by the Niobrara Scenic River Designation Act (Public

Law 102-50, 16 U.S.C. 1271 et seq.) signed by the president on May 24, 1991. The legislation also authorized the establishment of the Missouri National Recreational River Advisory Group to advise the secretary of the interior for this plan. This group will continue in a consulting role with the National Park Service until the year 2001.

The 39-mile section of the Missouri River between Lewis and Clark Lake and Fort Randall Dam was designated as a recreational river. At the same time the lower 20 miles (the law incorrectly said 25 miles) of the Niobrara River from the Knox County line and the lower 8 miles of Verdigre Creek that flow into the Missouri were included.

Recreational river areas, according to the Wild and Scenic Rivers Act, include those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past. Guidelines developed by the Departments of Interior and Agriculture (DOI, DOA 1982) state that land uses and developments on private land in the river area that were in existence when the river was designated may be allowed to remain. Public use will be regulated and distributed where necessary to protect and enhance the resource values of the river area. The National Park Service may provide basic facilities to absorb user impacts on the resource. Major public use facilities will, where feasible, be located outside the river area. Agricultural and forestry practices should be similar in nature and intensity to those present in the area at the time of designation. Patterns of land use and ownership should be maintained, provided they remain consistent with the purposes of the act. These guidelines were considered in developing the plan, and each alternative addresses these guidelines in different ways.

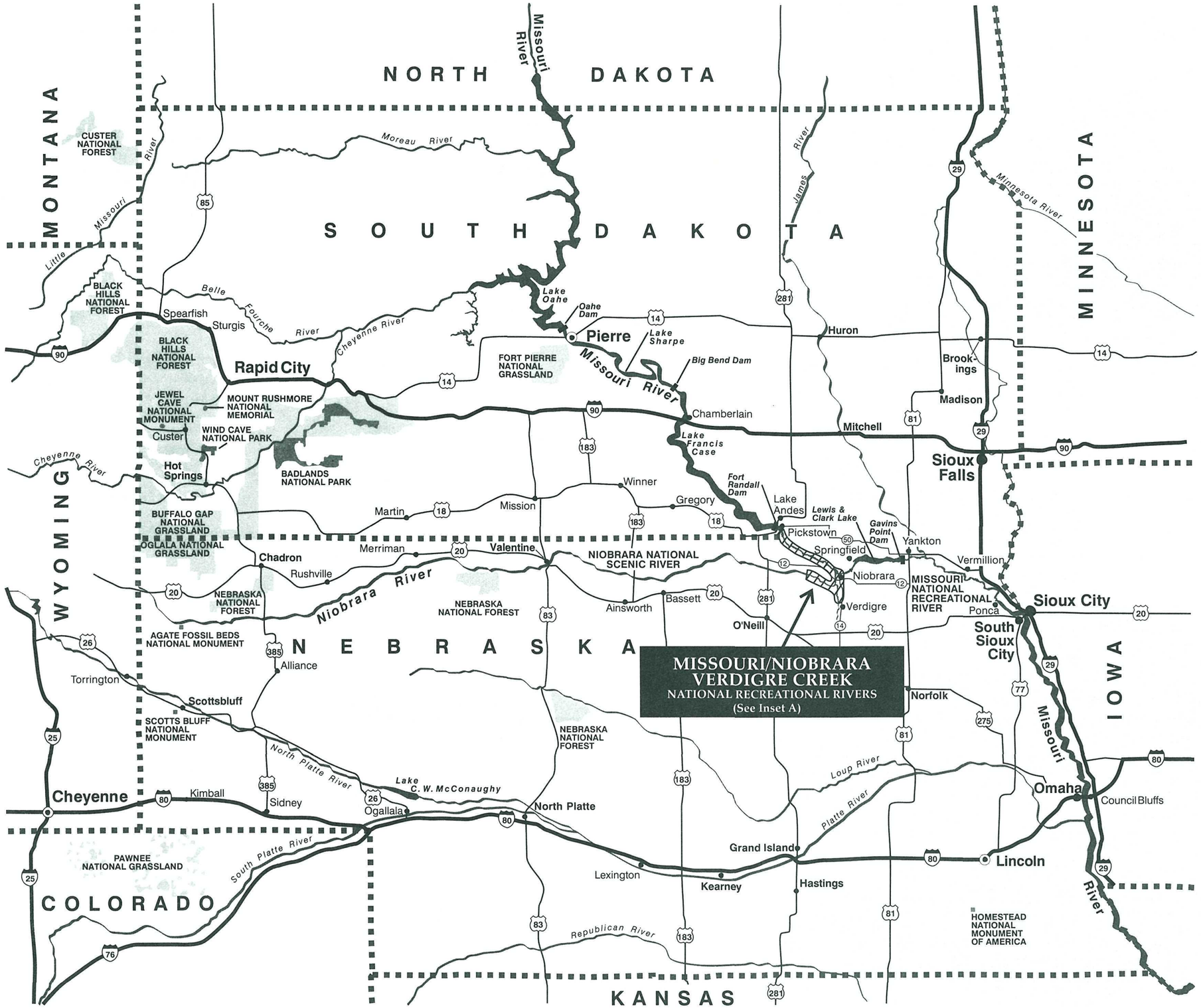
The land along the recreational rivers is now managed by a complex patchwork of private property owners and local, state, tribal, and federal agencies, some with overlapping jurisdictions.

OVERVIEW OF THE PLAN

The purpose of this *General Management Plan / Final Environmental Impact Statement* is to set forth the basic management philosophy for the recreational rivers. The plan is needed to present a consistent and unified approach to management of the recreational rivers in compliance with the Wild and Scenic Rivers Act. The plan and environmental impact statement has been prepared to meet the requirements of the enabling legislation, the National Environmental Policy Act, and other regulations. The NPS midwest field director is the approving official for the general management plan.

Under the National Environmental Policy Act, the draft environmental impact statement was prepared to present the preferred action and management alternative, other action and management alternatives, and an analysis of the environmental consequences for all.

The Wild and Scenic Rivers Act provides that after establishment, boundaries must be set and a general management plan must be prepared. This task was given to the National Park Service. Section 10 of the act requires the managing agency to emphasize the protection of recreational, scenic, historic, and scientific features and to provide for public use and enjoyment of these values. Management plans can establish varying degrees of intensity for protection and development, based on the special attributes of the area.





Inset A

N
No Scale

REGION

MISSOURI, NIOBRARA, VERDIGRE CREEK
NATIONAL RECREATIONAL RIVERS

United States Department of the Interior • National Park Service
DSC/Feb. 1997/652/20,015A

Lake Francis Case
FORT RANDALL DAM
Pickstown
Wagner
ABANDONED RAILROAD
GREGORY COUNTY
SOUTH DAKOTA
NEBRASKA
KARL E. MUNDT NWR
CHARLES MIX COUNTY
Marty
Avon
SOUTH DAKOTA
Yankton Sioux Reservation
Gross
Greenwood
BOYD COUNTY LANDING
County Boundary Delineation
Choteau Creek
BON HOMME COUNTY
Springfield
MISSOURI NATIONAL RECREATIONAL RIVER
Spencer
ABANDONED RAILROAD
Bristow
Lynch
Monowi
BLM
BOYD COUNTY
VERDEL LANDING
Verdel
NEBRASKA
USFWS WATERFOWL PRODUCTION AREA
NEW BRIDGE & ROAD REALIGNMENT
Lewis & Clark Lake
Santee Indian Reservation
RUNNING WATER LANDING
Running Water
BLM
NIOBRARA RIVER
KNOX COUNTY
BAZILE CREEK WMA
REDBIRD WMA
NIOBRARA STATE PARK
Niobrara
BLM
Pishelville
NIOBRARA NATIONAL RECREATIONAL RIVER
Ponca Trust Land
BLM
BLM
BOHEMIA PRAIRIE WMA
VERDIGRE CREEK NATIONAL RECREATIONAL RIVER
Verdigre
HOLT COUNTY

SOUTH DAKOTA
NEBRASKA
Location of Study

BLM — Bureau of Land Management
NWR — National Wildlife Refuge
USFWS — U.S. Fish and Wildlife Service
WMA — Wildlife Management Area

N
No Scale

VICINITY/ STUDY AREA

MISSOURI, NIOBRARA, VERDIGRE CREEK NATIONAL RECREATIONAL RIVERS

United States Department of the Interior • National Park Service
DSC/June 1996/652/20,016

After approval, this *General Management Plan / Final Environmental Impact Statement* will remain in effect until amended. Plans are generally reviewed every 10 to 15 years. On publicly owned land and where agreements have been reached with private landowners, additional site-specific plans would be necessary for development or restoration actions proposed in the general management plan. These site-specific plans would describe proposed actions to be taken, identify alternative ways of accomplishing tasks, and evaluate the potential impacts on resources such as threatened and endangered species and sites eligible for the National Register of Historic Places.

ISSUES IDENTIFIED DURING SCOPING

It is the opinion of many that the National Park Service should not use condemnation (eminent domain) to acquire land, and that existing structures and uses should not be affected by any future management.

Many people said that removal of private land from county tax rolls (due to federal acquisition) would diminish the tax base and necessitate raising local tax rates to maintain the same overall level of revenue and county services. They also said that a thorough economic analysis should be included in the planning process and should consider effects on the tax base and county services.

Property owners expressed concern about possible restrictions on development and use of private lands. They want to know what can or cannot be done within the boundaries. Many residents felt that if land use restrictions are needed, county zoning ordinances would be more sensitive to local values.

Many others expressed skepticism concerning the effectiveness of county zoning to protect the environment.

Most people believe the rivers and surrounding areas are unique and have high scenic and environmental values.

Property owners feel that things are fine the way they are, that property owners are the best land stewards, and private ownership and use patterns should not be changed. Lifestyles should be unaffected.

Some expressed concern that increasing residential and recreational developments are changing the area and should be regulated to protect the river environment for the long term.

Others stated that the size of the federal deficit and the amount of federally owned land are already excessive; new programs that require the growth of both should not be undertaken.

Property owners expressed concern that recreation enhancement and environmental protection could be at their expense. Some property owners complained about trespassing, littering, vandalism, and disorderly conduct by recreationists. The potential for liability suits is also a concern.

Comments on protection of hunting, fishing, and trapping rights were frequently made. People did not want new restrictions on traditional activities.

Concerns were frequently expressed regarding adverse effects of river designations on water rights and use for agricultural purposes, such as irrigation pumping, livestock watering, and impacts on water quality.

Erosion, river downcutting (degradation), siltation (aggradation), and bank stabilization are widespread concerns.

PURPOSE STATEMENTS

Early in the planning process, purpose statements were developed to help focus direction and set priorities for the *General Management Plan*. Purpose statements state the reason(s) for which the river area was set aside. These statements were published in the November 1993 newsletter, public comments were received, and the statements were revised as follows:

within the recreational river segments, preserve the free-flowing condition and protect the immediate environments for the enjoyment of present and future generations

preserve the significant scenic, recreational, biological, geological, prehistoric, and historic resources of the recreational river corridors

prevent impacts to the rivers' significant natural and cultural resources by ensuring appropriate recreational use and access

SIGNIFICANCE STATEMENTS

The Missouri and Niobrara Rivers and Verdigre Creek are significant parts of the national system of protected rivers. In preparing this plan, the outstandingly remarkable resources of the rivers were identified; they are the essence of the rivers, and what is important about the rivers to the natural and cultural heritage of the nation. They are what is distinctive and special about these rivers. The legislative language for the most important river resources is "outstandingly remarkable." For purposes of this general management plan, "significant" will be used.

The significance statements are:

Natural Resources

The riverine and riparian habitat of the recreational rivers provides excellent waterfowl habitat and high quality hunting, fishing, and trapping. Opportunities for birdwatching and other wildlife observation abound.

The recreational rivers support at least 14 federally and state-listed sensitive species, including the federally endangered pallid sturgeon and interior least tern, and the threatened bald eagle and piping plover.

The 39-mile Missouri River segment provides essential bald eagle habitat, including the designation of an area below Ft. Randall Dam as a national natural landmark and a national wildlife refuge.

The paddlefish spawning in the 39-mile Missouri River segment may be the most significant remaining natural reproduction for the species between Garrison Dam, North Dakota, and the confluence of the Missouri and Mississippi rivers.

The 39-mile Missouri River segment may contain some of the most significant habitat for potential natural reproduction of the federally endangered pallid sturgeon between the Yellowstone River in North Dakota and Ponca State Park, Nebraska.

Cultural Resources

The Missouri River was the principal highway to the northern plains used throughout prehistoric and early historic times. The 39-mile segment retains the historic landscape similar to that experienced by travelers over the centuries and captured in the writings and illustrations of early explorers.

The cultural resources along the recreational rivers document the wide range of the area's prehistory and history through their numbers, diversity, and ability to enrich understanding of past and present cultures.

The land adjacent to the designated recreational river segments contains rural landscapes with family farms and ranches.

Ponca Chief Standing Bear's desire to return to his tribe's ancestral Niobrara River homeland resulted in a landmark federal court decision affirming that Indians are persons under the U.S. Constitution.

The stories of the three tribes in the area illustrate a legacy of evolving government policies toward American Indians, including isolation, relocation, assimilation, and termination of tribal status.

The 39-mile Missouri River segment is part of the Lewis and Clark National Historic Trail.

Recreational Resources

The 39-mile Missouri River segment supports a relatively primitive recreational experience on the Great Plains' largest river.

The recreational river valleys provide scenic vistas of a variety of natural landscapes such as bottomlands, wooded draws, prairie hills, and chalkrock bluffs.

DESIRED FUTURE CONDITIONS

Desired future conditions are a broad conceptual description of what the river could be like, based on the kinds of resource conditions and the visitor experiences desired. The desired objectives and the future condition of the river are described in the present tense. They describe the vision for the area and describe how the designated rivers might appear if the purposes are achieved. These statements were published in the November 1993 newsletter. The desired future conditions for the three rivers are:

Landscape Preservation

The mosaic of natural and agricultural landscapes evolves in a way that retains the character and intensity that existed at the time of designation.

Development (such as subdivisions and roads) is minimal within the recreational rivers' boundaries. Development is in harmony with the natural, cultural, and scenic landscape.

The recreational rivers are administered so that economic development is in harmony with local concerns.

The recreational rivers are managed so that land use issues are addressed through broad-based cooperation.

Visitor Use

Visitors and residents experience a sense of security and safety in respect to other people and facilities.

Visitors have a variety of recreational opportunities that do not adversely impact the natural and cultural environment.

Visitor recreational opportunities are limited to those activities present at the time of designation.

Visitors enjoy the riparian landscape similar to the way it was at the time of the rivers' designation in 1991 — evocative of what was experienced by early explorers, settlers, and indigenous people.

Visitors learn of the human and natural heritage of the river areas.

Ethnic communities, including American Indians, participate in the interpretive educational process.

Representative cultural resources, including cultural landscapes, are part of a scientific and educational program for the public.

Recreational development is consistent with acceptable levels of public use and provides for public health, safety, and resource protection.

Recreational development is restricted to existing recreational facilities.

Road maintenance and public access meet standards for the defined visitor objectives and local needs.

Road maintenance meets standards for defined visitor objectives and local needs. No net increase of public access can be developed.

Recreational facilities on public land are maintained. Any additional facilities needed are planned and clustered using public land where feasible.

The management of visitor use emphasizes the preservation of significant resources.

The recreational rivers are administered so that visitors are respectful of local culture, residents, and property owners.

Natural Resources

A wide variety of land and water habitats are protected and enhanced to support native biological diversity.

Threatened and endangered and sensitive species and the habitat necessary for their survival are protected and enhanced.

Opportunities are provided for both consumptive (such as hunting, fishing, and trapping) and nonconsumptive uses of natural resources.

Where necessary, unstable banks are protected with natural materials as prescribed in the Wild and Scenic Rivers Act.

Purchase of rapidly eroding banks from willing sellers would be considered as an alternative to stabilization.

Air and water quality are maintained to support wildlife, fisheries, agriculture, and recreational values.

Significant fossil resources are identified, protected, and interpreted.

Cultural Resources

Significant historic and archeological resources and cultural landscapes are inventoried, evaluated, and preserved.

Traditional cultural practices are respected.

Significant cultural resources, including sacred sites, are protected from misuse.
The individual farmers and ranchers continue to maintain their evolving agricultural heritage.

Administration

Recreational rivers are administered so that everyone affected has an opportunity to participate in a cooperative management system.

The recreational rivers are administered so that public landownership is held to the minimum required for reasonable public access and use as well as resource protection.

The recreational river area is administered so that there is a minimal financial burden on local government units.

River flows as managed by the U.S. Army Corps of Engineers (COE) accommodate the needs of recreational users and fish and wildlife in a manner compatible with federal laws and policies.

PLANNING / MANAGEMENT CONSTRAINTS

The following key points and management constraints for the Missouri / Niobrara / Verdigre Creek National Recreational Rivers were identified:

The Wild and Scenic Rivers Act limits the full fee title acquisition of land or interest in land to 100 acres per river mile, and it prohibits the use of eminent domain for fee title acquisition when more than 50% of the land in the boundaries of the rivers is already in public ownership.

The National Park Service will not condemn any land; acquisitions will be from willing sellers only.

Farming and ranching are appropriate activities in the recreational rivers boundaries.

Monitoring of resources on private land would occur only with property owner permission.

Success of the plan depends largely on the cooperative efforts of property owners, local communities, and federal and state managing agencies.

Property owner stewardship will be vital to resource preservation and protection on private land within the boundary.

Other constraints include: federal funding and river flows as regulated by the *Master Water Control Manual.*

The boundaries denote areas that should be protected to meet the purposes of the Wild and Scenic Rivers Act. The boundary does not imply that federal acquisition is necessary to achieve protection of the included area.

RELATIONSHIP TO OTHER PROJECTS

National Park Service

Special Resource Study. A related study is in preparation for a potential national recreation area in Knox and Boyd Counties, Nebraska, generally adjacent to Lewis and Clark Lake and the Missouri, Niobrara, and Verdigre Creek National Recreational Rivers. This special resource study was required by the Niobrara Scenic River Designation Act of May 24, 1991 (see appendix A). While the recreation area study concerns itself with the same geographical area as this *General Management Plan / Final Environmental Impact Statement* plus Lewis and Clark Lake, it calls for an examination of the outdoor recreation potential in the area and asks that six specific questions be addressed. The National Park Service will complete its study and will submit its report to Congress. Congress would have to act in order to implement any recommendations of that study. Data collected for the recreation area study was used in preparing sections of this *General Management Plan.*

Lewis and Clark National Historic Trail. The National Park Service administers the Lewis and Clark National Historic Trail through an office in Madison, Wisconsin. A comprehensive plan for management and use of the trail was completed in 1982. The plan had a number of recommendations for the trail along the sections of the recreational rivers covered by this general management plan. While the trail study provides excellent information on the area, public education, and recommended treatment of historic resources and public education, its recommendations are not binding on planning for the recreational rivers. The trail plan is general in nature and should be revised. Future planning for the Lewis and Clark Trail would conform to goals and actions proposed in this *General Management Plan.*

The plan recommended that the national historic trail be developed as a water trail that would include a natural-appearing area of high value for recapturing the Lewis and Clark experience. The plan noted that a wide range of recreation opportunities are offered at Niobrara State Park and at Fort Randall Dam but recommended additional facilities and interpretive media (boat access, primitive camping, hiking trails, scenic drives, bicycle tour routes, and interpretive signs). Additional facilities could take advantage of historic sites related to the Lewis and Clark expedition and could be developed in cooperation with local and state governments.

U.S. Army Corps of Engineers

Agencies currently work together and consult with each other on specific programs and actions. The Corps of Engineers has responsibility for management of Missouri River water control operations, including flood control, navigation, and power generation. Their policy is not to budget for stabilizing streambanks or constructing recreational facilities, as these are not a primary part of their mission. Change would require a directive from Congress or the secretary of the army and / or policy exceptions. When it appears to be in the best interest of the government, the Corps of Engineers can request policy exceptions.

Guidance for operation of the Missouri River mainstem system is provided by the COE *Master Water Control Manual*. This manual is under review by the COE Missouri River Division office to determine if the current plan or alternative best meets the current needs of the basin. As part of the revision process, the effects of alternative water flows in the system are being evaluated for economic (flood control, navigation, hydropower, water supply, recreation) and fish and wildlife needs.

The Corps of Engineers has acquired interest in land in the past and could do so again if inundation results from Corps of Engineers projects. Partial interest in land has been purchased by the Corps of Engineers for flood easements. The COE Gavins Point Project has both fee and easement land that is included in the recreational river designation. Fee and easement land acquired by the Corps of Engineers would continue to be managed by them directly in cooperation with state and federal agencies. The Corps of Engineers would negotiate with property owners for flood easements. The Corps of Engineers would remain the lead decisionmaker and point of contact. Exceptions would be existing agreements or memorandums of understanding with other agencies, which would remain in effect. Some COE fee land is leased to state agencies for wildlife and recreation. The Corps of Engineers has purchased the right to flood some lands (flood easement), but the underlying fee ownership is retained by the landowner.

U.S. Fish and Wildlife Service

The interior least tern is listed as endangered and the piping plover is listed as threatened. They nest on sandbars in the river. In 1990 the U.S. Fish and Wildlife Service issued a jeopardy opinion on the continued existence of these two birds and required the Corps of Engineers to describe alternatives, conservation recommendations, and measures to protect the birds. The Corps of Engineers prepares an annual work plan to manage habitat in the Missouri River to achieve this objective.

The pallid sturgeon was federally listed as an endangered species in 1990. Consultation with the U.S. Fish and Wildlife Service on management of the recreational river and the protection of this species is required. There are recovery plans for the least tern, the piping plover, and the pallid sturgeon that outline plans for this area and the region with regard to these species. The Corps of Engineers is on the recovery team for the plover and pallid sturgeon. There are also recovery plans for the whooping crane and the bald eagle.

If other species are listed, other actions could be necessary to provide for their continued existence. This plan would provide the flexibility to define and accommodate such needs and balance the federal interests.

The Fish and Wildlife Service has a memorandum of understanding dated September 28, 1994, with the National Park Service, the Corps of Engineers, and 12 other agencies that concerns the implementation of the Endangered Species Act, as amended. The memorandum highlights opportunities for each federal agency to use their authorities for the conservation of listed species, candidate species, and their supporting ecosystems. The memorandum also provides for greater coordination of multiagency efforts to preserve threatened and endangered species and provides for multiagency, multiregional consultations in regard to threatened and endangered species.

The Fish and Wildlife Service manages the Karl Mundt National Wildlife Refuge and has purchased land for the refuge.

Western Area Power Administration

The Western Area Power Administration (WAPA), an agency of the federal Department of Energy, has the following facilities in the project area:

1) Fort Thompson to Grand Island 354 kV transmission line that crosses the Missouri River at Section 8, T34N, R63W (SD—NE border) and the Niobrara River at Section 1, T32N, R63N, Holt County, Nebraska

2) Fort Randall to O'Neill 115 kV transmission line crosses the Niobrara River at the Boyd/Holt county line in Nebraska at T33N, R11W

3) At the Fort Randall dam the WAPA microwave site is located at NE 1/4 section 8, T95N, R65W.

The Western Area Power Administration currently conducts routine maintenance on the transmission system and does not have plans for new transmission lines or facilities in the affected area, although facility changes or upgrades may eventually be needed. The Western Area Power Administration will abide by 16 USC 1271-1287, section 13 (g), granting easements and rights-of-way for any new projects.

South Dakota and Nebraska Departments of Transportation

The Nebraska Department of Roads and the South Dakota Department of Transportation, in cooperation with the Federal Highway Administration, has begun construction of a bridge over the Missouri River. This bridge would connect Highway 12 in Nebraska and Highway 37 in South Dakota and provide a two-lane crossing between the Niobrara, Nebraska, area and the Running Water and Springfield areas in South Dakota. A final environmental impact statement has been prepared for the project (FHWA 1994). The site is about 1.5 miles east of Niobrara at the ferry landing. This connects to Highway 37 in South Dakota just north of Running Water.

State of Nebraska

Nebraska's *State Comprehensive Outdoor Recreation Plan* (SCORP), prepared by the Nebraska Game and Parks Commission (NGPC), details recreation facilities, demands, and needs on a statewide basis. The plan points out that there has been an increasing demand for water recreation in the past few decades in response to the creation of dams. The plan argues that some of this demand would shift to land-based activity if water were not accessible. The state also manages wildlife areas adjacent to the area.

The Nebraska Comprehensive Trails Plan (1994) includes this segment of the recreational rivers in its Lewis and Clark resource corridor. The plan proposes creation of a 6-mile multiple use trail from the town of Niobrara to the junction of Route 12 with Route 54D on the Santee Indian Reservation. An 11-mile multiple use trail along Verdigre Creek would extend between the towns of Verdigre and Niobrara. A 2-mile multiple use trail has been proposed to connect the town of Niobrara to Niobrara State Park. A 1.5-mile primary shoulder is recommended for the bridge across the Missouri River at Niobrara. The 39-mile Missouri River segment is designated as a canoe trail.

The *Nebraska Wetlands Priority Plan* (1991), written by the Nebraska Game and Parks Commission in cooperation with the U.S. Fish and Wildlife Service, identified the Missouri River as a wetland complex/site that met threshold criteria and qualified for acquisition consideration under provisions of the *National Wetlands Priority Conservation Plan* (NWPCP). The Niobrara River wetland complex was determined to warrant acquisition consideration under provisions of the plan but lacked adequate documentation for meaningful assessment.

State of South Dakota

The South Dakota Department of Game, Fish, and Parks (SDGFP) has prepared the *State Comprehensive Outdoor Recreation Plan* (SCORP). This plan details statewide recreation facilities, demands, and needs. Fishing, power boating, and water skiing demands are identified as needs in the southeastern part of the state. These needs could be fulfilled through marina development on the lakes above and below the river. The department, by agreement with the Corps of Engineers, maintains minor recreational facilities at Running Water. They also manage wildlife areas adjacent to the river.

Indian Tribes

Three local Indian tribes (the Yankton Sioux, the Ponca of Nebraska, and the Santee Sioux) have a strong interest in management of the recreational rivers and have trust land in the area. They have participated in the planning process. Trust land is managed by the tribes and by the Bureau of Indian Affairs, which has developed guidelines for management. The relationship of the tribes to the federal government is one of government-to-government. The secretary of the interior is mandated to make decisions regarding trust land for the general benefit of the tribes. The Yankton Sioux tribe owns more than 13 miles of the 39-mile shore along the Missouri River in South Dakota. The tribe intends to acquire more land in the future.

Most of the trust land is currently agricultural. All tribal land is outside the river boundaries. In April 1995 the Yankton Sioux tribe proposed a Fort Randall/Lake Francis Case marina project to be developed over five years. The project site on the north side of the lake in South Dakota includes approximately 100 acres adjacent to Prairie Dog Bay and is to be developed with a marina, rustic lodge, cabins, and cultural facilities. The $10.7 million development project is intended to attract boaters, campers, outdoor enthusiasts, tourists, and other visitors seeking a new family-oriented destination with a range of recreational and cultural activities. In addition to the marina, lodge, and cabins, the project includes parking, orientation center with outdoor interpretive exhibits on Sioux history and culture, and an outdoor theater for a historical Sioux drama or other summer entertainment.

County Plans

Two years ago Charles Mix County in South Dakota enacted a temporary zoning ordinance, placing the area adjacent to the Missouri River in an agricultural zone. An attempt to replace this temporary zoning with permanent zoning in the county was defeated by a ballot initiative in November 1996. Temporary zoning in Charles Mix County has now expired, and a future proposal for zoning in the county cannot be proposed until November 1997.

Bon Homme County is developing a local land use plan with local ordinances to protect the value of the land, and its customs, cultures, and economic stability. An interim plan is under consideration at this time. These and other potential county zoning plans are important to planning for the Missouri, Niobrara, and Verdigre Creek National Recreational Rivers.

Counties can only participate in the federal floodplain insurance program if counties are zoned; none are now participating in this program. If any or all counties enroll in the program, flood insurance would be available, flood hazard maps could be developed, and the counties would gain authority to control development in the 100-year floodplain. Counties do not have to participate in the National Flood Insurance Program to regulate floodplains. County boards can invoke the state floodplain statute by passing a resolution.

Private Land under Federal, State, and Private Conservation Programs

There are several federal and state cost-share agricultural programs that assist property owners in developing the best management practices.

Some agricultural land in the study area is managed under voluntary government agricultural conservation programs or private covenants. Department of Agriculture (USDA) programs are generally based on contracts that last from 1–10 years. Landowners are not required to maintain improvements past the contract life. Acreages given below are approximate. A map is not included because of the need for individual privacy.

Agricultural Conservation Program. This USDA program provides cost-share assistance to private landowners for soil, water, and, forestry conservation practices. In the study area there are approximately 100 acres enrolled in the program in Nebraska. This program is subject to change as the 1996 farm bill is implemented.

Great Plains Conservation Program. This USDA program is similar to the agricultural conservation program. Projects include windbreaks, reseeding plowed land to grass, cross fencing, wells, tanks, ponds, waste management, sediment control, brush control, irrigation tailwater management, and erosion control. All projects must be accompanied by a grazing management plan. In the study area there are approximately 260 acres in South Dakota and 618 in Nebraska enrolled in the program. This program is subject to change as the 1996 farm bill is implemented.

Conservation Reserve Program. This USDA program leases marginal cropland, which is taken out of production and planted in approved native plants and grasses. In the study area there are approximately 378.1 acres enrolled in the program in Nebraska.

Acreage Production Adjustment Program. This USDA program takes cropland out of production for farm price supports. Set asides have erosion control plans. In South Dakota there are approximately 717.7 acres enrolled in the program. Due to privacy concerns the acreage for Nebraska is unobtainable, but it is not believed to be significant in the study area.

Wetlands Reserve Program. This USDA program buys easements and pays for restoring and protecting wetlands on private property. Easements are usually permanent. In the study area there are approximately 123.8 acres enrolled in the program in Nebraska.

U.S. Fish and Wildlife Service Private Lands Program. The Fish and Wildlife Service provides cost-share funding for landowners to create and improve wetlands and wildlife habitat. There are no acres enrolled in the program in the study area.

Nebraska Soil And Water Conservation Program. This state cost-share program is administered by the Lower Niobrara Natural Resource District to aid in erosion control. Various methods include improved crop and livestock management, windbreaks, check dams, terraces, and range seeding. There is no land enrolled in the program in the study area.

U.S. Fish and Wildlife Service Private Lands Program. The U.S. Fish and Wildlife Service provides cost-share funding for landowners to create and improve wetlands and wildlife habitat. There are no acres enrolled in the program in the study area.

Nebraska Soil And Water Conservation Program. This state cost-share program is administered by the Lower Niobrara Natural Resource District to aid in erosion control. Various methods include improved crop and livestock management, windbreaks, check dams, terraces, and range seeding. There is no land enrolled in the program in the study area.

Nebraska Wildlife Habitat Improvement Program. This joint cooperative program sponsored by the Nebraska Game and Parks Commission and natural resource districts assists in the development of new habitat or improvement of existing habitat on private land. An annual payment is made for planting expenses. Cooperators who allow public access on enrolled land receive an additional annual payment. In the study area there are approximately 100 acres enrolled in the program.

Nebraska Private Lands Wetlands Initiative. This Nebraska Game and Parks Commission program assists with wetlands creation and restoration and encourages participation in the water bank program. There is no land enrolled in the program in the study area.

Stewardship Incentives Program. This Nebraska program provides technical assistance and cost-share payments to landowners for developing forest management plans, reforestation, erosion control, wetland protection, and other forest-related conservation activities. There is no land enrolled in the program in the study area.

Natural Resource District Conservation Easements. Natural resource districts in Nebraska have the authority to accept conservation easements from landowners to protect natural resources. All easements must be accepted from willing landowners because state statutes provide no authority for condemnation. Easement conditions and duration are decided by the individual landowner and the natural resource district. The landowner can be reimbursed for the easement agreement. There is no land enrolled in the program in the study area.

South Dakota Private Land Wetland Habitat Development Program. This state cost-share program is administered by South Dakota Game, Fish and Parks. Its purpose is to improve wetland habitat on idle acres or where there is good management of grassland. The participant agrees to maintain the habitat project for 10 years. The agreement runs with the land. In the study area there are no acres enrolled in this program.

South Dakota Coordinated Soil and Water Conservation Fund. Administered by the South Dakota Department of Agriculture, this fund focuses on agricultural soil and water conservation. It works with other local, state, and federal programs to maximize conservation measures. The purpose of this program is to reduce cropland erosion, improve rangeland and pastureland, improve water quality in lakes and rivers, protect groundwater, and enhance the economic contribution of agriculture to the state. There is no land enrolled in this program in the study area.

Private Restrictions. Deed restrictions are a means for private landowners to place future conditions on use of their land. The restrictions become part of the deed and run with the land. Restrictions can include development guidelines and permitted uses. In the study area there are approximately 35 acres in South Dakota with deed restrictions.

New Programs under the 1996 Farm Bill

The following USDA programs are from the 1996 farm bill. Details are not available because the rules for implementation are still being written.

Conservation of Private Grazing Land. This program is intended to provide technical, educational, and related assistance to landowners on private grazing land.

Environmental Conservation Acreage Reserve Program. This program will act as an umbrella encompassing the existing Conservation Reserve Program and Wetland Reserve Program and the new Environmental Quality Incentives Program.

Environmental Quality Incentives Program. This program will combine and replace the Agricultural Conservation Program, Water Quality Incentives Program, Great Plains Conservation Program, and the Colorado River Basin Salinity Control Program. It works in cooperation with state and federal agencies, and state technical committees to establish conservation priority areas where significant water, soil, and related problems exist.

Farmland Protection Program. Under this program the secretary of agriculture will join with state and local governments to purchase conservation easements on a voluntary basis. The program only applies to land that farmers want to preserve as agricultural.

Flood Risk Reduction. This provision authorizes contracts that provide one lump sum payment to producers who farm land with high flood potential.

Wildlife Habitat Incentive Program. This program provides cost-sharing to help landowners improve habitat on private land for upland and wetland wildlife, endangered species, fisheries, and others.



Alternatives

ALTERNATIVE 1: NO ACTION

GENERAL CONCEPT AND PHILOSOPHY

The no-action alternative provides a basis for comparing the impacts of existing conditions with the action alternatives. It also describes state and local laws and private actions for protecting significant natural, cultural, and recreational resources. The National Environmental Policy Act requires that an alternative of no action be considered as part of the environmental analysis of actions included in the comprehensive management plan even if the agency is required by law to take an action. The intended long-term protection of the river and adjacent land and provision of a good quality visitor experience could not be ensured by this alternative.

The no-action alternative would not mean deauthorization of the river — that would require another act by Congress. The planning boundary provided by law is 0.25 mile on either side of the rivers, and this would remain the legal interim boundary. The rivers would retain their legal status as part of the wild and scenic river system as specified in the May 24, 1991, designation. Land use changes would be based on actions of individual property owners subject to state and local restrictions.

In the no-action alternative the river area would continue to evolve without benefit of a coordinated, comprehensive effort by the National Park Service and its partners and generally would continue current trends.

MANAGEMENT

The current conditions include a mix of private property with some local, state, Fish and Wildlife Service, and Corps of Engineers management. Existing conditions would continue with varied management under federal, state, and local laws and by property owners with minimal coordination. The National Park Service would assign an individual to provide minimal monitoring of conditions along the rivers and limited coordination and review among federal, state, and local agencies. Other managing agencies, whether federal, state, or local, would work from their existing offices and the NPS staff person would work at an undetermined location.

The National Park Service would oversee the river through monitoring of COE section 10/404 permit actions on the river, but it would have no local office and would take no active role. The NPS would be responsible for implementation of section 7(a) of the Wild and Scenic Rivers Act (PL 90-542, as amended; see appendix A).

Administration and Maintenance Facilities

The Corps of Engineers, Fish and Wildlife Service, state and local governments, tribes, and private individuals would continue to provide administration and maintenance facilities.

Recreational Development Facilities

State and local governments, tribes, and private individuals would continue to develop recreational facilities and access to the river without coordination or consideration of the total impact.

Maintenance

Maintenance of recreational facilities would continue to be provided by the responsible agency.

Law Enforcement

Law enforcement responsibilities are currently performed by several land management and local law enforcement agencies. Along all the rivers the incidence of criminal behavior is low, and consequently the patrol levels are low. The responsible agencies have good working relations with each other and share resources and knowledge.

Staffing Needs

Approximately one-third of the time of the one full-time NPS employee would be devoted to managing the Missouri, Niobrara, and Verdigre Creek National Recreational Rivers; the remainder of the time would be spent monitoring the 59-mile segment of the Missouri River (below Gavins Point Dam) and the Niobrara National Scenic River.

Costs

Total NPS annual costs would be approximately $32,000. This consists of: $22,000 labor, $5,000 equipment, supplies, materials, and transportation, and $5,000 rental of office.

BOUNDARIES

The designation act established an interim boundary during the planning period. The boundary includes the three rivers, their islands, and land within 0.25 mile of the 1991 ordinary high water mark on each side of the rivers (see alternative 1 maps). The 0.25-mile boundary would remain in place.

Total land in the interim boundary above the 1991 ordinary high water mark for the Missouri National Recreational River is 13,456 acres. Total land above the 1991 ordinary high water mark for the Niobrara National Recreational River and Verdigre Creek is 8,571 acres.

TABLE 1: ALTERNATIVE 1 — LAND USE/LAND COVER

MISSOURI RIVER SEGMENT

Land Use/Land Cover category	Public land (acres)	Private land (acres)	TOTAL (acres)
Cropland	463	2,718	3,181
Pasture/rangeland	132	1,256	1,388
Upland wooded forest	477	3,120	3,597
Floodplain forest	773	1,720	2,493
Palustrine wetlands	703	1,464	2,167
Riverine wetlands	126	480	606
Lacustrine wetlands	6	18	24
TOTAL	**2,680**	**10,776**	**13,456**

NIOBRARA AND VERDIGRE CREEK SEGMENTS

Land Use/Land Cover category	Public land (acres)	Private land (acres)	TOTAL (acres)
Cropland	103	2,798	2,901
Pasture/rangeland	0	494	494
Upland wooded forest	36	1,161	1,197
Floodplain forest	302	1,820	2,122
Palustrine wetlands	197	1,205	1,402
Riverine wetlands	53	402	455
Lacustrine wetlands	0	0	0
TOTAL	**691**	**7,880**	**8,571**

Numbers were rounded off to the nearest whole acre. The 13,456 acres for the Missouri River segment excludes the 13,182 acres below the 1991 ordinary high water mark. The 8,571 acres for the Niobrara and Verdigre Creek segments excludes the 2,958 acres below the 1991 ordinary high water mark.

RESOURCE MANAGEMENT

Natural Resources

Inventory, Evaluation, and Monitoring of Resources. Current levels, types of, and agencies responsible for inventory and monitoring would continue. No new coordination of inventorying or monitoring would take place.

Threatened and Endangered Species. Federal and state endangered, threatened, and species of concern would continue to be protected in all areas under federal and state jurisdiction.

Cultural Resources

Cultural Resource Inventory, Evaluation, and Monitoring. Public and private property owners would continue to manage resources on their own land. Cultural resources would be subject to existing plans and programs, and no coordinated resource management effort or comprehensive management strategy would be developed or adopted for the three recreational rivers.

Preserving and Protecting Cultural Resources. Minimal law enforcement would be available to reduce looting or vandalism, and protection would continue to be afforded by existing agencies and caring private citizens.

Research. Future research would probably be limited to that initiated by individual institutions and agencies.

VISITOR USE AND INTERPRETATION

The visitor experience under this alternative would include the recreational activities and interpretive experiences that are presently available on the recreational rivers.

Visitor Activities

Visitor activities would continue to include boating, fishing, wildlife viewing, hunting, trapping, hiking, biking, horseback riding, swimming, and camping.

Visitor Use Management

There would be no partnership formed between the National Park Service and other agencies to manage visitor use. The National Park Service would establish no new entities to manage any increases in visitor use.

Several state, tribal, and federal agencies provide river access sites, campgrounds, and hiking trails. There are also several dozen private docks and launch ramps. Visitor use levels have been steady or rising slightly in recent years. Local people have noted more weekend use of the Missouri River and more cabin and trailer camp development. Also, the proposed Niobrara-Running Water bridge and the proposed marina near Pickstown would probably increase the number of visitors to the recreational rivers. In this alternative the National Park Service would not provide a coordinated effort to monitor use, determine carrying capacities, or implement controls.

Interpretation and Visitor Services

The National Park Service would not expand interpretation or visitor services beyond what is presently available. Facilities for visitor use would continue to be developed in response to demand.

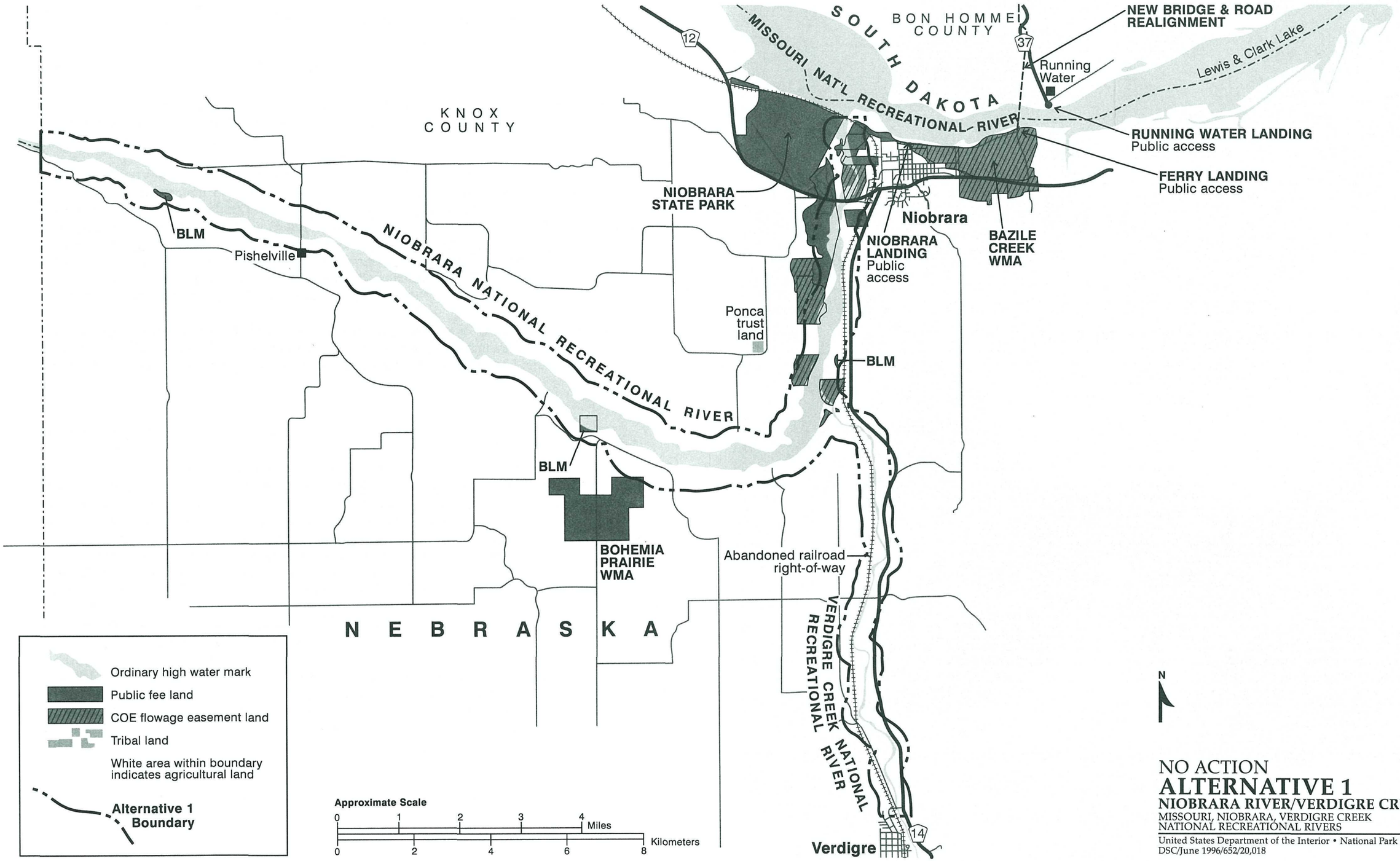
Lake Francis Case
FORT RANDALL DAM
Pickstown
Wagner
ABANDONED RAILROAD
GREGORY COUNTY
SOUTH DAKOTA
NEBRASKA
KARL E. MUNDT NWR
Marty
CHARLES MIX COUNTY
Yankton Sioux Reservation
Avon
County Boundary
Choteau Creek
BON HOMME COUNTY
Gross
Private development
Greenwood
Private development
BOYD COUNTY LANDING
Public access
MISSOURI NAT'L RECREATIONAL RIVER
SOUTH DAKOTA
Springfield
Spencer
BOYD COUNTY
Bristow
Lynch
ABANDONED RAILROAD
BLM
Monowi
Private development
VERDEL LANDING
Public access
NEW BRIDGE & ROAD REALIGNMENT
Lewis & Clark Lake
Santee Indian Reservation
Verdel
NEBRASKA
USFWS WATERFOWL PRODUCTION AREA
NIOBRARA LANDING
Public access
Running Water
RUNNING WATER LANDING
Public access
N
BLM
REDBIRD WMA
KNOX COUNTY
FERRY LANDING
Public access
NIOBRARA STATE PARK
Niobrara
BLM
Pishelville
NIOBRARA NATIONAL RECREATIONAL RIVER
BAZILE CREEK WMA
Ponca trust land
BLM
ABANDONED RAILROAD
HOLT COUNTY
BLM

Ordinary high water mark
Public fee land
USFWS easement land
COE flowage easement land
Tribal land
Private development
White area within boundary indicates agricultural land
Alternative 1 Boundary

Approximate Scale
0 1 2 3 4 Miles
0 2 4 6 8 Kilometers

NO ACTION
ALTERNATIVE 1
MISSOURI RIVER
MISSOURI, NIOBRARA, VERDIGRE CREEK
NATIONAL RECREATIONAL RIVERS

United States Department of the Interior • National Park Service
DSC/Feb. 1997/652/20,017A



NO ACTION

ALTERNATIVE 1

NIOBRARA RIVER/VERDIGRE CREEK

MISSOURI, NIOBRARA, VERDIGRE CREEK
NATIONAL RECREATIONAL RIVERS

United States Department of the Interior • National Park Service
DSC/June 1996/652/20,018

FEATURES COMMON TO ALL ACTION ALTERNATIVES

GENERAL CONCEPT AND PHILOSOPHY

The alternatives in this plan have many similarities that are highlighted in this section to allow the individual alternatives to be written without repetition. Each alternative should be read in conjunction with this section.

All of the action alternatives provide for protection of natural and cultural resources. They also provide for management of visitor use. All action alternatives encourage continuation of traditional farming and ranching practices. The natural and agricultural landscapes will continue to evolve in a way that retains their character and the intensity of use evidenced at the time of designation. Continuation of farming and ranching will help to retain important landscape elements such as cultivated fields, pastures, fencelines, timber stands, farm and ranch buildings, and orchards. By perpetuating rural lifestyles the action alternative will also help to preserve and protect traditional ethnographic values and traditions.

Landscape changes will be guided by a variety of management tools. Land acquisitions will be from willing sellers only. The National Park Service will use cooperative methods and other means, excluding condemnation, to ensure that the intent of the Wild and Scenic Rivers Act is met.

MANAGEMENT

Management actions will only affect land and water inside the boundaries of the three recreational rivers. In all alternatives other federal agencies (primarily the Fish and Wildlife Service and Corps of Engineers) and local, state, and tribal governments will continue to have a substantial role in the management of the river and in the maintenance and protection of significant natural, cultural, and agricultural resources. Agreements among federal, state, and local governments and private property owners will ensure consistent management. None of the alternatives will necessarily result in significant change to the roles played by these agencies and governments; they will continue current operations. The National Park Service will be the lead agency charged with the primary responsibility for administering the recreational rivers and will be in charge of day-to-day management. The National Park Service will work from a field office in O'Neill, Nebraska, or possibly elsewhere near the rivers.

The National Park Service will use the least intensive means for achieving the objectives of the general management plan. Formal and informal cooperation will be sought with individual owners and local governments to achieve goals. State and federal agencies will become formal partners in management of the river. Such partnership agreements will (1) facilitate management of the land within the boundary so that it will be consistent with this plan and (2) describe the specific roles of the agencies.

Each of the alternatives relies heavily on the actions of others to ensure compliance with this plan. Congress has authorized the secretary of the interior, through the National Park Service, to administer the rivers, and the National Park Service has the ultimate authority for overseeing

the recreational rivers and for ensuring that local, state, and federal actions remain consistent with the Wild and Scenic Rivers Act. The enabling legislation identified certain values that must be protected.

Land may be purchased in fee from willing sellers. However, the National Park Service has stated that it does not intend to use condemnation authority as a tool to protect the river. In all action alternatives the National Park Service will use state and federal laws to the fullest extent possible and obtain consistency agreements with counties and other agencies to protect river values.

Reliance on local actions may fail to achieve river protection. If this happens, the National Park Service will take more direct action, such as purchasing more land, to protect river values and meet the objectives of the Wild and Scenic Rivers Act. The National Park Service will also need to reassess its decision never to use condemnation authority.

Law Enforcement

While local governments and other federal agencies have law enforcement responsibilities on the recreational rivers, and cooperative relations will be sought, the National Park Service will not delegate federal law enforcement responsibilities with respect to the recreational rivers. This should be understood in all references to law enforcement in this plan.

Cooperating Agencies / Partnerships

The National Park Service will consider cooperating agreements, cost-share agreements, and other financial incentives to assist its partners, subject to congressional appropriation.

Visitor use facilities will generally be managed by the agency that built them, or, if construction was cost-shared, management will follow the guidelines of the cost-share agreement. Full development, approval, and implementation of a county land use management plan or zoning will not be necessary prior to approval of the general management plan.

Partners may share the cost of development or maintenance of habitat, management of facilities, or program implementation, and they may share resources. Cooperative agreements with government agencies and other partners will be encouraged to resolve jurisdictions and conflicting mandates.

Land Use Management

The secretary of the interior's guidelines (DOI, DOA 1982) for implementation of the Wild and Scenic Rivers Act allow for compatible development existing at the time of designation to remain. New land uses must be evaluated for compatibility with the purposes of the act. No development is proposed for removal because of incompatibility with this plan. Guidelines for future development can be found on pages 37 and 38 and in each alternative.

Certain activities will not be considered appropriate inside the recreational river boundaries. The National Park Service will try to preclude industrial activities, feedlots and animal confinement facilities, and cabin and recreational development beyond that detailed in each alternative.

Landscape changes will be limited primarily through zoning, land use management plans, special valuation of agricultural land, property owner associations, watershed districts, voluntary conservation agreements (with or without incentives), conservation easements, restrictive covenants, conditions and restrictions, tax incentives, and land trusts. Limitations will be written so that they are revocable or nonrevocable. In this document, revocable limitations are termed "voluntary conservation agreements." Voluntary conservation agreements are those donated by the property owner. The National Park Service and its partners may offer financial and other incentives for such voluntary protection.

Conservation easements are generally acquired in perpetuity, either by donation or purchase. In this plan conservation easements may be acquired by the National Park Service and its partners or by other organizations. There are tax advantages for donating conservation easements, which will be attractive to some landowners. Conservation easements will prohibit incompatible uses that will be defined in the easement. Some forms of development will be limited and good land management practices will continue. Restrictions may be placed on logging and the removal of vegetation to avoid impacts on biological, soil, and visual resources. Restrictions will be placed on quarrying, some types of development, disturbance of wetlands, and other incompatible land use practices. Other easements will be developed to protect cultural resources, provide bank stabilization, or allow for flooding. The amount of land which may need to be protected through easements cannot be predicted for any of the action alternatives. This will depend on the success of less intensive means of management.

None of the alternatives will require the government to buy very much land. The National Park Service will acquire land in easement or fee title from willing sellers if needed for river access or for preservation of special resources. The boundaries of the recreational rivers show the extent of important resources that must be protected and define the outer limit of NPS authority to acquire land for the recreational rivers.

County Zoning and Land Use Management Plans. County zoning and land use management plans will be encouraged in all the action alternatives. Zoning or land use plans may limit or authorize a large variety of land uses. None of the five counties covered by this *General Management Plan* has zoning in place; however, Charles Mix County, South Dakota, and Knox County, Nebraska, have had zoning ordinances in the past. In November 1996 Charles Mix County voted against the adoption of a permanent zoning ordinance, and its temporary zoning ordinance has now expired.

Incompatible Land Uses. Existing developments and other land uses that are present at the time of river designation will be allowed to continue. The following new land uses are among those considered incompatible within the boundaries of the recreational rivers:

landfills or dumps
industrial sites
mining and quarrying operations
commercial uses other than agricultural or home-based businesses

hotels, motels, and rental cabins
feedlots (defined as permanent confinement areas for animals in buildings, pens, or areas that normally are not used for raising crops or grazing animals)

Land Use Management Classes. The land is described in three management classes: agricultural, public, and residential and other private development. An overlay defined as resource conservation land was also established. The alternatives identify types of land uses and developments that are considered compatible or incompatible with the protection of the river. The management classes and suggested design guidelines contain standards for protection of the river. The National Park Service and its partners will use these standards and guidelines in making decisions, and the standards may be adopted as part of county zoning. Property owners may adhere to them for buildings and landscaping.

Agricultural land — This class includes all land that is currently used for farms and ranches, including all residences and other structures on those farms and ranches. The shoreland may also be protected by county zoning. Agricultural land will be retained to minimize change through development and to preserve the cultural landscape.

South Dakota

Gregory County includes only one private property inside the boundary. The balance is owned by the federal government and managed by the Corps of Engineers or the Fish and Wildlife Service.

For the past two years Charles Mix County used an emergency zoning ordinance where all riverfront land was placed within an agricultural zone. Though the emergency zoning recently expired, the county will likely continue to pursue its goal to establish zoning. Some of the riverfront is included in the Spring-Bull Creek Watershed District, which tends to ensure that this land will remain agricultural. The balance of land along the river is Yankton Sioux trust land, which is excluded from the boundary of all alternatives.

Bon Homme County is developing a land use management plan intended to define land use. The Corps of Engineers owns fee and easement interests in land along the river.

Nebraska

Both Boyd and Knox Counties have extensive agricultural land adjacent to the river. The shoreland may also be protected by county zoning.

Public land — This class includes present or future public land and facilities. Present managers (the Corps of Engineers, Fish and Wildlife Service, tribes, counties, and state agencies) will continue to manage land for its dedicated purposes and for the purposes of the recreational river designation. Much of the public land is dedicated to wildlife, recreation, or tribal purposes. Government agencies may acquire additional land or rights in land. Any such land or rights can be managed by the purchasing agency, or it may be transferred to other partners. All alternatives will rely on the use of interagency agreements or memorandums of understanding among

government agencies and other partners to ensure consistency with this plan and to resolve jurisdictions and conflicting mandates.

The Corps of Engineers manages fee and easement land, regulates the river flows, and protects endangered species and their habitat. The Corps of Engineers also works with private owners to permit stabilization of streambanks. The Corps of Engineers may buy flood easements on additional land. An interagency agreement between the National Park Service and the Corps of Engineers may be negotiated to facilitate management of this land, as may an interagency agreement between the National Park Service and the Fish and Wildlife Service.

The states of South Dakota and Nebraska manage land for wildlife through fee ownership or agreements with the Corps of Engineers. The state of Nebraska owns and manages Niobrara State Park and some recreational access sites, and has some land that is leased from the Corps of Engineers and private individuals. Agreements between either state and the National Park Service may be developed and implemented to ensure that state activities are consistent with this plan.

The Yankton Sioux tribe, assisted by the Bureau of Indian Affairs (BIA), manages tribal land. The Bureau of Indian Affairs has developed guidelines for the management and care of trust lands. BIA management plans for such land include compliance with the National Environmental Policy Act. The secretary of the interior is required by law to make decisions regarding trust land for the general benefit of the tribes. The tribes themselves decide whether or not to participate in a particular project or program.

The National Park Service must consult with the Native American tribes on a government-to-government basis. Such consultations may result in mutual agreements for any land use adjacent to the river.

Under federal regulations, new construction on public land cannot be in the 100-year floodplain. If the 100-year floodplain cannot be avoided, all new structure(s) should be floodproofed.

Residential and other private development land — This class includes residential and private recreational developments in Nebraska and at Running Water in South Dakota. Each alternative identifies types of land uses and developments that are considered compatible or incompatible with protection of the rivers' values. No retail commercial facilities are proposed. These services are available in nearby communities or at developed areas on adjacent lakes.

Where a choice is available on a particular site, new buildings be located on a contour higher than that reachable by high water (75,000 cfs on the Missouri River). To minimize the number of access roads, boat ramps, and boat docks along the river, these facilities should be shared. In this class, there should not be more than one new boat ramp per mile and not more than one new boat dock per 0.25 mile. Sewage disposal methods should meet or exceed state standards.

Suggested guidelines apply equally to public land and to land in the residential and other private development class. These guidelines cover design considerations that are critical to good land use planning.

The following guidelines are recommended for all of the action alternatives and may be included in ordinances, easements, agreements, or covenants. Adoption of the guidelines will be encouraged, and incentives such as design assistance and cost sharing will be offered by the National Park Service and its partners to ensure consistency with the plan.

Buildings should be of permanent construction to implement the intent of the maintenance, screening, visibility, texture, and color recommendations.

Colors should be subtle earth tones that are similar to those in the surrounding environment. Bright or unnatural colors and reflective materials will be discouraged.

Buildings should not be placed at the top of ridgelines because such placement causes structures to stand out against the skyline.

Native plants should be used for landscaping. Vegetation should be maintained so that, except for the view corridors, structures will be screened from the river during the summer. Foundation plantings at the base of residences are an acceptable means of vegetation screening (see appendix F for landscaping diagrams).

Maintenance of the exterior of structures is important to the overall achievement of the recommendations in all alternatives.

Resource Conservation Land — This category is an overlay of all land containing significant resources, and it can be found in any of the three classes. The purpose of this classification is to identify land to emphasize continued good quality fish and wildlife habitat, water quality, cultural resources, and scenic values. Resource conservation land includes old-growth cottonwood forests, developing riparian areas, woody draws, undisturbed wetlands, sparsely vegetated sandbars, native prairie, and cultural sites.

The National Park Service and its partners will encourage private and public property owners to conserve or improve these areas. This includes implementing erosion controls at archeological sites or fencing sites and limiting recreational activities on sandbars. Owners might also agree not to cultivate archeological sites or clear and farm wooded areas.

BOUNDARIES

Geographic Information System (GIS) data was the primary tool used in developing boundaries for each of the action alternatives and for identifying significant natural, cultural, and scenic resources. Numerous baseline data layers were created, including vegetation, slope, threatened and endangered species, cultural sites, and wetlands. Consultation for natural and cultural resources was provided by the South Dakota and Nebraska natural heritage programs and state historic preservation offices.

Different boundary proposals were developed for each alternative. Both text descriptions and maps indicate the differences in the proposals. In each action alternative, boundaries always include the river and its islands. The boundaries will not change with river erosion. They can be revised if additional information indicates the need to do so.

Following completion of this plan, a notice will be published in the *Federal Register* to formally announce the availability of maps and legal descriptions.

PLANNING AND TECHNICAL ASSISTANCE FOR ADJACENT LAND

The Wild and Scenic Rivers Act permits the National Park Service to work cooperatively with property owners within and outside the boundary to help preserve resources through grants, tax incentives, and technical and financial assistance. If funding or technical assistance is provided, compliance with NPS floodplain and wetland guidelines will be required.

Because the National Park Service has limited authority beyond river boundaries, the significant resources on adjacent land can be protected by other federal laws and programs. For example, Section 10/404 permits are issued by the Corps of Engineers for actions on both public and private land that may impact wetlands. The National Historic Preservation Act helps protect sites that are eligible for listing on the National Register of Historic Places. Technical and financial assistance from the National Park Service Rivers and Trails Conservation Assistance Program can also be used to help protect resources and enhance recreational opportunities. If requested, the National Park Service might provide advice regarding the potential for scenic roads in the area.

The Corps of Engineers has programs under the Water Resources Development Act that provide technical assistance and funding for water resource studies and fish and wildlife restoration. Examples will include floodplain management, water supply, hydrology, recreation planning, and environmental studies. A sponsor is required, generally from another government entity (city, county, state, or tribe). The act also allows for technical assistance and funding for restoring habitat lost as a result of a COE project. Such programs will be used to restore habitat to compensate for changes in the river resulting from Fort Randall Dam or to create chutes and wetlands.

RESOURCE MANAGEMENT

General

Information on a wide range of resource topics was collected from federal, state, local, and private sources for this general management plan / environmental impact statement. The 1991 ordinary high water mark used for boundary determinations was interpreted from color aerial photography taken in October 1991.

GIS map layers include minerals, topography, land status, political boundaries, railroads and highways, slope, soils, and cultural sites. This data will be used for future resource management. Guidelines advise against divulging the specific locations of cultural sites or threatened and endangered species for protection of both the resources and the rights of private property owners.

Following completion of this plan, a more detailed resources management plan will be prepared for the public land. The plan will detail research needs and specific methods for managing resources in the recreational river segments.

Streambank Protection

Streambank erosion was identified as an important issue for the three recreational rivers. On all river segments, wherever allowed, new erosion control projects will continue under COE permits. The Missouri River is a navigable waterway that requires both a section 10 and 404 permit, while the Niobrara River and Verdigre Creek require only a 404 permit for new erosion control projects. The Corps of Engineers makes its decisions on section 10 and 404 permits on a case-by-case basis. The National Park Service will review permit applications for compliance with the Wild and Scenic Rivers Act, including permits for alterations or extensions of structures. Along the Missouri, Niobrara, and Verdigre Creek National Recreational Rivers, streambank erosion control will be allowed for protection of developed and agricultural land. Streambank protection on all three recreational rivers will be allowed to protect significant biological and cultural resources. Significant biological features include old growth cottonwood forest and habitat that is or has been recently used by threatened and endangered species. Purchase of rapidly eroding banks from willing sellers will be considered as an alternative to stabilization.

The Corps of Engineers currently prohibits the use of vehicle bodies, farm machinery, junk, appliances, containers, barrels, asphalt, and biodegradable building materials for bank stabilization. Although the Corps of Engineers does permit the use of tires for bank stabilization under certain conditions, the National Park Service will not recommend their use in these recreational river segments. Generally, natural materials, such as rocks, native plants, and soil, should be used for bank stabilization. Clean brick and broken masonry are allowed on a case-by-case basis. Properly anchored trees and treetops are permissible. Fill material must be placed below the normal water elevation created by 35,000 cubic feet per second (cfs) flows unless the material is river rock or vegetation that is able to withstand irregular water flow.

New products may be allowed on an experimental basis after the Corps of Engineers, U.S. Fish and Wildlife Service, and National Park Service have reviewed a permit application and the product and have determined that an experiment can be performed without harm to the resources. A defined experimental area may be selected after the product is found to be safe and effective, or it may be used on the entire affected area.

Funding of streambank protection to protect developed and agricultural land is the responsibility of the property owner. The Corps of Engineers is authorized to stabilize streambanks on private land on the Missouri River under certain conditions. The Corps of Engineers will also buy interest in eroding land along the Missouri River from willing sellers as an alternative to stabilization. Both of these options require that specific funding be available through section 33 of the Water Resources Development Act. The National Park Service will look for ways to cooperate with the Corps of Engineers in assisting landowners with the stabilization of rapidly eroding banks when significant resources are threatened.

Natural Resources

General. The National Park Service and its partners will cooperate in the inventory and monitoring of river-related resources. They will coordinate management for biological diversity and enhance natural river processes, protect and manage threatened and endangered species and sensitive and unusual habitat. Research that supports river-related resource management objectives will also be encouraged. Technical assistance to property owners will be available to help them achieve the land use management goals.

Floodplains and adjacent wetlands are significant in all the alternatives and are a priority for protection. They reduce the adverse effects of flooding, maintain water quality, provide habitat, preserve visual quality, and maintain biological diversity. All the action alternatives would manage wetlands to improve their value for biological resources such as endangered species and fish, waterfowl, furbearers, and various nongame species. Under all the action alternatives wetlands would be protected and enhanced on public land and their protection would be encouraged on private land. Trapping is prohibited on NPS fee owned land.

In each action alternative the National Park Service will work with its partners to implement control measures for nuisance plants. Nuisance plants often compete with threatened and endangered species for habitat and are detrimental to agriculture. The use of herbicides with long-lasting residues will be avoided.

The management of river processes by the Corps of Engineers will be directed by the outcome of the master manual review. Each action alternative in this plan, but particularly alternatives 3 and 5, favors the selection of a natural hydrograph by the Corps of Engineers simulating pre-dam conditions because there may be additional benefits to fisheries, riparian areas, and sandbars.

Sedimentation. A process of aggradation is occurring on the recreational rivers around the confluence of the Niobrara and Missouri Rivers. This aggradation is not a result of the recreational river designation or actions proposed in this *General Management Plan*. Instead, it is partly due to the damming of the Missouri River and the resulting reduction of water velocity and the river's capacity to carry a normal sediment load. The National Park Service will work with the Corps of Engineers to look for ways of mitigating damage to river-related resources along the Missouri, Niobrara, and Verdigre Creek National Recreational Rivers.

Management for Biological Diversity. Within the project area, management of biological diversity is built into the USFWS, COE, and BIA programs. Responsibility is delegated to the Fish and Wildlife Service for implementing and enforcing the Endangered Species Act, including recovery plans for several listed species found in the area. They also take the lead for implementing the Fish and Wildlife Coordination Act, coordinating wildlife management. Maintaining and enhancing biological resources is a goal of the Corps of Engineers in its management of the Missouri River. The Nebraska Game and Parks Commission and the South Dakota Game, Fish and Parks are responsible for managing sport and commercial harvest of fish and wildlife. The states have an interest in maintaining ecosystem health in order to sustain fish and wildlife populations.

Threatened and Endangered Species. The National Park Service has consulted with the U.S. Fish and Wildlife Service on the management of listed species. A coordinated effort will continue to preserve and protect federal and state endangered, threatened, and candidate species and to enhance habitat in the recreational rivers. The Fish and Wildlife Service and Corps of Engineers have an ongoing program. The National Park Service will become a full partner and will, where needed, take a leadership role in conserving species. Part of the NPS role will be to comment on recreational effects and suggest habitat improvements.

Federal and state endangered and threatened species will continue to be protected in all areas under federal or state jurisdiction under any management alternative selected. It is the policy of the National Park Service to treat federal and state candidate species and species of special concern with the same care as federally listed threatened and endangered species.

Cultural Resources

Cooperative efforts of property owners, public interest groups, government agencies, tribes, and local communities will help to develop and implement preservation strategies for the area's significant historical, architectural, ethnographic, landscape, and archeological resources.

The Native American Graves Protection and Repatriation Act will guide all actions with regard to Indian burials. If discoveries are made on federal land, the responsible agency will consult with concerned tribes as mandated. Government-to-government consultation between agencies and tribal officials and acknowledged religious leaders will identify other tribal concerns.

Federally funded, assisted, or licensed projects must comply with the provisions of section 106 of the National Historic Preservation Act. The National Park Service and its partners will consult with the Advisory Council on Historic Preservation and the state historic preservation officers to ensure the best preservation strategies. If impacts can be avoided, investigations and documentation will be conducted to recover scientific data and mitigate effects. During implementation of this plan, should previously unknown cultural resources be uncovered by ground disturbing activities, work will stop and the National Park Service will consult with the state historic preservation officer. If these discoveries occur on federal land, the responsible agency will consult with concerned Indian tribes as mandated.

Management of Cultural Resources. An important goal is to protect significant cultural resources while allowing for enjoyable visitor use of public land. Close cooperation and coordination among local, state, and federal agencies will help to ensure consistent and effective resource management. The following discussion describes ways to preserve and protect cultural resources so that their integrity and character are not diminished. Where national register-eligible resources are threatened and no protective measures are available, acquisition of conservation easements or fee title land from willing sellers will be sought.

Cultural Resource Inventory, Evaluation, and Monitoring. The National Park Service and its partners, in consultation with the state historic preservation officers, will identify cultural resources within the boundary and evaluate resource significance and integrity using national register criteria. National register nominations will be completed for resources on private land only with the permission of the landowner. Cultural landscapes have not been identified for this

plan. Landscapes will be addressed in the resource management plan, and appropriate inventories will be scheduled if necessary. Monitoring of significant sites will be a responsibility of the National Park Service and its partners. National register-eligible sites on public land will have the highest priority for monitoring and protection. Resources on private land may be inventoried and evaluated at the invitation of the property owner if funding allows.

Preserving and Protecting Cultural Resources. Resource stewardship by private owners will be encouraged and will be particularly important in maintaining the cultural landscapes that are identified. Continued use of historic structures for traditional activities will be encouraged, and technical assistance for this or other preservation actions may be provided, if the National Park Service has the resources. Technical assistance will be linked to development of resource sensitive plans and agreements. A variety of agreements and incentives may be used to preserve resources, continue historic uses, and encourage changes in farming practices to minimize damage to cultural resources. Provisions for resource preservation may be included in local land use management plans, local zoning, or in agreements among recreational rivers managers and property owners. Where significant culturally sensitive areas are threatened by irretrievable loss, and where there is no other alternative for resource protection, funding may be sought to purchase the land from willing sellers. Shared expertise among agencies and individuals can be used to preserve resources.

To avoid damage to cultural resources, visitors will be directed to public areas that can best accommodate use. Visitor use will be monitored and resource conditions evaluated in an effort to avoid resource damage. If resources are threatened, protective measures will be developed. Resource protection will be fostered by public education programs, private stewardship, law enforcement, and cooperative efforts of public land managers and local neighbors. Management actions, including law enforcement and public education, should consider the sense of community, trust among neighbors, and the serene nature and the cultural landscapes of the recreational river.

Natural and cultural resource collections, site records, and other archival materials will continue to be the responsibility of individual land-managing agencies.

Research. A comprehensive inventory of cultural resources and a resource management plan (including management of collections) will be needed. The National Park Service will work with other federal, state, and local managers and consult with the Nebraska and South Dakota state historic preservation officers to conduct comprehensive resource inventories and develop a resources management plan. Future scientific research will probably take place mostly on public land, but cooperative programs with private landowners may be developed.

VISITOR USE AND INTERPRETATION

The majority of visitors live within 150 miles of the recreational rivers (Thompson and Lime 1995), which is considered "local" in this plan. Use of the Missouri River segment has been increasing. Management of visitor use is common to all the action alternatives. The type and amount of visitor use will be managed so that river values will be protected. Visitors will be asked to respect private land.

Interpretation, information, and orientation will be offered to river users in all of the action alternatives. The purpose of interpretation is to provide for the enjoyment, appreciation, and understanding of the recreational rivers. A second purpose is to protect the rivers and visitors. A quality, low impact recreational experience will be stressed.

Visitor Activities

The amount of visitor use that will be generated varies by alternative. Uses that are in conflict with the values of the recreational river will be discouraged. Because NPS regulations prohibit airboats on waters under NPS jurisdiction, their use will be prohibited on the recreational rivers except for emergency or approved administrative use. With this exception, all other types of recreation use that existed at the time of designation (1991) will continue to be permitted, unless it is found that such uses cause significant resource damage. The National Park Service may provide technical assistance to partners in planning for visitor use.

Visitor Use Management

All of the action alternatives seek to stabilize visitor use at a level that does not harm the resource or cause overcrowding. The National Park Service and its partners will monitor the impacts of visitor use and will redirect or otherwise limit use so as to avoid unacceptable visitor experience or resource conditions. This will require determining the carrying capacity of the recreational rivers. The alternatives provide a basis for addressing carrying capacity. They broadly identify significant resources and desired future conditions. Specifics and key impact indicators will be identified later.

Visitor experience and resource protection criteria will be developed. Indicators and standards will be established. Through a program of continuous monitoring and evaluation, the indicators will be used to measure whether or not the desired conditions are being achieved. Management action will be necessary if visitor use impacts become unacceptable. The trigger points and responses will be similar in any alternative.

With the possible exception of Alternative 4 — the Recreation Emphasis Alternative —none of the action alternatives are expected to significantly increase visitor use. Except for alternative 4, visitor access (e.g., boat ramps) and facilities (e.g., campgrounds) may be improved but not expanded. The National Park Service will not provide for nor encourage increased visitor use if such use will result in unacceptable impacts on threatened or endangered species or result in unacceptable visitor experience or resource conditions.

However, river use may increase as a result of actions by others. For example, gambling has begun on a small scale on the Santee Sioux reservation in Nebraska. Some of the people attracted to gambling may return to recreate in the area. A new bridge is under construction between Niobrara, Nebraska, and Running Water, South Dakota, which will provide easier access for South Dakota residents who use the Niobrara State Park. Another example is the seasonal interpretive raft tour for Niobrara State Park visitors in the area below Verdel Landing.

During the tern and plover nesting period it may become necessary to limit use in certain areas, particularly between the mouth of the Niobrara River and Lewis and Clark Reservoir. This limit may be lower than the projected demand for river use. If this is the case, visitors will be turned away from certain areas during the nesting period. The goal will be to direct these visitors to areas, times, and activities that will not affect the terns and plovers.

Interpretation and Visitor Services

"Visitor experience" is used to describe everything people do, learn, and enjoy while visiting parks and other recreational areas. In this plan the phrase refers both to the experience visitors have while at the recreational rivers and to the memories and insights they take away with them. Visitor experience refers to everything people receive from a visit, including seeing a historic site, enjoying solitude while fishing, or talking with local people.

Visitor experiences can be as varied and different as visitors themselves, and some differences exist among alternatives. There are visitor experience goals to be achieved through activities and interpretation. Visitor experience goals contain the basic elements of what a visit to the recreational rivers can be — safe, informative, fun, enriching, relaxing, memorable, and thought-provoking.

The visitor experience goals are:

> Orientation and information offering a comprehensive overview to the recreational rivers will be provided prior to and during any river visit. Low-key orientation services (publications, signs, maps) will be tailored to the various needs of visitors, will help manage the circulation of visitors through the recreational rivers, will identify public use areas, and will help river users plan their visits.
>
> Public appreciation for the rights of private property owners and for continuing land stewardship will be fostered.
>
> Safety on the rivers will be promoted so that visitors will fully enjoy their recreational and cultural experiences.
>
> Visitor use will be managed so that the values of the recreational rivers will not be impaired.
>
> Current river experiences, characterized by uncrowded conditions, solitude, and quiet, will be protected.

Even visitors living within 150 miles of the recreational rivers will ask questions about lodging, food, and other basic needs. They will also want information about recreational activities on the rivers. River users might also ask about local history, ranching and farming activities, and about the Native Americans living along the rivers. Other river users might be interested in the natural history of the Missouri and Niobrara Rivers and Verdigre Creek. Interpretation can answer these questions.

Interpretive services may be important regardless of alternative, even though the types, amounts, and placement of services will vary. Interpretation may help to provide quality educational and recreational experiences for visitors and to manage visitor use by educating people about respect for local property owners and their privacy. Interpretive programs will emphasize protection of river resources.

Primary Interpretive Themes

Primary interpretive themes are those ideas that are central to the purpose, resource significance, and visitor experience on the recreational rivers. The interpretive themes provide the foundation for interpretation, orientation, and information offered both inside and outside the boundary.

Visitor understanding of the themes can happen in many ways. People can read of the travels of the Lewis and Clark expedition and the events that happened along this stretch of the Missouri River and envision how the river once looked. They can visit local communities with distinctive ethnic backgrounds to learn about aspects of immigration history. Visitors can sit and relax along the Missouri River and enjoy the quiet sights and sounds of the moving water.

These themes provide a foundation for interpretive services. There is some overlap because it is not possible to present one theme without discussing aspects of others. The themes apply to the recreational rivers regardless of alternative; how (publications, personal programs, bulletin boards) and to what extent (public or private land, daily or infrequent services) they will be addressed differs among the alternatives. The themes acknowledge the purpose, significance, and resources of the recreational rivers:

> The Missouri River has served as a highway for exploration, settlement, trade, and adventure from prehistoric times to the present.
>
> The story of Standing Bear and the Poncas tells of a significant triumph for human rights.
>
> The American Indians' heritage on the designated rivers is ancient, contemporary, and integral to the landscape.
>
> Due to relative remoteness, limited economic uses of the area (ranching and farming), and respect for the river by local property owners who passed the land down through generations, landscapes along the three recreational river corridors look much the same today as when first inhabited by European settlers.
>
> Harnessing of the Missouri River for the benefit of people living on the Great Plains has led to major changes to the river area ecosystems. Active management of fish and wildlife and their habitat is critical to their survival.
>
> The designated rivers provide a wide variety of habitats that form an ecosystem for the benefit of fish, wildlife, and plants. Most of these habitats have not been lost to development, due in part to local management. These habitats are critical to maintaining biological diversity.

ALTERNATIVE 2: RURAL LANDSCAPE INTEGRITY AND CHARACTER

GENERAL CONCEPT AND PHILOSOPHY

In addition to the concepts presented in "Features Common to All Action Alternatives," this alternative would emphasize the rural landscape. It would maintain patterns of land use and ownership and the present level of development and visitor use while protecting significant natural and cultural resources.

Because the recreational rivers do not follow ownership or administrative boundaries, they would best be managed through cooperative methods. The most effective manager of any element of the landscape is often already in place. This alternative would rely heavily on the cooperation of local property owners and officials.

This alternative seeks to stabilize visitor use at or near current levels. It allows for limited construction of new residences or other private development. Implementation of rural landscape objectives would be emphasized as long as significant natural and cultural resources were not compromised.

MANAGEMENT

This alternative would rely heavily on the cooperation of local property owners and officials. Private land would be managed through local means such as zoning, land use management plans, or property owner agreements. The alternative would rely on counties and property owner agreements to develop standards for protecting private land and meeting the objectives and goals of this plan and the Wild and Scenic Rivers Act. Local plans incorporating voluntary practices that preserve the landscape and river values would be developed in cooperation with the National Park Service. These plans should be consistent with the recreational river legislation and the goals of this general management plan.

This alternative would attempt to maintain and protect significant cultural, natural and agricultural resources through the continuation of cooperative approaches.

Land Use Management

This alternative would create a landscape that would balance new residential and other private development needs with preservation of resources, agriculture, and biological diversity. Because this alternative would perpetuate the rural landscape as it was in 1991, general design guidelines would create standards for maintenance of the visual quality of residences along the recreational rivers. Limited infill of residential and other private development would be allowed.

This alternative fosters maintenance of patterns of land use and ownership primarily through zoning, land use management plans, tax incentives, and agreements. Agreements would provide assurance to the National Park Service that property owners would not undertake incompatible development and assurance to property owners that the National Park Service would not

attempt to acquire their property. In addition to using zoning, agreements, and tax incentives, the National Park Service may also purchase easements from willing sellers in cases where the more locally based management tools were unavailable or did not achieve the conservation of river-related resources.

Land Use Management Classes

To achieve the purposes for which the recreational rivers were established, this alternative recommends management classes for land along the rivers. Incompatible land uses for all management classes within this alternative are identified in the "Features Common All Action Alternatives" section.

Agricultural land — Under this alternative family farming, ranching, and other agricultural activities would be encouraged and would be allowed to evolve as a primary land use. A further description of land in this class can be found in the "Features Common to All Action Alternatives" section.

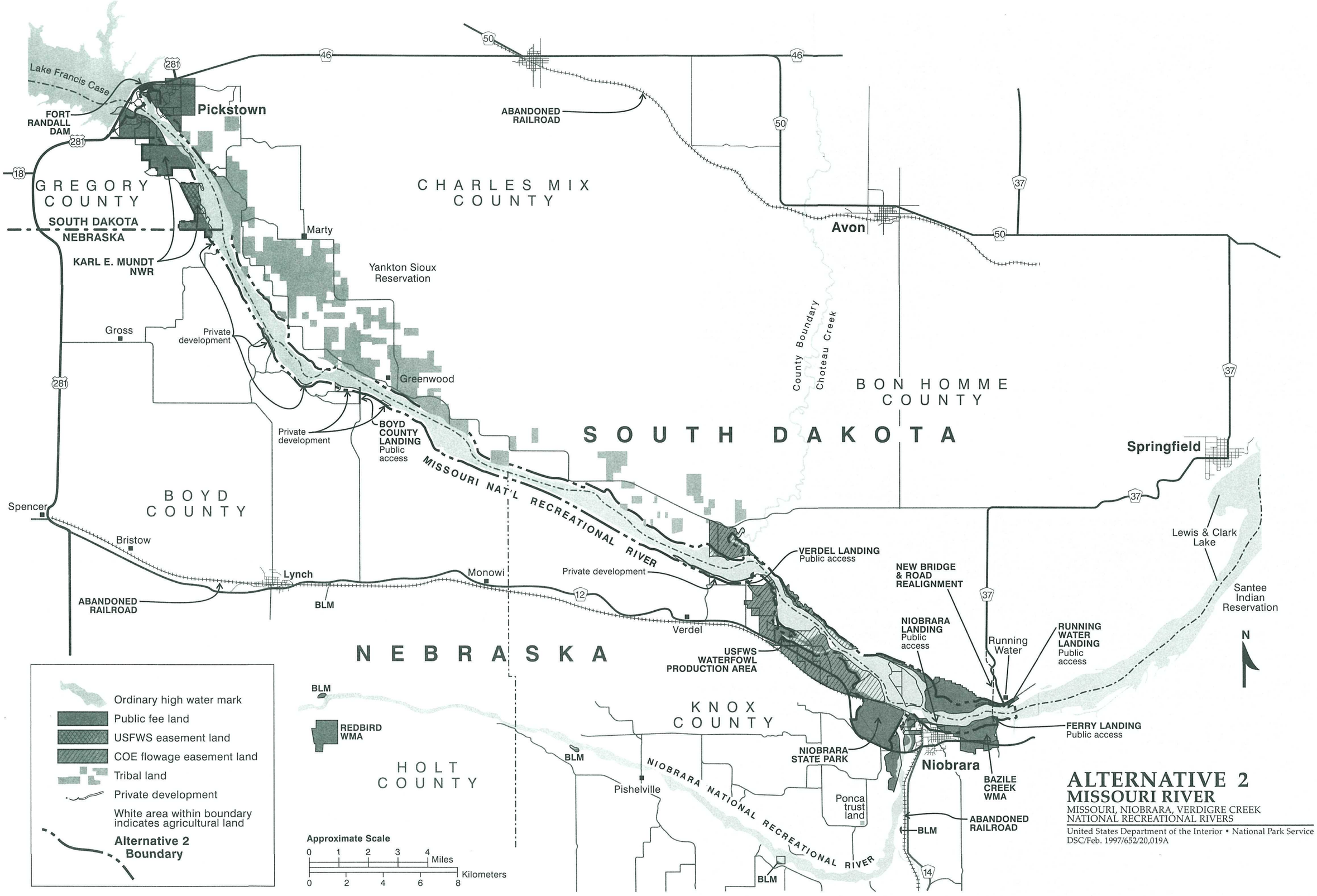
Public land — The Corps of Engineers manages fee and easement land, regulates the river, and protects endangered species and their habitat. The Corps of Engineers also works with private owners to permit stabilization of streambanks. The Corps of Engineers may buy flood easements on additional land. An interagency agreement between the National Park Service and the Corps of Engineers may be negotiated to facilitate management of this land in a manner consistent with the recreational river designation.

The Fish and Wildlife Service advises the Corps of Engineers and other agencies on endangered and threatened species and their habitat and manages the Karl Mundt National Wildlife Refuge. There is a memorandum of understanding between the National Park Service and the Fish and Wildlife Service; an additional interagency agreement might be appropriate to ensure consistency with this plan.

The states of South Dakota and Nebraska manage land for wildlife through fee ownership or agreement with the Corps of Engineers. The state of Nebraska owns and manages Niobrara State Park, some recreational access sites, and some land leased from the Corps of Engineers and private individuals. Agreements between either state and the National Park Service could be developed and implemented to ensure that state activities are consistent with this plan.

The Yankton Sioux tribe, assisted by the Bureau of Indian Affairs, manages tribal lands. BIA guidelines were developed for management and care of trust land and compliance with the National Environmental Policy Act. The secretary of the interior is required by law to make decisions regarding trust land for the general benefit of the tribes. The National Park Service must consult with the Yankton Sioux tribe on a government-to-government basis. Such consultations could result in mutual agreements for any land adjacent to the river.

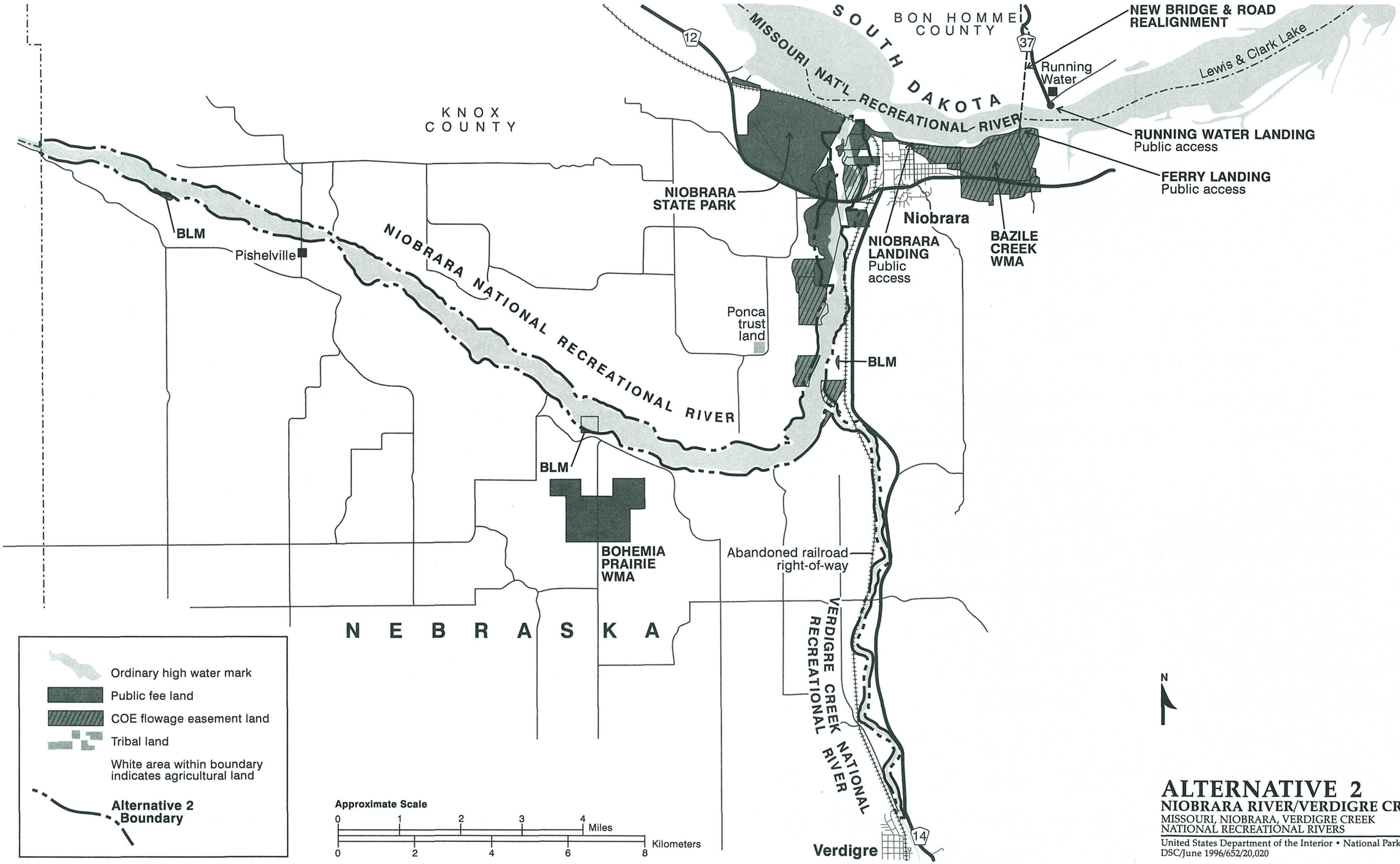
Residential and other private development land — Some new residences would be allowed to fill in the residential and other private development class. Such new development should be compatible with the objectives and goals of this plan and take place only in areas designated as residential and other private development class.



ALTERNATIVE 2
MISSOURI RIVER

MISSOURI, NIOBRARA, VERDIGRE CREEK
NATIONAL RECREATIONAL RIVERS

United States Department of the Interior • National Park Service
DSC/Feb. 1997/652/20,019A



ALTERNATIVE 2

NIOBRARA RIVER/VERDIGRE CREEK

MISSOURI, NIOBRARA, VERDIGRE CREEK
NATIONAL RECREATIONAL RIVERS

United States Department of the Interior • National Park Service
DSC/June 1996/652/20,020

Because of the level of development in Nebraska, this plan recognizes the need to manage these areas for the future. The National Park Service would work with counties, property owners, or other groups to support local covenants, conditions, and restrictions. In addition to the guidelines described previously and subject to property owner agreement, the suggested guidelines for such development are:

> All existing structures and subdivisions could remain and could be replaced with larger structures. No replaced structure in the developed areas could exceed 1,200 square feet on a 50-foot lot (measured along the riverbank) or 2,400 square feet on a 100-foot lot (measured along the riverbank). Structures should be set back at least 50 feet from the riverbank.
>
> Completely new structures would be permitted in this class inside the bounds of existing development provided that they are on lots that are at least 100 feet wide (measured at the river). Buildings would be set back 100 feet from the river. If located outside of areas of existing development, completely new structures should be located outside of the river boundary for this alternative (a minimum of 200 feet). Residences should be on foundations and be of permanent (not mobile) construction. Access roads and boat ramps should be shared. Sewage disposal methods should meet or exceed state standards. These standards would be implemented using the land protection tools described in the "Land Use Management" section where practical.
>
> Current residential development, including vacation homes and trailers, should (and new residential development would) be screened with native trees, shrubs, and grass to lessen the visual impact on river-related resources.
>
> View corridors from residences to the river could be retained. New or replaced structures should maintain view corridors that do not exceed two separate 25-foot cleared corridors for every 100 feet of river front.

Resource Conservation Land — The National Park Service would focus on protecting the recreational rivers' significant resources. The manager(s) would work with property owners to accomplish goals.

General Administration

Recreational Developments. Only existing sites would be used, and they could be maintained or replaced but not expanded. Restrictions on facility capacity would tend to limit visitor use in a given area. No other federal, state, or county facilities or sites are proposed unless required by law, such as sewage disposal facilities.

Maintenance. The maintenance workload under this alternative would not be large because new visitor facilities are not proposed.

Law Enforcement. The law enforcement workload under this alternative would not be extensive because visitation is not expected to increase significantly. Law enforcement would continue at

present levels. Law enforcement would continue to be carried out by local, state, and federal agencies as their jurisdictions permit.

Staffing Needs. NPS employees would spend approximately half of their time working on these recreational rivers. There would be a total of four full-time employees and one half-time employee. Staffing needs and land acquisition costs are more fully developed in appendix D.

Costs. Total annual costs would probably be more than $242,500.

$105,000	labor
$15,000	equipment, supplies, materials, and transportation
$15,000	grants, contracts, and agreements with cooperators (assumed to end after initial years)
$100,000	land acquisition (assumed to end after five years)
$7,500	rental of office in O'Neill

Funding under the grants, contracts, and agreements with cooperators program could include: assistance for law enforcement, technical and planning assistance for adjacent property owners, and interpretive sites, bulletin boards, kiosks, and publications. There would be other costs (assistance for preservation of cultural resources, agencies and government partnership costs) that cannot be estimated at this time.

Some of the funding would come from the NPS budget and some from the other partners. The relative proportion of these funding sources would be resolved through negotiation.

BOUNDARIES

The boundaries for the Missouri and Niobrara River segments would include the river and its islands and be established as a 200-foot setback from the 1991 ordinary high water mark. COE land within 0.25 mile of the river is within the boundary. Along the Missouri River segment Fort Randall historic site, Niobrara State Park, Verdel Landing, and Karl Mundt National Wildlife Refuge would be included to help depict the rural agrarian, natural, and historic character of the landscape. The Verdigre Creek boundary would be established as a 200-foot setback from the riverbank.

Total land area above the 1991 ordinary high water mark for the Missouri National Recreational River would be 4,718 acres. Total land area above the 1991 ordinary high water mark for the Niobrara National Recreational River and Verdigre Creek would be 1,559 acres.

TABLE 2: ALTERNATIVE 2 — LAND USE/LAND COVER

MISSOURI RIVER SEGMENT

Land Use/Land Cover category	Public land (acres)	Private land (acres)	TOTAL (acres)
Cropland	535	283	818
Pasture/rangeland	460	70	530
Upland wooded forest	746	301	1,047
Floodplain forest	961	388	1,349
Palustrine wetlands	538	335	873
Riverine wetlands	144	311	455
Lacustrine wetlands	6	18	24
SUBTOTAL	**3,390**	**1,706**	**5,096**
Yankton Sioux land			-378
TOTAL			**4,718**

NIOBRARA AND VERDIGRE CREEK SEGMENTS

Land Use/Land Cover category	Public land (acres)	Private land (acres)	TOTAL (acres)
Cropland	33	88	121
Pasture/rangeland	0	2	2
Upland wooded forest	12	93	105
Floodplain forest	225	257	482
Palustrine wetlands	39	308	347
Riverine wetlands	170	332	502
Lacustrine wetlands	0	0	0
TOTAL	**479**	**1,080**	**1,559**

Numbers were rounded off to the nearest whole acre. The 4,718 acres for the Missouri River segment excludes the 13,182 acres below the 1991 ordinary high water mark. There are 378 acres of plotted Yankton Sioux tribal land below the 1991 ordinary high water mark. The 1,559 acres for the Niobrara and Verdigre Creek segments excludes the 2,958 acres below the 1991 ordinary high water mark.

RESOURCE MANAGEMENT

Streambank Protection

Along the Missouri River streambank erosion control would be allowed for protection of structures that were in place at the time of designation as long as significant resources were not compromised. When feasible, erosion control structures would incorporate features to improve aquatic habitat and create new habitat.

Natural Resources

Management for Biological Diversity. State game agencies, the Corps of Engineers, the Fish and Wildlife Service, and the National Park Service, in cooperation with local entities and property owner groups, would work together under current authorities to manage for biological diversity. The primary management emphasis would be to protect threatened and endangered species and significant habitat.

Inventory and Monitoring of Resources. Significant resources would be inventoried and monitored to protect river-related resources from impacts.

Cultural Resources

Renovation of visitor facilities would be carefully planned to avoid significant sites.

VISITOR USE AND INTERPRETATION

The visitor experience under this alternative would be similar to the activities, orientation, and interpretation presently available. Additional interpretation emphasizing land stewardship and the integrity of the landscape could be offered through cooperative efforts.

Visitor Activities

Visitor activities would include those already provided on the recreational rivers, including boating, fishing, wildlife viewing, hunting, trapping, biking, and hiking on public land and on private land with property owner permission. With the exception of airboats, which are not permitted, other recreational uses would be neither encouraged nor discouraged.

Interpretation and Visitor Services

Interpretation would be offered for river users and would focus on understanding the landscape integrity and character and its ongoing protection. Activities and programs compatible with the local culture would be implemented through cooperative efforts. Interpretation and information would emphasize safety and preservation of the recreational rivers' values, would be low key, and would take place at selected developed sites. Bulletin boards and kiosks and publications would be available at river access sites or at roadside pulloffs within the boundary.

Various ethnic groups and Indian tribes would conduct their own interpretation. Federal technical assistance could be provided if requested. Emphasis would be placed on cooperative activities among local communities, tribes, and the National Park Service and its partners.

Interpretive sites away from the river could be developed cooperatively through school and other local programs to tell the stories of the communities.

Visitor services would be limited. If facilities were modest in size and not expanded beyond what now exists, they would not adversely impact the natural and cultural values of the rivers. Visitor services would not expand beyond what is presently available along the recreational rivers.

Visitors would enjoy the recreational rivers from the roads and trails and through water-based activities. However, the National Park Service would not be responsible for roads and would not encourage upgrading of roads. Visitors would be informed about the rivers by the land management agencies. Primary management emphasis would be visitor safety and respect for private property.

ALTERNATIVE 3: RIVERINE BIOLOGICAL MANAGEMENT

GENERAL CONCEPT AND PHILOSOPHY

In addition to the concepts presented in "Features Common to All Action Alternatives" this alternative would emphasize the recreational rivers' biological diversity. It would improve the quantity, quality, and diversity of native plant and animal (primarily aquatic) habitat. A meandering river, eroding banks, sandbars, backwater areas, cottonwood forests, and instream snag habitat were characteristics of the pre-dam river that would be recreated where feasible.

This alternative neither encourages nor discourages increased visitor use. It also does not encourage additional or expanded agricultural practices. It strongly discourages construction of residences or other private development. Boundaries were delineated to include important river-related habitat. Implementation of natural resource objectives would take precedence over other objectives where possible without loss of significant cultural resources.

The primary goal of this alternative would be to protect and restore the Missouri River and the lower stretches of the Niobrara River and Verdigre Creek as a nearly natural ecosystem. This alternative has the following actions:

allow for overbank flooding necessary to significant river habitats and species (river flows are determined by the COE Master Water Control Manual)

allow erosion and deposition of banks

include biologically valuable habitats essential to the river ecosystem

MANAGEMENT

This alternative proposes a partnership approach among federal agencies such as the Corps of Engineers, National Park Service, and Fish and Wildlife Service for management tasks related to the river and public land. In this alternative the National Park Service does not propose additional federal, state, or county administrative or maintenance facilities because increased recreational use would not be encouraged.

Land Use Management

Land use would emphasize habitat preservation and management for natural diversity as seen along and from the river. Development zones would be unobtrusive so that the views of the natural landscape would dominate. The river environment would have as much of its presettlement character and natural system function as feasible.

Private and public recreation development (including river access points, and visitor structures) would remain. Future expansion of public facilities would be strongly discouraged.

Management would include, in priority order

voluntary property owner agreements with or without incentives

purchase of easements on some land with biological and habitat importance

purchase of some important habitat; management by federal agencies or partners

Land Use Management Classes

Management classes for this alternative are as follows:

Agricultural land — The types and patterns of agricultural uses would continue under this alternative, consistent with natural and cultural resource preservation.

Public land — An interagency agreement would ensure consistency with this general management plan.

Residential and other private development land — Residential and other private developments would remain. This alternative proposes no increase in the level of development. Some net reduction in development of recreational facilities or permanent homes, cabins, and trailers should be achieved by recombining smaller lots to achieve lower densities. Restrictions could become part of property owner association covenants and deeds.

Design, location, and density of replacement development would be unobtrusive and in keeping with scenic values. The following guidelines for this development class are in addition to the guidelines described earlier.

No replacement structures in these developed areas should exceed 1,200 square feet on a 50-foot lot (measured at the riverbank) or 2,400 square feet on a 100-foot lot (measured at the riverbank). Replacement structures should be set back at least 50 feet from the 1991 ordinary high water mark.

Replacement structures could be larger than 2,400 square feet if built on a combination of lots within the bounds of existing development with a setback of 100 feet and a minimum lot width of 300 feet (measured at the riverbank).

New structures on undeveloped lots could be built if the development meets the above guidelines and is in the residential and other private development class.

Over time, native trees and a natural understory of grasses and shrubs should obscure more than 75% of the structure from the river in summer.

Resource Conservation Land — The National Park Service and its partners would focus on setting priorities for areas needed for natural resource management. Secondary emphasis would be on conservation areas for cultural resources and scenic values. The managers would work with property owners to accomplish goals.

General Administration

Administration and Maintenance Facilities. A local liaison office could be established near the recreational river. Only existing maintenance facilities would be used, and they could be modernized but not expanded. No other federal, state, or county administration or maintenance facilities are proposed because recreation would not be encouraged.

Recreational Development Facilities. Only existing sites would be used, and they could be modernized but not expanded. Modernization is not intended to accommodate increased visitor use. No other federal, state, or county recreation facilities or sites are proposed because recreation would be neither encouraged or discouraged.

Maintenance. The maintenance workload under this alternative would not be significant because new visitor facilities are not proposed. New construction of public facilities would be allowed only outside the boundaries of the recreational rivers.

Law Enforcement. To protect species and habitat, added patrol and enforcement could be provided by the National Park Service and / or its partners. The law enforcement workload under this alternative would not be significant because visitation is not expected to increase significantly. Concurrent jurisdiction with local, state, and federal authorities would be sought to enhance a cooperative relationship among the various agencies.

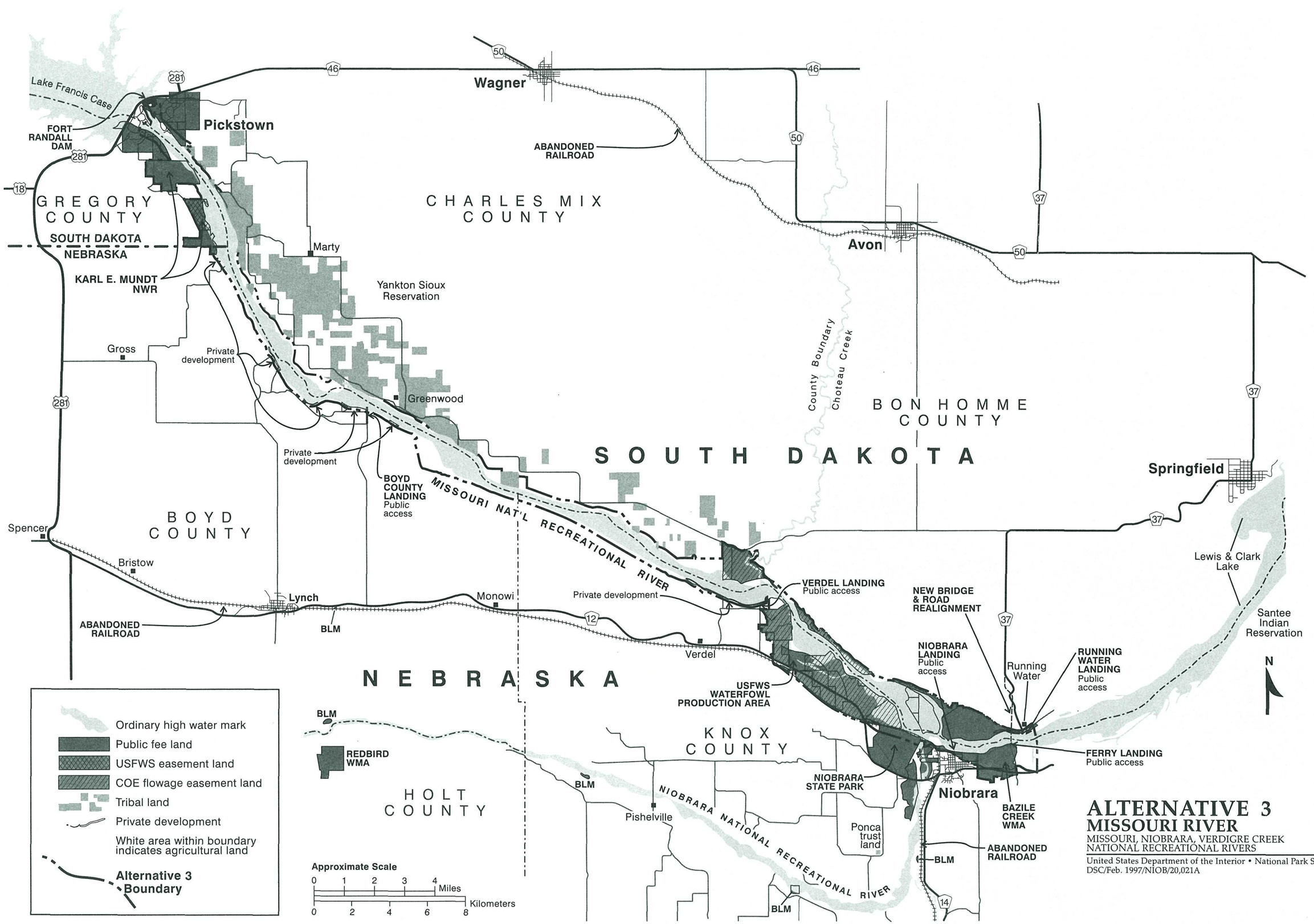
Staffing Needs. Some NPS employees would spend approximately half of their time working on the recreational rivers and the other half of their time on the Niobrara Scenic River. There would be a total of four full-time employees and one half-time employee. Other employees would work only on the three rivers. In this latter category, there would be several additional part-time employees — equivalent to two full-time positions. Staffing needs and land acquisition costs are more fully developed in appendix D.

Costs. Total annual costs would probably be more than $327,500. This consists of:

$147,000	labor
$25,000	equipment, supplies, materials, and transportation
$20,000	grants, contracts, and agreements with cooperators (assumed to end after initial years)
$128,000	land acquisition (assumed to end after five years)
$7,500	rental of office in O'Neill

Funding under the grants, contracts, and agreements program would include assistance to modernize recreational developments, technical and planning assistance to adjacent landowners, assistance for resource protection on private property, assistance for habitat enhancement, assistance for preservation of cultural resources, publications, and exhibits, and assistance with the costs of partnership operations.

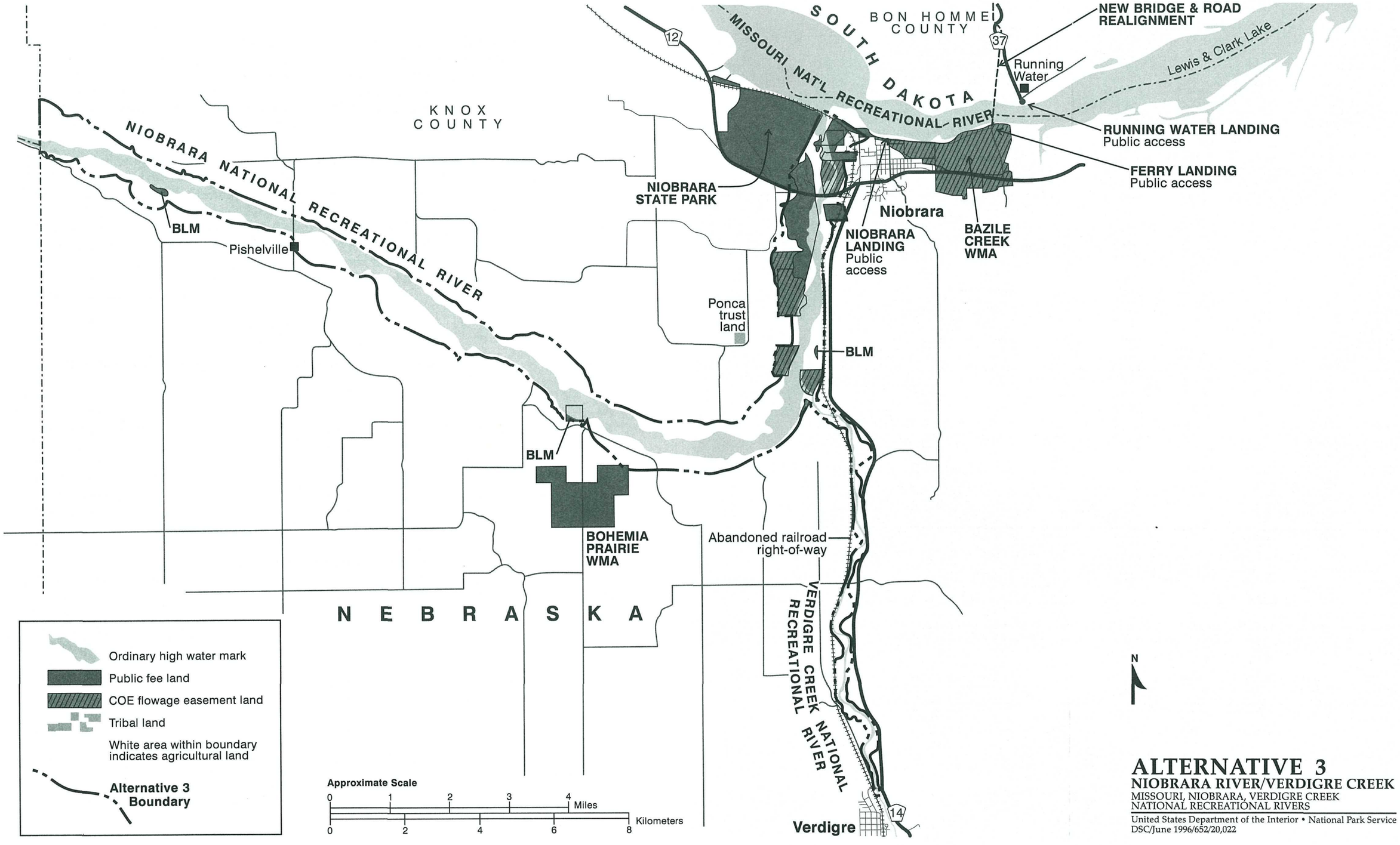
Some of the funding would come from the NPS budget and some from the other partners. The relative proportion of these funding sources would be agreed to by the various partners.



ALTERNATIVE 3
MISSOURI RIVER

MISSOURI, NIOBRARA, VERDIGRE CREEK
NATIONAL RECREATIONAL RIVERS

United States Department of the Interior • National Park Service
DSC/Feb. 1997/NIOB/20,021A



ALTERNATIVE 3

NIOBRARA RIVER/VERDIGRE CREEK

MISSOURI, NIOBRARA, VERDIGRE CREEK
NATIONAL RECREATIONAL RIVERS

United States Department of the Interior • National Park Service
DSC/June 1996/652/20,022

BOUNDARIES

The boundary for the Missouri National Recreational River would include the river, its islands, and a minimum setback of 200 feet from the 1991 ordinary high water mark. Also included is the Karl Mundt National Wildlife Refuge and all other federal and state land within 0.25 mile of the river. Other criteria used in determining the remaining land inside the boundary include significant biological bottomland as defined by the Nebraska Game and Parks Commission and land that would be covered by a Corps of Engineers release of 60,000 cfs.

The boundary for the Niobrara National Recreational River would include a minimum setback of 200 feet from the riverbank plus significant biological bottomland areas as identified by the Nebraska Game and Parks Commission. Also included are COE projections for areas that might be affected by a rise in the water table. The Verdigre Creek boundary would include a minimum setback of 200 feet from the riverbank plus significant biological bottomland as identified by the Nebraska Game and Parks Commission. Total land area above the 1991 ordinary high water mark for the Missouri National Recreational River would be 10,463 acres. Total land area above the 1991 ordinary high water mark for the Niobrara National Recreational River and Verdigre Creek would be 5,962 acres.

TABLE 3: ALTERNATIVE 3 — LAND USE/LAND COVER
MISSOURI RIVER SEGMENT

Land Use/Land Cover Category	Public Land (acres)	Private Land (acres)	TOTAL (acres)
Cropland	725	2,019	2,744
Pasture/rangeland	298	188	486
Upland wooded forest	892	469	1,361
Floodplain forest	1,089	1,541	2,630
Palustrine wetlands	1,540	1,409	2,949
Riverine wetlands	146	462	608
Lacustrine wetlands	45	18	63
SUBTOTAL	**4,735**	**6,106**	**10,841**
Yankton Sioux land			-378
TOTAL			**10,463**

NIOBRARA AND VERDIGRE CREEK SEGMENTS

Land Use/Land Cover category	Public land (acres)	Private land (acres)	TOTAL (acres)
Cropland	142	1,054	1,196
Pasture/rangeland	0	103	103
Upland wooded forest	8	331	339
Floodplain forest	489	1,774	2,263
Palustrine wetlands	233	1,311	1,544
Riverine wetlands	81	436	517
Lacustrine wetlands	0	0	0
TOTAL	**953**	**5,009**	**5,962**

Numbers were rounded off to the nearest whole acre. The 10,463 acres for the Missouri River segment excludes 13,182 acres below the 1991 ordinary high water mark. There are 378 acres of Yankton Sioux land located below the 1991 ordinary high water mark. The 5,962 acres for the Niobrara and Verdigre Creek segments excludes the 2,958 acres below the 1991 ordinary high water mark.

RESOURCE MANAGEMENT

Streambank Protection

Along the Missouri River minimal and essential streambank erosion control would be primarily used for protection of residences and other structures that were in place at the time of designation as long as significant biological resources were not compromised. When feasible, erosion control structures would incorporate features to improve aquatic habitat and create new habitat.

Natural Resources

Managing for Biological Diversity. This alternative would emphasize management for conserving, protecting, and restoring riverine biological diversity on public land and could include incentives for private property owners to do the same.

Strategies aimed at accomplishing biological objectives would be pursued, and policies, programs, or regulations would be developed or modified to meet the objectives.

The biological objectives are:

maintain viable populations of native plants and animals (including aquatic life) well distributed throughout their geographic range

maintain representative examples of the full spectrum of ecosystems, biological communities, habitats, and ecological processes

implement management solutions at the landscape level that integrate human activities with the conservation of biological diversity

increase scientific understanding of biological diversity and conservation

achieve public awareness and understanding of biological diversity

encourage the private sector to develop and apply innovative approaches to the conservation of biological diversity, such as conservation agreements or easements

To accomplish these objectives, an approach to protect and restore the riverine-riparian system and biological diversity would be followed. The overall goals of this approach would be to:

ensure continued existence of riverine-riparian biological diversity and maintain the significant areas that support healthy riverine ecosystem functions

institute recovery measures that stand the greatest chance of producing measurable improvement in biological diversity and ecosystem function in the near term

maintain options for future recovery by ensuring secure, well-distributed, and diverse natural habitats and populations

The National Park Service and its partners would be concerned about the health of the rivers. The National Park Service and its partners would stay informed about activities in the broader watershed above and below the riverway and would work closely with others to facilitate protection and restoration. The National Park Service would consult with the states of Nebraska and South Dakota to stay abreast of point source and nonpoint source pollution, not only with the river boundaries, but on tributary streams, to the extent that they affect water quality within the recreational river segments. Restoration of biological communities would occur only in those areas that have a good chance for success.

This emphasis would reduce pollution and sedimentation caused by erosion and agricultural runoff, protect floodways and retention basins to temporarily hold flood flows, and provide riverine habitat and open space.

Implementation on private land would take place through local protection and restoration efforts, including minimum federal standards and the use of regulations and a flexible package of financial incentives, funding options, and technical assistance. Local protection programs would then evolve. Actions would include opening up side channels into backwater areas and other improvements to riverine habitat.

Inventory and Monitoring of Resources. Significant resources such as the forested and scrub shrub wetlands, floodplain forests, and features such as side channels, islands, and sandbars would be inventoried and monitored with emphasis on accomplishing the above biological objectives. The National Park Service and its partners would determine the means for implementing a monitoring program.

Cultural Resources

Development of a program in which trained volunteers routinely monitor archeological sites to identify potential threats or ongoing looting and vandalism could heighten protection. The majority of the cultural sites would not be identified for the public.

VISITOR USE AND INTERPRETATION

The visitor experience under this alternative would emphasize education and resource-based programs. River-based recreational activities would not be promoted. Interpretive services would emphasize river science and natural history.

Visitor Activities

The types and levels of recreational use on the rivers would not significantly change from present conditions.

Interpretation and Visitor Services

Interpretation would be low key to promote river resource protection and appreciation. A major aspect of interpretive services would be visitor understanding of natural river processes. The goal would be to protect the resources through visitor education.

Interpretation would emphasize interactive educational programs that would focus on the protection and management of natural resources. The natural history of the river and its ecosystems and an explanation of natural river processes would be included. Children and adults would participate in educational activities involving river resources.

Significant cultural history themes and sites near the river would be interpreted, but these would not be emphasized as much as the natural history themes and sites.

Access points and facilities would be adequate for expected visitation. Present levels of recreational use would continue; no additional opportunities would be provided. Public roads and structures would be used wherever possible. No new roads would be developed within the boundary; roads would be maintained at current levels.

ALTERNATIVE 4: VISITOR USE BALANCED WITH RESOURCES PROTECTION

GENERAL CONCEPT AND PHILOSOPHY

Consistent with resource protection and goals and objectives of this plan, implementation of recreational uses would be emphasized. In addition to the concepts presented in the "Features Common to All Action Alternatives" section, natural features of the recreational landscape would be maintained, such as sandbars and beaches, backwater areas for recreational fishing, open space, and picnic areas. Interpretation of cultural resources would be important for resource protection as well as for visitor education and enjoyment. This alternative encourages the continuation of agricultural practices and landscapes as important elements of pastoral scenes that visitors can enjoy. This alternative encourages compatible agricultural practices. It allows for an increase in construction of residences within the residential and other private development land class.

MANAGEMENT

The National Park Service and its partners would be actively involved in the day-to-day management of the rivers. Private and public recreational development (including river access points, scenic roads, trails, and structures) would remain, and some future expansion is envisioned. Future expansion of residential and other private development would be allowed. Land needed for visitor facilities would be acquired from willing sellers.

Land Use Management

More recreational facilities are proposed than in the other alternatives.

Land Use Management Classes

Management classes for this alternative are as follows:

Agricultural land — Agricultural uses would continue. This alternative seeks to retain land in agriculture to minimize change to the river but allows for some development. Farm and ranch practices could evolve and still be compatible with the river purposes.

Public land — Present or additional land and facilities dedicated to wildlife and recreation would be included in this zone. Interagency agreements would ensure consistency with this plan and help to implement the recreation emphasis of this alternative.

Residential and other private development land — This class includes the area in and adjacent to certain residential and other private development in Nebraska and at Running Water in South Dakota. Development would be within size standards on undeveloped lots, and there would be limited expansion on new lots. Restrictions could become part of property owner association covenants and deeds.

Completely new structures would be permitted within an existing ownership. No new structure on 50-foot lots (measured at the riverbank) would exceed 1,200 square feet. New lots should be a minimum of 300 feet wide at the river. New buildings on either existing or new lots would be set back at least 100 feet from the riverbank. New buildings proposed outside of existing ownerships along the river should be located outside of the river boundary.

Structures could be replaced with larger buildings as long as they are within the size limits noted above. Replacement structures should be set back at least 50 feet from the riverbank.

Residences would be set on foundations and would be of permanent (not mobile) construction. To minimize the number of access roads, boat ramps, and boat docks along the river, these facilities would be shared. There would not be more than one boat ramp per mile in areas of new development. There would not be more than one public boat dock per 0.25 mile. Sewage disposal methods would meet or exceed state standards.

Developments would be screened with native trees, shrubs, and grass to lessen their visual impact. Views from residences to the river should not exceed two separate 25-foot corridors for every 100 feet of riverfront.

Resource Conservation Land - The National Park Service would evaluate resource conservation land and work with property owners to define any additional conservation areas needed.

This alternative would create a landscape that would balance residential and visitor development needs with preservation of agriculture, biological diversity, and cultural resources.

General Administration

Recreational Development Facilities. The National Park Service would work cooperatively with federal, state, tribal, and local government agencies to plan for and build any needed recreational development such as public boat ramps, comfort stations, and picnic areas.

Additional visitor facilities and public access to the rivers would be provided. Generally, existing sites would be used and could be upgraded as needed. Additional sites or improvements are proposed in Nebraska near the Pishelville Bridge, Sunshine Bottom, and Verdigre Creek. Additional locations for primitive camping along the river could be developed if warranted by increased recreation demand.

Maintenance. A need for increased maintenance could result from higher use levels, or added facilities.

Law Enforcement. A need for increased law enforcement could result from higher use levels. Law enforcement would continue to be handled by local, state, and federal agencies. It would be the responsibility of the land managing and local law enforcement agencies. Through agreement with partners or through direct hire, federal law enforcement could be employed to avoid any adverse impacts from increased visitation.

Staffing Needs. There would be five full-time employees, four of whom would devote 50% of their time to the Niobrara Scenic River. There would also be several part-time employees (equivalent to one full-time position).

Costs. Total annual costs would probably be more than $385,500. This consists of:

$180,000	labor
$45,000	equipment, supplies, materials, and transportation
$25,000	maintenance contracts, grants and agreements with cooperators (assumed to end after initial years)
$128,000	land acquisition (assumed to end after five years)
$7,500	rental of office in O'Neill

Funding under the general maintenance program would include technical and planning assistance for adjacent property owners, assistance to communities for interpretive facilities, interpretive signs, and signed scenic roads. There would be other costs, such as streambank protection to protect significant resources, assistance for habitat enhancement, improving backwater areas, increasing sandbars, assistance for preservation of cultural resources, and agency and government partnership costs. These cannot be estimated at this time.

Some of the funding would come from the NPS budget and some from the other partners. The relative proportion of these funding sources would be resolved through negotiation.

BOUNDARIES

The boundary would include a minimum setback of 200 feet from the riverbank, plus significant resource areas and potential public use areas on the rivers. Karl Mundt National Wildlife Refuge, Niobrara State Park, and Fort Randall historic site are included within the boundary in this alternative because they are public facilities that contribute to the goals of the alternative. Other state land and Corps of Engineers fee land within 0.25 mile of the 1991 ordinary high water mark would also be included.

Total land area above the 1991 ordinary high water mark for the Missouri National Recreational River is 6,443 acres. Total land area above the 1991 ordinary high water mark for the Niobrara National Recreational River and Verdigre Creek is 1,492 acres (see table 4).

Table 5 shows sites where public facilities for recreational development and use could be expanded or developed. The potential sites are located in readily accessible and developable areas and are adequately spaced along the river segments. The general concept is as shown on the Alternative 4 map.

TABLE 4: ALTERNATIVE 4 — LAND USE/LAND COVER

MISSOURI RIVER SEGMENT

Land Use/Land Cover category	Public land (acres)	Private land (acres)	TOTAL (acres)
Cropland	1,241	333	1,574
Pasture/rangeland	483	60	543
Upland wooded forest	1,103	298	1,401
Floodplain forest	1,116	461	1,577
Palustrine wetlands	703	401	1,104
Riverine wetlands	217	381	598
Lacustrine wetlands	6	18	24
SUBTOTAL	**4,869**	**1,952**	**6,821**
Yankton Sioux land			-378
TOTAL			**6,443**

NIOBRARA AND VERDIGRE CREEK SEGMENTS

Land Use/Land Cover Category	Public Land (acres)	Private Land (acres)	TOTAL (acres)
Cropland	3	130	133
Pasture/rangeland	0	9	9
Upland wooded forest	1	105	106
Floodplain forest	226	330	556
Palustrine wetlands	71	248	319
Riverine wetlands	37	332	369
Lacustrine wetlands	0	0	0
TOTAL	**338**	**1,154**	**1,492**

Numbers were rounded off to the nearest whole acre. The 6,443 acres for the Missouri River segment excludes 13,182 acres below the 1991 ordinary high water mark. There are 378 acres of Yankton Sioux land located below the 1991 ordinary high water mark. The 1,492 acres for the Niobrara and Verdigre Creek segments excludes the 2,958 acres below the 1991 ordinary high water mark.

RESOURCE MANAGEMENT

Streambank Protection

Along the Missouri River segment, streambank erosion control by property owners would be done primarily to protect prime agricultural land, residences, and other significant structures that were in place at the time of designation, as long as significant resources were not compromised. Federal funding is proposed to protect significant resources.

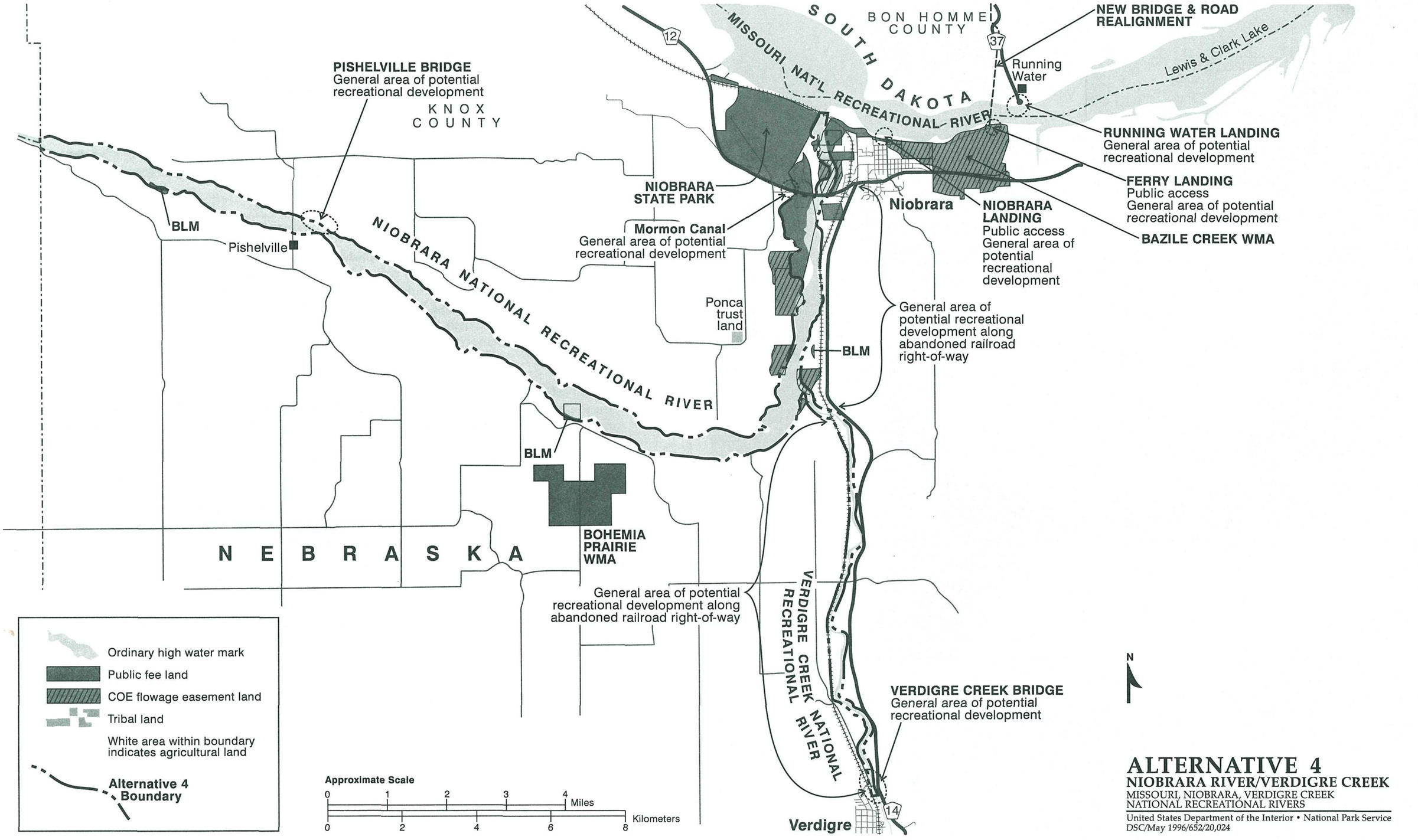
Lake Francis Case
FORT RANDALL DAM
Pickstown
Wagner
ABANDONED RAILROAD
GREGORY COUNTY
CHARLES MIX COUNTY
SOUTH DAKOTA
NEBRASKA
KARL E. MUNDT NWR
Marty
Yankton Sioux Reservation
Gross
Private development
SUNSHINE BOTTOM
General area of potential recreational development
Greenwood
Private development
BOYD COUNTY LANDING
Public access
MISSOURI NAT'L RECREATIONAL RIVER
Avon
County Boundary
Choteau Creek
BON HOMME COUNTY
SOUTH DAKOTA
Springfield
Spencer
BOYD COUNTY
Bristow
Lynch
Monowi
Private development
ABANDONED RAILROAD
BLM
Verdel
VERDEL LANDING
Public access
General areas of potential recreational development
Verdel Landing
Running Water
NEW BRIDGE & ROAD REALIGNMENT
Lewis & Clark Lake
Santee Indian Reservation
RUNNING WATER LANDING
Public access
Niobrara Landing
Running Water
USFWS WATERFOWL PRODUCTION AREA
NEBRASKA
BLM
REDBIRD WMA
KNOX COUNTY
HOLT COUNTY
BLM
Pishelville
NIOBRARA NATIONAL RECREATIONAL RIVER
NIOBRARA STATE PARK
Ponca trust land
FERRY LANDING
Public access
BAZILE CREEK WMA
Niobrara
NIOBRARA LANDING
Public access
ABANDONED RAILROAD
BLM
BLM
N

Ordinary high water mark
Public fee land
USFWS easement land
COE flowage easement land
Tribal land
Private development
White area within boundary indicates agricultural land
Alternative 4 Boundary

Approximate Scale
0 1 2 3 4 Miles
0 2 4 6 8 Kilometers

ALTERNATIVE 4
MISSOURI RIVER
MISSOURI, NIOBRARA, VERDIGRE CREEK NATIONAL RECREATIONAL RIVERS

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ALTERNATIVE 4

NIOBRARA RIVER/VERDIGRE CREEK

MISSOURI, NIOBRARA, VERDIGRE CREEK
NATIONAL RECREATIONAL RIVERS

United States Department of the Interior • National Park Service
DSC/May 1996/652/20,024

Natural Resources

Management for Biological Diversity. Efforts to enhance backwater areas, sandbars, and other habitats would be encouraged to increase the recreational fishery and wildlife viewing opportunities. Modifying flows to accomplish similar purposes could be recommended to the Corps of Engineers. Management for biological diversity would use conditions at the time of the 1991 legislation as a baseline. Generally, management would be less intense than in alternative 3.

Inventory and Monitoring of Resources. Significant resources would be inventoried and monitored to protect river-related resources from visitor use and recreation.

Cultural Resources

Cultural Resource Inventory, Evaluation, and Monitoring. Expansion of several public use areas or construction of new facilities is proposed in this alternative. There are a number of historic and archeological sites near these proposed developments. Prior to development, the National Park Service would work with property owners and agency managers to aid in the further identification, evaluation, and avoidance of significant resources. Compliance and mitigation activities would be accomplished by the National Park Service or by the appropriate land manager.

Preserving and Protecting Cultural Resources. Protective measures for significant sites that are vulnerable to damage from visitor activities would be implemented prior to focused visitor use. Selection of interpretive sites would be based on their significance to the interpretive themes, interest to the public, site condition, visibility and accessibility, and vulnerability to damage. Decisions about which sites would be interpreted would be made by the National Park Service in consultation with other agencies.

Preservation goals would be communicated to visitors and to the local community through public information and interpretation programs. The National Park Service would encourage establishment of public heritage education programs and establishment of a local heritage preservation commission. Local participation in history and archeology research programs conducted by the states or other government agencies would be encouraged.

Some assistance programs could be available outside boundaries as well. Federal technical assistance and financing would be linked to the development of viable preservation and protection measures in land use plans and agreements.

Research. Research programs would be conducted in cooperation with local residents, such as documentation of historic structures, oral histories, or archeological excavations.

VISITOR USE AND INTERPRETATION

The visitor experience would include a variety of river and river valley-based recreational activities and interpretive programs for visitors. Interpretive programming would emphasize all the primary interpretive themes.

Visitor Activities

Interpretation and river uses would continue at established areas such as Fort Randall Historic Site, Niobrara State Park, and boat launches at Verdel, the town of Niobrara, and others. Access to the recreational rivers would be improved by new visitor facilities in Nebraska.

Present recreational uses would continue, including fishing, boating, hiking, biking, bird watching, hunting, trapping. Recreational opportunities would be based on current uses.

Visitor Use Management

Access to the rivers could increase through commercial outfitting, which could provide rafts, boats, and canoes for river rafting and boat trips. These and other activities would be monitored, and limits would be placed on use.

Levels of use and placement of development clusters would be based on carrying capacity determinations. Additional facilities would support visitor use.

Interpretation and Visitor Services

Interpretation would emphasize protection of both natural and cultural resources through a range of programs and activities for visitors. More interpretive programming and recreational opportunities would be provided than is now available. Many activities would be offered outside the boundaries of the recreational rivers. Ethnic and other cultural festivals, held in cooperation with local groups, could attract many visitors. A range of programs and activities would be implemented. The National Park Service and its partners would encourage and facilitate interpretive and recreational activities outside the boundaries.

The National Park Service and its partners would fund and staff a comprehensive interpretive program based on all the primary interpretive themes. This program could include brochures, interpretive signs, a museum/visitor center, interactive plays (audience participation), technical assistance to ethnic communities for interpretive facilities, heritage education in schools, and neighbors programs. Interpretive programs presenting messages regarding safety and courtesy on the water, on public and private land, and on public access facilities would be emphasized.

Interpretive stations would be developed for wildlife viewing. Community and business participation would be encouraged in wildlife advocacy and interpretation.

TABLE 5: PUBLIC USE AREAS RECOMMENDED IN ALTERNATIVE 4

AREA NAME AND LOCATION	FACILITIES	MANAGEMENT	RECREATIONAL USES	ESTIMATED ACREAGE
Sunshine Bottom (Boyd County, Nebraska)	Improve boat ramp; primitive camping could occur within 200	Boyd County	Public recreational boating access and	Approximately 5 acres, subject to willing seller
Niobrara Landing (Knox County, Nebraska)	Develop picnic areas, short trails and interpretive exhibits	NPS and its partners or NGPC	Public recreation — day use	No additional land needed
Missouri River Bridge (Running Water, Bon Homme County, South Dakota)	Develop picnic areas, short trails and interpretive exhibits	NPS and its partners or state of South Dakota	Interpretive exhibit; pullout, day use	DOT land acquisition; 1.13 acres
Verdigre Creek railroad right-of-way (Knox County, Nebraska)	Develop multipurpose trail along creek on railroad right-of-way from the town of Niobrara to Verdigre Creek, with a possible extension to Verdigre	NPS and its partners	Hiking, bicycling, horseback riding	Approx. 4 miles of RR right-of-way (or 11 miles if extended to Verdigre)
Verdigre (Knox County, Nebraska)	Establish a small park with picnic and restroom facilities, interpretive signs at north end of town of Verdigre	Managing agency	Fishing, picnicking, sightseeing, visitor education	Subject to willing seller (est. 8 acres)
Mormon Canal (confluence of Niobrara and Missouri Rivers, including sections of Niobrara State Park, Knox County, Nebraska)	Expand Niobrara State Park to include the Mormon Canal, providing restrooms, interpretive trail, parking, access road	NPS and its partners or NGPC	Fishing, hiking, bicycling, sightseeing, day use	Subject to willing seller (estimated 50 acres)
Pischelville Bridge Vicinity (Knox County, Nebraska)	Develop picnic and restroom facilities, fish cleaning station, primitive camping, improved road access	NPS and its partners	Fishing, public camping, picnicking	Subject to willing seller (estimated 24 acres)

Interpretation of significant cultural sites would focus on sites that can withstand visitor use, that relate to primary interpretive themes, and that hold strong interest for visitors. Paleontological and archeological resources would be inventoried, and evaluated, and some selected for interpretation. Intensive fossil education could be accomplished by an academic institution that would research, document, and record fossil resources.

Safety messages would stress courteous behavior. Public access facilities would be carefully signed.

Visitor services facilities would be provided to accommodate increased demand. Signed scenic roads in the area would allow visitors to enjoy views of the Missouri, Niobrara, and Verdigre valleys. Scenic roads would protect the integrity and character of the landscape. Acquisition of recreational easements would facilitate visitor access to riparian land.

ALTERNATIVE 5: THE PREFERRED ALTERNATIVE

GENERAL CONCEPT AND PHILOSOPHY

In addition to the concepts offered in the "Features Common to All Action Alternatives" section, the preferred alternative emphasizes the rural landscape. It generally would maintain patterns of land use and ownership and the present level of development and visitor use while protecting and enhancing significant natural and cultural resources.

Because of congressional direction, budgetary restrictions, and the desire of local residents for local control, the preferred alternative relies heavily on the use of cooperative methods to protect significant river-related resources. Under this alternative, local officials and residents would be encouraged to pass zoning ordinances and other land use measures that incorporate provisions to protect river-related resources. In addition, property owners along the river would have a responsibility for the upkeep of their properties and for minimizing any impact their property might have on the recreational rivers.

This alternative seeks to stabilize visitor use at or near current levels, but allows for expanded visitor services. It allows for limited construction of new residences or other private development. Maintenance of the rural landscape would be emphasized as long as significant natural and cultural resources were not compromised.

MANAGEMENT

This alternative relies heavily on the cooperation of local property owners and officials. Private land would be managed through local means such as zoning, land use management plans, or property owner agreements. The alternative relies on counties and property owner agreements to develop standards for protecting private land and meeting the objectives and goals of this plan. Local land use management plans and ordinances would need to incorporate guidelines and practices that preserve the landscape and river values. These local plans must be consistent with the recreational river legislation and the goals of this general management plan for this alternative to be successful. Examples of land use guidelines and positive design can be found in this alternative, in "Features Common to All Action Alternatives," and in appendix F.

The National Park Service would remain the administrator of the recreational rivers as authorized by Congress. The degree of National Park Service presence would depend on the success of local governments in maintaining the existing landscape and providing for recreational uses.

Land Use Management

This alternative would allow for limited new residential development that is compatible with the preservation of resources. Because this alternative would emphasize protection of the rural landscape, general design guidelines would be provided for the maintenance and improvement of the visual quality of residences along the rivers.

This alternative would rely heavily on counties and property owner agreements to develop standards for protecting private land and meeting the objectives and goals of the Wild and Scenic Rivers Act.

Land Use Management Classes

To achieve the purposes for which the recreational rivers were established, this alternative recommends management classes for land along the rivers. Incompatible land uses for all management classes within this alternative are identified in the "Features Common to All Action Alternatives" section.

Agricultural land — Under this alternative family farming, ranching, and other agricultural activities would be encouraged and would be allowed to evolve as a primary land use. A further description of land in this class can be found in the "Features Common to All Action Alternatives" section.

Public land — The Corps of Engineers manages fee and easement land, regulates the flow of the Missouri River, and protects endangered species and their habitat. The Corps of Engineers also works with private owners to permit stabilization of streambanks. The Corps of Engineers could buy flood easements on additional land. An interagency agreement between the National Park Service and the Corps of Engineers could be negotiated to facilitate management of this land in a manner consistent with the recreational river designation.

The Fish and Wildlife Service advises the Corps of Engineers and other agencies on endangered and threatened species and their habitat and manages the Karl Mundt National Wildlife Refuge. A memorandum of understanding between the National Park Service and the Fish and Wildlife Service already exists; an interagency agreement could also be negotiated to ensure consistency with this plan.

The states of South Dakota and Nebraska manage land for wildlife through fee ownership or agreement with the Corps of Engineers. The state of Nebraska owns and manages Niobrara State Park, some recreational access sites, and some land leased from the Corps of Engineers and private individuals. Agreements between either state and the National Park Service could be developed and implemented to ensure that state activities were consistent with this plan.

The Yankton Sioux tribe, assisted by the Bureau of Indian Affairs, manages tribal lands. BIA guidelines were developed for management and care of trust land and compliance with the National Environmental Policy Act. The secretary of the interior is required by law to make decisions regarding trust land for the general benefit of the tribes. The National Park Service must consult with the Yankton Sioux tribe on a government-to-government basis. Such consultations could result in mutual agreements for any land adjacent to the river.

Residential and other private development land — Some new residences would be allowed to fill in the residential and other private development class. Such new development needs to be compatible with the objectives and goals of this plan and take place only in areas designated as residential and other private development class.

Because of the level of development in Nebraska, this plan recognizes the need to manage these areas for the future. The National Park Service would work with counties, property owners, or other groups to support local covenants, conditions, and restrictions. In addition to the guidelines noted on page 38, and subject to property owner agreement, the suggested guidelines for such development are:

All structures and subdivisions may remain and may be replaced with larger structures. No replaced structure in the developed areas may exceed 1,200 square feet on a 50-foot lot (measured along the riverbank) or 2,400 square feet on a 100-foot lot (measured along the riverbank). Structures should be set back at least 50 feet from the ordinary high water mark.

Completely new structures would be permitted in this class inside the bounds of existing development provided that they were on lots at least 100 feet wide (measured at the river). Buildings would be set back 100 feet from the river. If located outside of areas of existing development, completely new structures should be located outside of the river boundary for this alternative (a minimum of 200 feet). Residences should be on foundations and be of permanent (not mobile) construction. Access roads and boat ramps should be shared. Sewage disposal methods should meet or exceed state standards. These standards would be implemented using the land protection tools described in the "Land Use Management" section where practical.

Current residential development, including vacation homes and trailers, should (and new residential development would) be screened with native trees, shrubs, and grass to lessen the visual impact on river-related resources. Examples of such foundation plantings may be found in Appendix F.

View corridors from existing residences to the river may be retained. In addition to the use of foundation plantings it is recommended that new or replaced structures maintain view corridors that do not exceed two separate 25-foot cleared corridors for every 100 feet of riverfront.

Resource Conservation Land —The National Park Service would focus on protecting the recreational rivers' significant resources and would work with property owners to accomplish goals.

General Administration

Recreational Developments. Existing sites would be used. Restrictions on facility capacity would tend to limit visitor use in a given area. No other federal, state, or county facilities or sites are proposed unless required by law, such as sewage disposal facilities. If one or more boat ramps were lost to siltation, this alternative would allow for its replacement at other locations, if feasible and environmentally suitable.

Maintenance. The maintenance workload under this alternative would not be large because new visitor facilities are not proposed, and visitation is not expected to increase significantly.

Law Enforcement. The law enforcement workload under this alternative would not increase extensively because visitation is not expected to increase significantly. Law enforcement would continue to be carried out by local, state, and federal agencies who currently share this responsibility. In addition, the National Park Service would provide two to four seasonal park rangers to patrol the river, if funding is available.

Staffing Needs. Some employees would spend approximately half their time working on these three rivers. There would be a total of four full-time employees and one half-time employee.

Some employees would work only on these three rivers. There would be several part-time employees (equivalent to two full-time positions). Staffing needs and land acquisition costs are more fully developed in appendix D.

Because alternative 5 would place less emphasis on visitor use than alternative 4, there would be a corresponding decrease in staff assigned for this purpose.

Costs. Total annual costs would exceed $301,500. This consists of:

$147,000	labor
$22,000	equipment, supplies, materials, and transportation
$25,000	grants, contracts, and agreements with cooperators (assumed to end after five years)
$100,000	land acquisition (assumed to end after five years)
$7,500	rental of office in O'Neill

Funding under the grants, contracts, and agreements with cooperators program would include assistance for law enforcement, technical and planning assistance for adjacent property owners, and interpretive sites, bulletin boards, kiosks, and publications.

There would be costs for assistance in preservation of cultural resources and for agencies and government to operate as partners. There would be costs for assistance for resource protection on private property, assistance for habitat enhancement, assistance for preservation of cultural resources, and for assisting ethnic communities with interpretive facilities. These cannot be estimated at this time.

Some of the funding would come from the NPS budget and some from the other partners. The relative proportion of these funding sources would be resolved through negotiation.

In some respects the visitor use portion of this alternative is similar to alternative 4. That alternative budgeted funds for such things as maintenance contracts and assisting ethnic communities with interpretive facilities outside the recreational rivers and through cooperative efforts. Those funds would also be required in this alternative.

BOUNDARIES

The preferred alternative boundary for the Missouri National Recreational River is shown on the two Alternative 5 maps. The boundary includes the river, its islands, and a minimum setback of 200 feet from the 1991 ordinary high water mark (32,000 cfs). Also included is the Karl Mundt National Wildlife Refuge and all other federal and state fee land within 0.25 mile of the river. In addition, significant cottonwood stands and land that would be covered by a COE high release of 60,000 cfs is included within the boundary.

The boundary for the Niobrara National Recreational River is shown on the Alternative 5, Niobrara River / Verdigre Creek map. The boundary for this river includes the river, its islands, and a minimum setback of 200 feet from the ordinary high water mark. The boundary also includes significant natural areas as identified by the Nebraska Game and Parks Commission, plus land that would be affected by a rise in the groundwater table as projected by the Corps of Engineers.

The Verdigre Creek boundary is also shown on the Alternative 5, Niobrara River / Verdigre Creek map. The Verdigre Creek boundary includes a minimum setback of 200 feet from the 1991 ordinary high water mark, plus significant natural areas as identified by the Nebraska Game and Parks Commission.

The National Park Service recognizes the importance of the wetlands and fish and wildlife habitat next to the river. Because of this importance, the boundary for the preferred alternative includes not only the rivers and an adjacent strip of land, but other land that could be periodically flooded by high COE releases from Ft. Randall Dam.

The Corps of Engineers has purchased flood easements on some of this periodically flooded land along the Missouri and Niobrara Rivers. This land remains in private landownership, but the Corps of Engineers possesses the right to flood the land. The National Park Service would not affect the easement relationship between private landowners and the Corps of Engineers. Neither would the National Park Service boundary alter the payments under the Payment in Lieu of Taxes Act. It should be emphasized that the periodically flooded land is included within the boundary not because it is COE easement land but because of its contribution to fish and wildlife habitat.

A total of 10,463 acres of land above the 1991 ordinary high water mark is included within the preferred alternative boundary of the Missouri National Recreational River. A total of 5,962 acres of land above the 1991 ordinary high water mark is included within the boundary of the Niobrara National Recreational River and Verdigre Creek.

TABLE 6: ALTERNATIVE 5 — LAND USE/LAND COVER

MISSOURI RIVER SEGMENT

Land Use/Land Cover category	Public land (acres)	Private land (acres)	TOTAL (acres)
Cropland	725	2,019	2,744
Pasture/rangeland	298	188	486
Upland wooded forest	892	469	1,361
Floodplain forest	1,089	1,541	2,630
Palustrine wetlands	1,540	1,409	2,949
Riverine wetlands	146	462	608
Lacustrine wetlands	45	18	63
SUBTOTAL	**4,735**	**6,106**	**10,841**
Yankton Sioux land			-378
TOTAL			**10,463**

NIOBRARA AND VERDIGRE CREEK SEGMENTS

Land Use/Land Cover category	Public land (acres)	Private land (acres)	TOTAL (acres)
Cropland	142	1,054	1,196
Pasture/rangeland	0	103	103
Upland wooded forest	8	331	339
Floodplain forest	489	1,774	2,263
Palustrine wetlands	233	1,311	1,544
Riverine wetlands	81	436	517
Lacustrine wetlands	0	0	0
TOTAL	**953**	**5,009**	**5,962**

Numbers were rounded off to the nearest whole acre. The 10,463 acres for the Missouri River segment excludes the 13,182 acres below the 1991 ordinary high water mark. There are 378 acres of Yankton Sioux land below the 1991 ordinary high water mark. The 5,962 acres for the Niobrara and Verdigre Creek segments excludes the 2,958 acres below the 1991 ordinary high water mark.

RESOURCE MANAGEMENT

Streambank Protection

Along the Missouri, Niobrara and Verdigre Creek National Recreational Rivers, streambank erosion control would be allowed for developed and agricultural land as long as significant resources were not compromised. When feasible, erosion control structures would incorporate features to improve aquatic habitat and create new habitat.

Lake Francis Case
FORT RANDALL DAM
Pickstown
281
46
Wagner
50
ABANDONED RAILROAD
CHARLES MIX COUNTY
GREGORY COUNTY
SOUTH DAKOTA
NEBRASKA
KARL E. MUNDT NWR
Marty
Yankton Sioux Reservation
Gross
Private development
Greenwood
Private development
BOYD COUNTY LANDING
Public access
MISSOURI NAT'L RECREATIONAL RIVER
Avon
18
37
County Boundary
Choteau Creek
BON HOMME COUNTY
SOUTH DAKOTA
Springfield
Spencer
BOYD COUNTY
Bristow
Lynch
Monowi
Private development
BLM
ABANDONED RAILROAD
12
Verdel
VERDEL LANDING
Public access
NEW BRIDGE & ROAD REALIGNMENT
Lewis & Clark Lake
Santee Indian Reservation
NIOBRARA LANDING
Public access
Running Water
RUNNING WATER LANDING
Public access
N
NEBRASKA
USFWS WATERFOWL PRODUCTION AREA
BLM
REDBIRD WMA
KNOX COUNTY
HOLT COUNTY
BLM
Pishelville
NIOBRARA NATIONAL RECREATIONAL RIVER
NIOBRARA STATE PARK
FERRY LANDING
Public access
Niobrara
BAZILE CREEK WMA
Ponca trust land
ABANDONED RAILROAD
BLM
14
BLM

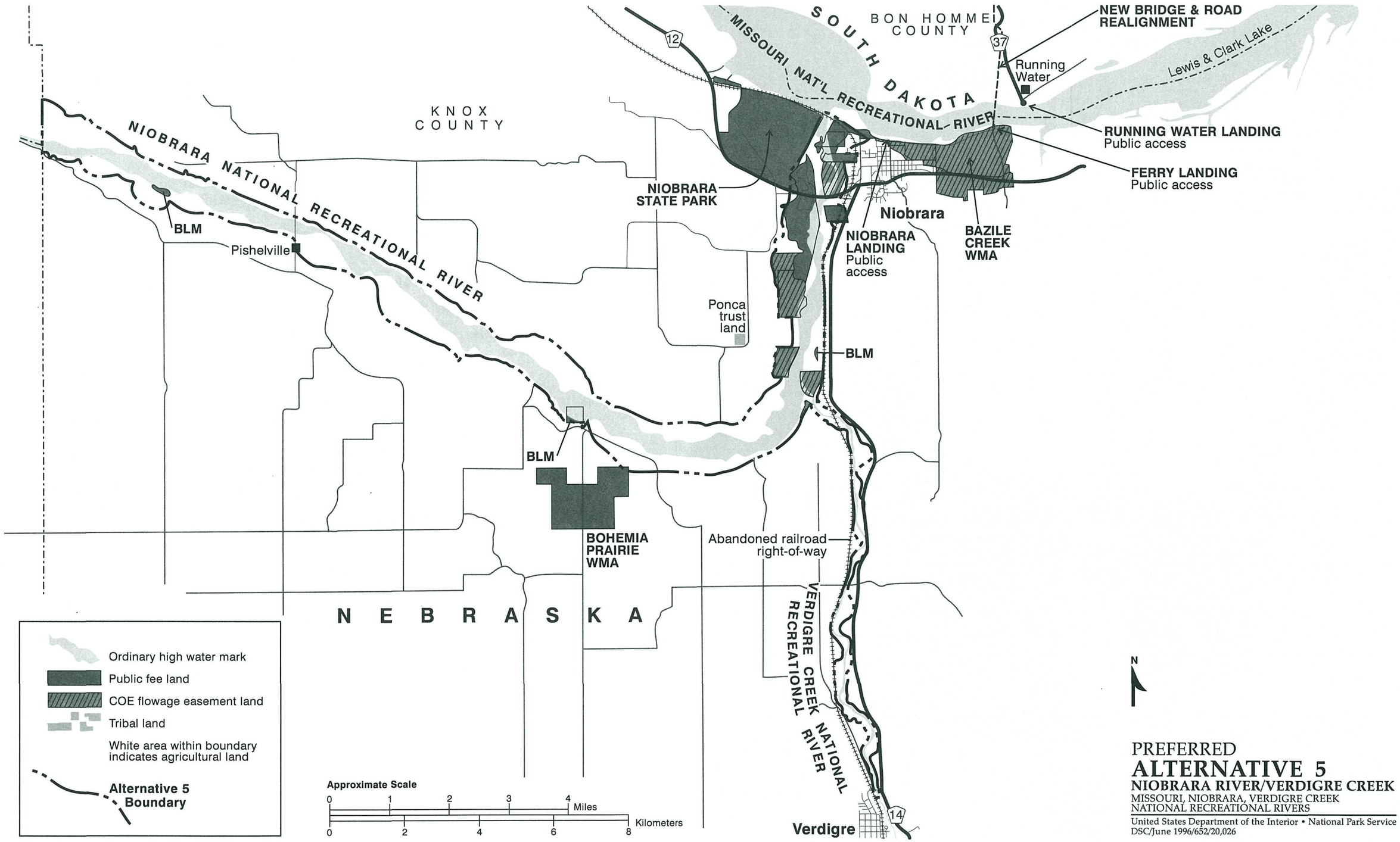
Ordinary high water mark
Public fee land
USFWS easement land
COE flowage easement land
Tribal land
Private development
White area within boundary indicates agricultural land
Alternative 5 Boundary

Approximate Scale
0 1 2 3 4 Miles
0 2 4 6 8 Kilometers

PREFERRED ALTERNATIVE 5 MISSOURI RIVER

MISSOURI, NIOBRARA, VERDIGRE CREEK NATIONAL RECREATIONAL RIVERS

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PREFERRED

ALTERNATIVE 5

NIOBRARA RIVER/VERDIGRE CREEK

MISSOURI, NIOBRARA, VERDIGRE CREEK
NATIONAL RECREATIONAL RIVERS

United States Department of the Interior • National Park Service
DSC/June 1996/652/20,026

Natural Resources

Management for Biological Diversity. This alternative emphasizes management for conserving, protecting, and restoring riverine biological diversity on public land and includes potential for technical assistance and incentives for private property owners to do the same. Strategies aimed at accomplishing biological objectives would be pursued, and policies, programs, or regulations would be developed or modified to meet the objectives.

The biological objectives are:

maintain viable populations of native plants and animals (including aquatic life) well distributed throughout their geographic range

maintain representative examples of the full spectrum of ecosystems, biological communities, habitats, and ecological processes

implement management solutions at the landscape level that integrate human activities with the conservation of biological diversity

increase scientific understanding of biological diversity and conservation

achieve public awareness and understanding of biological diversity

encourage the private sector to develop and apply approaches to the conservation of biological diversity, such as conservation agreements or easements

The National Park Service is concerned about the health of the rivers and would stay informed about activities in the broader watershed above and below the recreational river segments. The National Park Service would consult with the states of Nebraska and South Dakota to stay abreast of point source and nonpoint source pollution, not only within the river boundaries, but on tributary streams to the extent that they affect water quality within the recreational river segments.

The National Park Service would work closely with others to facilitate protection and restoration of the rivers. This emphasis has the potential for reducing pollution and sedimentation caused by agricultural runoff and erosion. Restoration of river segments may include opening up side channels into backwater areas and other improvements to riverine habitat. Restoration of biological communities would occur only in those areas that have a good change for success.

Implementation on private land would take place through local protection and restoration efforts, including minimum federal standards and the use of regulations and a flexible package of financial incentives, funding options, and technical assistance. Local protection programs would then evolve.

Inventory, Evaluation, and Monitoring of Resources. Significant resources such as the forested and scrub shrub wetlands and floodplain forests and resource features such as side channels, islands, and sandbars would be monitored. The National Park Service would determine the means for implementing a monitoring program.

Cultural Resources

Development of a program in which trained volunteers routinely monitor archeological sites to identify potential threats or deter looting and vandalism may lead to increased protection. The majority of the cultural sites would not be identified for the public. The National Park Service would notify and consult with the respective Indian tribe regarding any burial sites or archeological sites that could be impacted by NPS actions.

VISITOR USE AND INTERPRETATION

The National Park Service would offer the visitor a variety of river and river valley-based recreational activities and interpretive programs. Most of the interpretive programs would be new, would be offered outside the recreational rivers, and would be offered through cooperative efforts. Interpretive programming would emphasize all of the recreational rivers' primary interpretive themes.

Visitor Activities

Present recreational uses would continue, including fishing, boating, hiking, biking, bird watching, hunting, trapping, horseback riding, and interpretation of cultural and natural resources. Visitor services and activities may be expanded in ways that do not add significant numbers of new visitors to the river.

Current interpretation and river activities would continue at established areas such as Fort Randall historic site, Niobrara State Park, and various boat launches. Existing access to and facilities on the recreational rivers may be improved (modernized) but not expanded. If one or more boat ramps and/or accesses to them were lost to sedimentation, this alternative would allow for their replacement at another location, if feasible and environmentally suitable.

Interpretation and Visitor Services

Interpretation would educate visitors and guide their recreational activities. Topics would emphasize protection of natural and cultural resources, and programs would be available for a wide variety of visitors. Additional interpretive programming may include the region's cultural landscape and heritage. Many of these programs and activities would be offered outside the boundaries of the recreational rivers and would be dependent on cooperative efforts. Ethnic and other cultural festivals held in cooperation with local groups may attract many visitors. This alternative would allow for an increase in interpretive work with local communities and ethnic groups but only in ways that would not add to Missouri River crowding.

Interpretive programs currently offered by state and federal agencies outside the boundaries of the recreational rivers would continue. The National Park Service and its cooperating partners would provide interpretive programs based on the primary interpretive themes and resources of the recreational rivers. Interpretive media and programs might include brochures, interpretive

signs, technical assistance to ethnic communities for interpretive activities, and heritage education in schools.

Frequent and varied opportunities for research and public education in riparian areas could be provided on public land. Interpretive stations could be developed for wildlife viewing. Community and business participation would be encouraged in wildlife advocacy and interpretation.

Interpretation of significant resources (including Paleontological and archeological resources) would focus on sites that relate to the rivers' primary interpretive themes, that can accommodate visit use, and that hold strong interest for visitors. Intensive fossil education could be accomplished by an academic institution that would research, document, and record fossil resources.

Messages regarding water and boating safety would be presented. Resource stewardship and courteous behavior would be a message offered in all interpretive programs.

ALTERNATIVES CONSIDERED BUT REJECTED

BANK-TO-BANK BOUNDARY

This alternative was considered but eliminated from further consideration because it would not meet either the letter or intent of the Wild and Scenic Rivers Act (see Appendix A). Section 1(b) refers to "certain selected rivers of the nation . . . with their immediate environments." Section 10(a) of the act states that:

> Each component of the national wild and scenic rivers system shall be administered in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration primary emphasis shall be given to protecting its aesthetic, historic, archaeologic and scenic features.

The bank-to-bank boundary was considered as an option. It was proposed to use the 1991 ordinary high water mark as the boundary. Both the letter and intent of the Wild and Scenic River Act were reviewed.

Section 1 (b) says in part that "certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of future generations."

Section 3 (b) says that boundaries cannot exceed an average of 320 acres per mile measured from the 1991 ordinary high water mark. This limitation on boundaries gives added guidance as to what Congress had in mind by referring to the "river and its immediate environment." Section 3 (d)(1) requires the preparation of a comprehensive management plan based on river values that must address resource protection, development of land and facilities, and user capacities.

Section 6 discusses land acquisition limitations.

Section 10 addresses protecting and enhancing river values with primary emphasis on aesthetic, scenic, historic, archaeologic, and scientific features. It also adds that "management plans for any such component may establish varying degrees of intensity for its protection and development, based on the special attributes of the area."

The outstandingly remarkable values of the area were identified and described as "significance of the recreational rivers" in the introduction to this plan. As described in this plan, many of the outstanding features of the river are land-based. The bottomland cottonwood forests provide scenery, roosts for eagles, snags and leaves that add nutrients to the river, bank stabilization provided by root systems, and shelter and habitat for wildlife. If these resources were left outside the boundary, the National Park Service would have no authority to assume the protection of these values as required by law.

Most of these are land-based resources that the plan must address within the acreage limits of the law. However, the scenic and cultural landscapes of the three valleys away from the rivers could not be included within the 0.25 mile widest boundary because the valleys are too wide. By identifying the significant natural resources, a definable area for protection emerged.

The need for management of housing development along the riverbanks was discussed to satisfy section 10 of the law. It was concluded that there is a need for standards and guidance for such development if the scenic preservation aspects were to be upheld.

After consideration and debate of these natural resource and development issues, a line was drawn on a map to visually define these significant resources. A reasonable boundary, it was concluded, should be created 200 hundred feet from the 1991 ordinary high water mark. The establishment of this boundary is based on the special attributes of the area. A wider boundary is not needed. (There are exceptions in Alternatives 3, 4, and 5 where natural resources or visitor needs do justify slightly wider boundaries.) The bank-to-bank boundary does not include these resources.

Many local residents would favor a bank-to-bank boundary. They believe that the land beyond the banks is protected by caring owners now. They were motivated also by a fear of federal land acquisition and regulation. More importantly, they believe there is no need for encumbrances and influences, in addition to existing ones, by another federal law or agency. Change, however, is inevitable, and no one could show specifically how a bank-to-bank boundary could protect significant land resources.

Congress did not expect that the wild and scenic river designation would protect only the water column but allowed the standard boundary provisions of the Wild and Scenic Rivers Act to apply. The 200-foot boundary would encompass the most significant resources and implement the law.

OLD RIVER LANDSCAPE INTEGRITY AND CHARACTER

A number of different arrangements of alternatives were examined. One, "River Landscape and Character," was eliminated from further consideration because in concept it was not significantly different from the general concept and philosophy of alternative 2. Due to its similarities, it was dropped from consideration as a separate alternative. Portions of this eliminated alternative were used to improve and strengthen alternative 2.

TABLE 7: SUMMARY OF ALTERNATIVES

Topic	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5
General Concept and Philosophy	Continue present trends	Emphasize rural landscape; relies on cooperation of local	Emphasize biological diversity	Emphasize recreational objectives	Emphasize rural landscape; relies on cooperation of local
Management	Mix of private property with some local, state, and federal management	NPS administers through cooperative relationships	Partnership approach among federal agencies	Partnership among federal, state, and local agencies	NPS administers through cooperative relationships
Boundaries (acres above 1991 ordinary high water mark)	0.25 mile from the riverbank; Missouri: 13,456 acres; Niobrara / Verdigre: 8,571 acres	200-foot setback from the riverbank; all of Karl Mundt Refuge and Niobrara State Park, plus COE fee land within 0.25 mile; Missouri: 4,718 acres, Niobrara / Verdigre: 1,559 acres	200-foot setback from the riverbank plus significant bottomland, Karl Mundt Refuge, and other federal and state land within 0.25 mile; Missouri: 10,463 acres; Niobrara / Verdigre: 5,962 acres	200-foot setback from the riverbank, plus potential public use areas, Karl Mundt Refuge, Niobrara State Park, and other federal and state land within 0.25 mile; Missouri: 6,443 acres; Niobrara / Verdigre: 1,492 acres	200-foot setback from the riverbank, plus significant bottomland; Karl Mundt Refuge and other federal and state land within 0.25 mile Missouri: 10,463 acres; Niobrara / Verdigre: 5,962 acres
Planning and Technical Assistance for Adjacent Land	Federal and state cost-share programs	NPS would work cooperatively with property owners and government agencies within and outside the river boundary to preserve resources through tax incentives and technical and financial assistance.			
Resource Management	Federal, state, & local governments and private	Area would be managed for biological diversity and protection of cultural resources on federal land and other areas would be encouraged to do the same.			
Visitor Use and Interpretation	As currently available	Emphasize landscape stewardship; existing visitor facilities adequate	Emphasize education and river- based programs; existing visitor facilities adequate	Emphasize all interpretive themes; additional visitor facilities and access to rivers	Emphasize all interpretive themes; facilities and access could be improved but not expanded

TABLE 8: SUMMARY OF IMPACTS

	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5
IMPACTS ON NATURAL RESOURCES					
Mineral Resources	Existing quarrying and mining operations would continue and new operations could occur.	Existing quarrying and mining operations would continue, but new operations would be considered incompatible within the boundary.			
Prime and Unique Farmland	River flows and private development could cause some loss of prime and unique farmland.	Each of these alternatives seeks to preserve agriculture land through incentives and other means.			
Soils	River flows, agriculture, private development, and mineral extraction could cause some soil erosion.	These alternatives do not propose any actions that would affect soil resources.			
Vegetation	Some native plant communities could be protected or restored.				
	Agriculture, mineral extraction, and private development would reduce native vegetation.	Limited private residential development could slightly reduce native vegetation.	Same as alternative 2.	Limited recreation development and private residential development would reduce native vegetation.	Same as alternative 2.
Wildlife	Wildlife habitat could be protected or restored. Unmanaged development could reduce wildlife populations.	Wildlife habitat could be protected or restored. These alternatives do not propose any actions that would negatively impact wildlife. Residential development would be limited to infill of existing residential areas.			

	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5
Threatened and Endangered Species	Through recovery plans and cooperative agency efforts, some habitat for threatened and endangered species would be protected or restored.				
	Due to river flows, development, and mineral extraction, the overall amount of threatened and endangered species habitat could continue to decline; without mitigation, increased visitation would adversely affect terns and plovers.	These alternative could result in increased efforts to conserve species.			
Wetlands and Floodplains	Additional agricultural or development activities could decrease wetlands. Sedimentation would increase wetlands.	This alternative does not propose any actions that would negatively impact wetlands.	Wetlands would be improved through restoration and recreation.	Impacts on wetlands from construction of recreational facilities might occur but would be mitigated.	Same as alternative 3.
Water Quality	Due to mineral extraction and motorboats, some localized decrease in water quality could occur.	This alternative does not propose any actions that would negatively impact water quality.	Same as alternative 2.	Increased development would have the potential to decrease water quality.	Same as alternative 2.
Air Quality	Mineral extraction and vehicles could cause some localized decrease in air quality.	This alternative does not propose any actions that would negatively impact air quality.	Same as alternative 2.	Short-term, localized adverse impacts would occur during construction.	Same as alternative 2.
Noise	Due to mineral extraction and visitor use, some localized increase in noise could occur.	This alternative does not propose any actions that would negatively impact natural quiet.	Same as alternative 2.	Short-term localized adverse impacts could occur during construction.	Same as alternative 2.

	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5
IMPACTS ON CULTURAL RESOURCES					
Historic Resources	Most historic resources would benefit from continued stewardship and limited technical assistance; some adverse effects on historic resources would continue from changes in demographics and inappropriate uses.	Most historic resources would benefit from continued stewardship and limited technical assistance and incentives; occasional adverse effects on historic resources would occur from changes in demographics and inappropriate uses.	Historic resources would benefit from continued stewardship, technical assistance and incentives; occasional adverse effects on historic resources would occur from changes in demographics and inappropriate uses.	Historic resources would benefit from continued stewardship, technical assistance, and incentives; some adverse effects on historic resources would occur from changes in demographics and increased visitor access.	Historic resources would benefit from continued stewardship, technical assistance and incentives; occasional adverse effects on historic resources would occur from changes in demographics and inappropriate uses.
Prehistoric Resources	Some negative impacts would occur from inappropriate uses, undirected recreational activities, development, and continued lack of personnel and funding.	Some negative impacts could occur from undirected recreational activities and inappropriate uses.	Occasional negative impacts would occur from inappropriate uses. Prehistoric resources would generally benefit because development would be discouraged.	Occasional negative impacts could occur from development, increased visitor access, and inappropriate use. Recreational use would be directed to previously developed areas lacking significant resources.	Generally, prehistoric resources would benefit from public and private cooperative efforts and stewardship and use of special educational programs and numerous incentives.
Ethnographic Resources	Impacts on ethnographic resources would be similar to prehistoric resources.				
	There would be some potential for inadvertent damage to ethnographic resources due to minimal law enforcement and lack of coordination among public agencies.	There would be some potential for inadvertent damage to ethnographic resources due to the low-key nature of management, undirected recreational activities, and construction.	Protection of archeological sites and natural resources and emphasis on government-to-government consultation would benefit ethnographic resources.	There would be some potential for increased disruption to farmers. Directing visitors to nonsentive areas, law enforcement, and public education programs would benefit ethnographic sites.	Cooperative proactive management of cultural resources and government-to-government consultation would benefit ethnographic sites.
IMPACTS ON VISITOR USE AND INTERPRETATION					
Future Demand for Recreation	A moderate increase in visitation would probably occur, but not as a result of actions proposed in this plan. Alternative 4 could result in a somewhat greater increase in visitation than the other alternatives.				

	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5
Visitor Use	Existing facilities and opportunities would be adequate to meet visitor needs. No partnership would be formed to manage visitor use.	Existing facilities and opportunities would be adequate to meet visitor needs.	Same as alternative 2.	Facilities and opportunities would be increased and improved.	Same as alternative 2.
		Visitor use would be managed to ensure visitor safety and resource protection.			
Interpretation and Visitor Services	Visitors would have minimal access to orientation, information, and interpretation.	Visitors would have adequate access to orientation and information. Interpretation would emphasize river values and landscapes.	Visitors would have adequate access to orientation and information. Interpretation would emphasize river science and natural history.	Visitors would have good access to orientation and information. All interpretive themes would be emphasized.	Visitors would have adequate access to orientation and information. Interpretation would emphasize natural and cultural history.
IMPACTS ON SOCIOECONOMIC RESOURCES					
Visitor Expenditures	A minor beneficial impact would probably occur.	Actions recommended under this alternative would not likely have any significant effect on visitor expenditures.	Same as alternative 2.	A modest beneficial impact on the area's economy would likely result.	Same as alternative 2.
Recreational River Staff Payroll and Other Expenditures	An extremely slight benefit would probably occur.	No more than a modest beneficial impact would probably occur.	Same as alternative 2.	A short-term beneficial impact would probably occur.	Same as alternative 2.
Land Use, Property Owners, and Regional Population	Private development could result in adverse impacts.	Incentives and easement purchases would create a beneficial impact.	Impacts would be same as alternative 2. In addition, the purchase of fee land could protect more resources.	Property owners would have additional recreational opportunities available to them.	Same as alternative 2.
County Expenses and Revenue	Increased development could result in increased services. Increased visitation could require more local law enforcement.	NPS employees could respond to law enforcement and accidents, reducing the demand placed on local law enforcement.	Some federal land would be acquired in fee, slightly reducing county revenue.	Same as alternative 3.	Same as alternative 2.
Employment	Employment options could increase modestly with increased development.	An increase of several NPS positions would have a minor beneficial impact.	Same as alternative 2.	In addition to NPS employees, other employees might be used for construction work.	Same as alternative 2.



Affected Environment

DESCRIPTION OF THE RECREATIONAL RIVERS

The Missouri River is the longest river in North America, extending for more than 2,315 miles. Its floodplains, tributary streams, and drainage basin comprised, at one time, one of the more varied ecosystems in North America. Approximately 87% of its 338.5 million-acre drainage basin in the northern high plains was composed of prairie. The floodplain of the Missouri was a mixture of grasslands, deciduous forests, and wetlands.

Today only one-third of the Missouri River remains unchannelized and unimpounded. Although even this rare riverine habitat is impacted by water discharge scheduling, segments of the natural river in Montana, North and South Dakota, and Nebraska are important remnants of the natural riverine ecosystem.

The Flood Control Act of 1944 authorized the construction of a large number of projects on the Missouri River known collectively as the Pick-Sloan Plan. The Pick-Sloan Plan encompassed works for flood control; navigation and sediment control; domestic, municipal, and industrial water supplies; fish and wildlife; recreation; irrigation systems, hydroelectric power generation; pollution abatement; and hydrologic studies. By 1963 six large dams and reservoirs were built on the Missouri River's main stem above Sioux City, Iowa. Gavins Point Dam, downstream from the Missouri Recreational River segment, was constructed between 1952 and 1956. Gavins Point Dam stores and reuses water released from Fort Randall Dam, the upstream boundary of the Missouri River segment, for producing additional hydroelectric power, minimizing bank erosion, and providing uniform flows downstream on the navigable Missouri River. The dam is used for flood control and provides water for irrigation, recreation, and fish and wildlife needs. Gavins Point Dam created Lewis and Clark Lake, which extends approximately 25 miles upstream from the dam.

The Niobrara River originates in eastern Wyoming and flows eastward across Nebraska for about 300 miles, joining the Missouri River near the town of Niobrara in Knox County. The eastern portion of the river valley in the project area widens and, as the river spreads out, the canyons and seepages diminish. The Niobrara is the largest Missouri River tributary between the last two mainstem impoundments (Lake Francis Case and Lewis and Clark Lake).

Verdigre Creek National Recreational River, varying in width up to several hundred feet, is a very shallow, slow-moving, and meandering creek that lies within a fairly narrow watershed. It is bordered by a mixture of riparian bottomland vegetation with gently rolling crop and grazing land. Farming and grazing are the dominant land uses.

NATURAL RESOURCES

GEOLOGY, PHYSIOGRAPHY, AND PALEONTOLOGY

The northern high plains region is based on layered rock of mostly marine origin. Surface rocks are either of this type or were alternately deposited and eroded by streams, wind, and glaciers. The project area on the Missouri River is situated between the glaciated and unglaciated portions of the Missouri Plateau in the Great Plains Province of the Interior Plains. The river's course marks the terminus of the southern advance of the Mankato substage of Wisconsin glaciation period in the region. The adjacent areas along the river are characterized by gently sloping bluffs to the north and steep dissected bluffs rising sharply from the floodplain on the south.

The fossils in the project area exceptionally illustrate the geologic history of the Eocene – Recent epochs. The Nebraska side of Lewis and Clark Lake, just downstream of the project area, possesses outstanding paleontological sites that have produced amphibian, insect, reptile, and rodent fossils from the Miocene and Eocene eras that have never been found elsewhere. Six sites along Lewis and Clark Lake's south shore have produced fossils that have been rated nationally significant. One of the outstanding sites of the lake area is the easternmost land deposit record of the Eocene epoch, and it provides the only evidence that the Eocene wildlife of the Great Plains differed from that of the Rocky Mountains.

Three of the outstanding sites have produced 10 holotypes (benchmarks to typify the characteristics of a fossil genus/species) for the Miocene epoch and similar Miocene fossils are believed to be widespread in the area. The fossil sites farther west along the Niobrara River are more dense than those in the project area, but this area is richer than the average for Nebraska. Paleontologists believe that there is potential for more discoveries in the area, but there has been little recent exploration. An Eocene site in the project area is the easternmost land deposit record in North America of this age.

Sand, gravel, clay, and chalk are mined in the project area. These deposits are exposed in the bluffs along the river. There are many active and abandoned extraction sites along the Missouri River, particularly in Bon Homme and Charles Mix Counties, South Dakota.

There has been no hardrock mining or coal mining in the project area and no active oil and gas fields. Although exploratory wells were drilled in the past, none were commercially successful. There is no indication of renewed industry interest in the project area.

VEGETATION

The project area is located within the Tallgrass Prairie Province of the Prairie Division ecoregion (NPS 1995). This region includes tallgrass and mixed grasslands. Woody vegetation is relatively rare except in drainage areas and on the floodplain. Native trees such as eastern red cedar, bur oak, and green ash grow in drainages and form wooded draws. Riparian forests of cottonwood, willow, elm, and silver maple grow on the floodplains of the Missouri and lower Niobrara Rivers.

Cultivation of the fertile floodplain began in earnest with the expansion of the West in the mid- to late 1800s. Thousands of acres of floodplain forests were cleared and prairies were mowed,

grazed, and plowed for crops. The construction of dams, dikes, and levees eventually provided some control of the river flow and aided the conversion of native vegetation to domestic crops.

Where agriculture is not practiced, some remnants of native prairie can be found on the floodplain, dominated by vegetation such as prairie cordgrass, Canada wildrye, and switchgrasses in wet areas adjacent to the river. This is especially true along the steep north-facing bluffs in Nebraska where farming is impractical due to the topography. Similar native prairie areas are common along the corridor in South Dakota as well.

Completion of six large reservoirs on the Missouri River has severely reduced the sediment load carried downstream. Loss of periodic flooding has reduced the productivity of remaining forestland as well. The lack of sediment and periodic flooding has nearly eliminated new stands of willow and cottonwood, which were the most common component of the pioneer forest and riparian zone. The proportion of mature forests, characterized by green ash, box elder, American elm, and bur oak to other successional stages is increasing. Some plant species that have been identified from the region's middle Missouri River floodplain that have diminished because of the lack of flooding include rock elm, blue cohosh, purple giant hyssops, wood mint, fragrant white waterlily, and white waterlily.

The sandbar-marsh plant community is found along the broader eastern portion of the Niobrara River. Barren sandbars provide nesting sites for the federally listed least tern and piping plover. The marshes have a wide variety of aquatic plants and animals.

Plant communities were mapped for the project area using GIS technology with data provided by the Nebraska Natural Resource Commission and the U.S. Fish and Wildlife Service National Wetlands Inventory. Agricultural land, upland forest, and floodplain forest are included. The woody draws, cottonwood forest floodplains, and remnant prairie patches are among the best examples that can be found on the free-flowing reach of the Missouri River. Wetland types, including a complete list of plant communities, along with category definitions, are provided in appendix B.

Leafy spurge, spotted knapweed, and Canada thistle are widely distributed within the project area and are designated as noxious weeds by the states of Nebraska and South Dakota. Purple loosestrife is spreading rapidly and threatening wildlife habitat (forage and cover) on the Missouri and Niobrara Rivers. This plant is designated as a noxious weed in South Dakota. It also forms dense stands on several hundred acres of wetlands on the bottomlands and islands of the Missouri River below the Niobrara. Hybrid cattails are widespread in wetlands. Eastern red cedar, a native tree, is spreading onto grasslands and is developing dense thickets due to lack of prairie fires. In the uplands, other woody species besides red cedar are also encroaching into native grassland, including green ash, slippery elm, and smooth sumac. Smooth brome is widespread in both the uplands and in the bottomlands of the project area. Russian olive has invaded many of the shrubland and bottomland forests, especially those subject to heavy grazing.

SOILS

The recreational river segments cover land in Boyd and Knox Counties, Nebraska, and in Charles Mix, Gregory, and Bon Homme Counties, South Dakota. Soil surveys have been completed for Boyd County, Nebraska (NRCS 1979) and Charles Mix, Bon Homme, and Gregory

Counties, South Dakota (NRCS 1982, 1983, 1984). A draft soil survey is available for Knox County, Nebraska (NRCS 1993).

The soils in this area vary from level and nearly level silty and clayey soils on floodplains of the Missouri River and its terraces to undulating to steep loamy and clayey soils on uplands. Most soil types are moderately to well drained. The Sansarc soil series consists of shallow, well-drained soils formed in residual material from clayey shale on the breaks of the Missouri River. The Inavale soil series consists of deep, somewhat excessively drained soil formed in sandy riverwash material on the Missouri and Niobrara Rivers. Silty clay soils on the Missouri River floodplain are deep and poorly drained. Most of these areas support native vegetation and provide wildlife habitat. The bedrock Pierre shale in the Niobrara area is prone to landslides; this can cause problems when roads are built through it.

PRIME AND UNIQUE FARMLAND

Prime farmland, one of several kinds of important farmland defined by the U.S. Department of Agriculture, is the land that is best suited to food, feed, forage, fiber, and oilseed crops. It could be cultivated land, pasture, woodland, or other undeveloped land.

The National Park Service determined the acreage and percentage of prime and unique farmland within each boundary alternative. The prime and unique farmland soil types were identified on the soil survey maps (prepared by the Soil Conservation Service) for each of the five Nebraska and South Dakota counties within the boundaries of the recreational rivers. These soil types were digitized and through the use of geographic information system (GIS) technology, they were overlaid on each boundary alternative to determine the prime and unique soil acreage in each alternative. This acreage was divided by the total land acreage in each alternative to determine the percentage of prime and unique farmland in each alternative.

The project area is primarily a rural area where agriculture plays a major role in the overall economy of the area. Primary products include cattle, hogs, corn, wheat, soybeans, and milo.

General plant communities were mapped for the project area. The land was classified as cropland or pasture/rangeland, which include a range of cover types, such as row crops, alfalfa fields, mixed-grass prairie, wet-mesic prairie, and tallgrass prairie, and both grazed and hayed areas (see appendix B).

FISHERIES

Fishery resources in the project area are significant but different in species composition and total numbers from the pre-dam Missouri River. Fish habitat on the Missouri River between Fort Randall Dam and the headwaters of Lewis and Clark Lake is more similar to the natural river conditions than reaches downstream. Native fish in this free-flowing Missouri River segment are relatively productive and dominated by cool and warmwater species, including the catfish, sturgeon, sauger, suckers, and a naturally reproducing population of paddlefish. This reach is one of the recovery priority areas for the pallid sturgeon (USFWS 1993).

Native fish have declined in the project area because of migration blockage, loss of habitat, change in habitat, decreased turbidity, and competition from new species, all primarily due to

the river regulation effects of the Missouri River mainstem dam system. These regulatory practices have resulted in an altered annual cycle of river flows (hydrograph) that causes lower than normal river elevations during critical spring and summer months for fish migration and breeding. Mainstem and tributary reservoirs are used to store the usual high spring runoff that is released in the summer and fall at rates that are less than the spring runoff rates. This is a reversal of the natural hydrograph, and life cycles of plants, nesting birds, aquatic insects, and fish are adversely affected. Also, water releases resulting from power peaking operations during critical spring and summer months cause fish eggs and larvae to dry out as the water level fluctuates as much as 4.5 feet daily.

The mainstem dams have affected fisheries in other ways. The dams have controlled flooding, making development possible in the old erosion zone near the river, which was the best fish and wildlife habitat. The forest-grassland community has been slowly replaced by agriculture, industry, and private homes. From its headwaters in Montana to the mouth at St. Louis, the Missouri River has lost 4.4 million acres of fish and wildlife habitat in this manner.

A recreational use survey of the Missouri River in Nebraska (Hesse et al. 1992) surveyed recreational sites including a representative collection of sites along the 39-mile stretch of the Missouri River in the project area and Lewis and Clark Lake. From May to September, 39 species of fish were caught. Dominant species in the catch included freshwater drum (36%), channel catfish (17%), common carp (14%), walleye (8%) and goldeye/herring (8%). Sauger, flathead catfish, and shovelnose sturgeon catches were very low. As native Missouri River species, their decline is an indication of changes from the natural Missouri River ecosystem, such as the loss of snags and organic matter, two features vital to aquatic habitats.

WILDLIFE

Wildlife is plentiful in and along the three national recreational rivers primarily because of the varied habitat. Small mammals, including mice, voles, bats, rats, and ground squirrels make up roughly 60% of the species (NPS 1995). Furbearers contribute approximately 20%. Recently, about twenty elk were introduced by the Yankton Sioux onto their reservation in South Dakota; the elk have since left the reservation and become established in Gregory County, South Dakota and Boyd County, Nebraska. The Yankton Sioux also brought in bison, which are managed as a domestic herd. White-tailed and mule deer are the only other large mammals in the project area; white-tailed deer are found throughout the length of the recreational rivers. Coyote, red fox, and badger are common. Other small fur-bearing animals present include raccoon, mink, weasel, muskrat, opossum, striped and spotted skunk, beaver, rabbit, and bobcat.

There have been changes in species composition as evidenced by comparison of the Lewis' and Clark's journals with present day surveys. Historically, six habitat types of undeveloped land with specific plants and animals existed along the unchannelized reaches of the Missouri River (Hesse 1994). Sand dune habitat not currently present on this stretch of the river was important for big game animals, terrestrial birds, reptiles, and amphibians; marshes provided excellent habitat for aquatic Furbearers, waterfowl, and other water and marsh birds; cottonwood-willow habitat provided an abundant food source during winter and summer for big game animals and upland game birds; the cottonwood-dogwood complex provided highly rated seasonal habitat for big game, as well as being important for terrestrial birds and upland game birds; and elm/oak, the most mature habitat, was important for both big game and upland game mammals.

The river island complexes are important to wildlife. The chutes and backwater areas of islands provided feeding, resting, and breeding areas for water birds and furbearers.

The Missouri River ecosystem has long been recognized as a significant pathway for migratory birds, including a number of passerines and birds of prey (COE 1968). Migrating species benefit from bottomland habitat, which serves for wintering, feeding, breeding, and staging.

THREATENED AND ENDANGERED SPECIES

The U.S. Fish and Wildlife Service, during informal consultation, made a determination of the presence or likely occurrence of listed species in the project area. The following eight species protected under the Endangered Species Act will be taken into consideration during the implementation of this plan. Based on the preferred alternative, the National Park Service will make a determination of either "may affect" or a "will not affect" listed species. The U.S. Fish and Wildlife Service, after studying the preferred alternative, will then either concur or not concur with the NPS determination.

The peregrine falcon (*Falco peregrinus*), whooping crane (*Grus americana*), interior least tern (*Sterna antillarum*), pallid sturgeon (*Scaphirhynchus albus*), and American burying beetle (*Nicrophorus americanus*) are listed as endangered. The piping plover (*Charadrius melodus*) and western prairie fringed orchid (*Platanthera praeclara*) are classified as threatened. The bald eagle (*Haliaeetus leucocephalus*) was recently federally down-listed to threatened.

Bald Eagle

Bald eagles use mature riparian timber areas near streams and lakes. Evidence suggests that large cottonwood trees along the Missouri River have passed maturity and are beginning to degenerate. Eagles depend on these trees for nesting, perching, and roosting. Cottonwood regeneration has been almost nonexistent, due in part to the preclusion of natural overbank flooding along the Missouri River, which is necessary for cottonwood germination. Ultimately, successional changes will lead to replacement of the cottonwood habitat by smaller climax species, such as green ash. Loss of habitat and destruction of wild areas through land development and increased human activity are adversely affecting the suitability of both breeding and wintering areas.

The Missouri and Niobrara Rivers are major bald eagle wintering areas. The Missouri River segment contains one registered national natural landmark (located below Fort Randall Dam on the Missouri River in Gregory County, South Dakota) that is listed as the Fort Randall eagle roost. Designated in 1967, the site protects a floodplain forest, which provides prime winter roosting habitat and nest sites for both bald and golden eagles. Bald eagle nesting has occurred since 1992, when the first nesting was recorded for South Dakota in this century. This area, also known as the Karl E. Mundt National Wildlife Refuge, is administered by the U.S. Fish and Wildlife Service. Bald eagles can find a good supply of fish and waterfowl near the open tailwaters downstream from Fort Randall Dam. Migrating and wintering bald eagles can be found in South Dakota and Nebraska from November 1 to April 1.

Peregrine Falcon

Peregrine falcons are generally associated with wetlands and open areas, such as cropland and grassland. Peregrines almost always nest on steep cliffs, greater than 150 feet in height, that are close to water. These raptors feed almost exclusively on birds captured in flight in areas such as woodlands, marshes, and open grasslands (COE 1994).

The wintering habitat of the peregrine falcon is poorly documented and no nesting or wintering activity has been documented in recent times. Most observations in South Dakota and Nebraska are of peregrines migrating in late April to early May, September, and October (USFWS 1995).

Whooping Crane

Whooping cranes can be found in South Dakota and Nebraska during spring and fall migrations. Whooping cranes use cropland and pasture; wet meadows; shallow marshes; shallow portions of rivers, lakes, reservoirs, and stock ponds; fresh water; and alkaline basins for both feeding and resting. However, overnight roosting appears to require shallow water in which they stand and rest. Boyd, Knox, and Charles Mix Counties are on the eastern edge of the whooping crane migration corridor. No sightings have been confirmed within the designated portions of the Niobrara and Missouri Rivers, but a single whooping crane has been sighted in Knox County, which is unusual because it is east of the normal flyway. Whooping cranes migrate through South Dakota and Nebraska between October 1 and December 1 in the fall and March 15 and May 15 in the spring.

Interior Least Tern

The interior least tern nests on sparsely vegetated sandbars or shorelines of the Missouri and Niobrara Rivers where there is an unobstructed view of a wide channel. The size of nesting sandbars varies from less than 1 acre to many acres. Varying river flows affect the size and quality of nesting habitat. The primary nesting and chick rearing period for these birds is from early May to late August. The short, free-flowing stretches of river, including the Missouri segment below Fort Randall Dam and the lower Niobrara River, provide sandbar habitat needed for tern viability. Terns typically select nest sites away from the water's edge when sufficient habitat is available. Most terns nest in areas of less than 5% vegetative cover that is a few inches tall. The least tern primarily eats fish, feeding in shallow rivers, streams, and lakes.

Least tern populations have declined as a result of alterations of habitat (USFWS 1994). According to the *Draft Biological Opinion on the Missouri River Master Water Control Manual Review and Study* (USFWS 1994), channelization and construction of reservoirs and pools have contributed greatly to the elimination of much of the tern's sandbar nesting habitat in the Missouri River system. For example, 76% of the Missouri River in the tern's range is either channelized or impounded. Current regulation of dam discharge poses additional problems for terns nesting on remaining habitats. Lack of scouring of sandbars has resulted in the encroachment of vegetation along many rivers and greatly reduced channel width. In addition, river main stem reservoirs now trap much of the sediment load, which results in less aggradation and more degradation of the riverbed and, subsequently, fewer sandbars. Predation of chicks, disturbance by humans and pets, trampling by cattle, and flooding during the nesting season are other factors that have contributed to population decline. The *Recovery Plan for the Interior*

Population of the Least Tern (USFWS 1990), describes actions for the conservation and survival of the tern throughout its range.

Piping Plover

The piping plover nests on sparsely vegetated sandbars, sand and gravel shorelines of rivers, and alkali wetlands. The amount and distribution of nesting site vegetation affects plover habitat and reproductive success. Studies suggest that plovers select sites away from the water's edge and relatively high above the water when available (COE 1996). Nesting habitats on the Niobrara and Missouri Rivers typically are dry sandbars located midstream in wide, open channel beds and with less than 25% vegetative cover. These conditions provide the essential requirements of wide horizontal visibility, protection from terrestrial predators, isolation from human disturbance, and sufficient protection from rising river levels. The optimum range for vegetative cover on nesting habitat has been estimated at 0%–10% and one researcher found that the majority of the plovers nested in areas where vegetation was less than 10 centimeters high (USFWS 1994). Open, wet, sandy areas provide feeding habitat for plovers on the river systems and throughout most of the birds' nesting range. Studies suggest that forage areas include the nesting island itself as well as adjacent sandbar flats.

The decline of the piping plover is due to alterations of habitat resulting in elimination of sandbars, altered flow regimes, predation, and disturbance by humans. Actions to ensure long-term stability and survival of piping plovers are described in the *Recovery Plan for Piping Plovers of the Great Lakes and Northern Great Plains* (USFWS 1989).

It is not known precisely how many acres of sand and of what type are required to support the recovery population goals for terns and plovers. However, it is likely that nesting habitat is a limiting resource. Terns and plovers are currently using nearly 100% of the available habitat (islands and sandbars) that are considered to be in good condition. Available habitat has been decreasing since 1986. Under normal conditions about 10% of nestable habitat has been lost each year through sandbar degradation and vegetation encroachment. A minimal amount of new habitat is created annually through sediment aggradation. Due to stabilized flows new habitat is generally of lower elevation (and hence more susceptible to inundation) than the habitat that was historically created under more violent hydrographs. This loss of habitat is due to the stabilization of river flows and the trapping of sediment in the reservoirs. The two best places for naturally creating habitat appear to be below the mouth of the James River and between the mouth of the Niobrara and about river mile 830 where lake levels are encountered (pers. comm. COE Greg Pavalca and Casey Kruse 1996).

The Corps of Engineers conducts several projects to support the recovery of the least tern and the piping plover. A census of adult birds is conducted annually in late June along the Missouri. During the nesting season from early May through August, the birds are monitored for productivity. Habitat improvement work is done on islands and sandbars favored by the terns and plovers. This work includes leveling sand dunes, pushing up sand to create higher elevations, tilling vegetation, and using herbicides on vegetation. Captive rearing has been conducted by the Corps of Engineers to salvage eggs that will have otherwise been lost to inundation. In 1995 the Niobrara River was selected by the Corps of Engineers as the site of a two-year study on least terns and piping plovers. The study is to determine if tern and plover nest site selection and reproductive success are related to habitat composition and availability

on a natural river system. Field work on the Niobrara began in the spring of 1996 and will be completed in the summer of 1997 (pers. comm. COE, Greg Pavalca and Casey Kruse 1996).

Islands with four or more nests are roped and posted as closed. Information on terns and plovers and on closed areas is posted at boat ramps on both sides of the river. The program has been very successful. The primary problem with current visitation is visitors who recreate on those nesting islands that are not roped and posted. Most of those nests are unsuccessful. Another potential problem is with visitors who approach too close to a posted nesting colony. This results either from (1) visitors walking up to read the closure signs or (2) boats pulling up and remaining too close to a nesting colony, even if the visitors stay in the boat. The birds are extremely sensitive to disturbance. Intrusions cause the birds to temporarily leave the nests; a potentially lethal problem on hot days. Although this is not a significant problem at current visitation levels, it could become a significant problem with increasing visitation (pers. comm. COE, Greg Pavalca and Casey Kruse 1996).

Even large numbers of visitors will have little impact on the birds if the visitor use takes place either above Verdel Landing or after the birds have fledged. Organized tours are not perceived as a problem. Tour guides provide interpretation and provide control to ensure minimal visitor impacts; it is not necessary to depend on law enforcement. Organized tours also reduce disturbance by gathering larger numbers of people into single boats, which has less impact than many smaller craft with fewer passengers. The birds can probably tolerate an increase in organized tours if leaders are competent and reasonable controls are imposed (pers. comm. COE, Greg Pavalca and Casey Kruse 1996).

Pallid Sturgeon

The pallid sturgeon is a native river fish found in the Missouri River and the lower reaches of major tributaries, including the Niobrara River. The Missouri River segment may contain some of the most significant habitat for potential natural reproduction of the sturgeon between the Yellowstone and Mississippi Rivers. The *Pallid Sturgeon Recovery Plan* (USFWS 1993) identified the area from 20 miles upstream of the mouth of the Niobrara River to the headwaters of Lewis and Clark Lake as one of four areas on the Missouri River for priority implementation of recovery actions.

Pallid sturgeon are well adapted to the swift water of large, turbid, free-flowing rivers. The floodplain, backwaters, chutes, sloughs, islands, sandbars, and main channel of the large-river ecosystem provide macrohabitat requirements for pallid sturgeon and other native fish, such as paddlefish, lake sturgeon, blue sucker, and various river chubs.

Destruction and alteration of habitats by human modification of the river system is believed to be the primary cause of the decline in reproduction, growth, and survival of pallid sturgeon (USFWS 1994). The physical and chemical elements of channel morphology, flow regime, water temperature, sediment transport, turbidity, and nutrients all once provided habitat for pallid sturgeon and other native species. On the main stem of the Missouri River, approximately 36% of riverine habitat was transformed by construction of six dams, and another 40% of the river downstream from the dams has been channelized. The remaining 24% of river habitat has been altered due to changes in water temperature and flow caused by dam operations. The Missouri River dams also are believed to have adversely affected pallid sturgeon by blocking migration routes and by causing inundation of spawning and nursery areas.

Western Prairie Fringed Orchid

The western prairie fringed orchid is usually found in tallgrass calcareous silt loam or subirrigated sand prairie. Populations are known in Hall, Lancaster, Sarpy, Seward, and Cherry Counties in Nebraska. In South Dakota the orchid historically was found in wet meadows in the Big Sioux Valley. A historical collection was made near Brandon, Minnehaha County, South Dakota. Although there are none known at this time in South Dakota, habitat exists, and the orchid could grow in the state.

American Burying Beetle

The American burying beetle has recently been collected (1993 and 1994) in Dawson, Lincoln, Keya Paha, and Cherry Counties in Nebraska and has been identified (1995) in Tripp and Gregory Counties in South Dakota, but no confirmed sightings have been made along the 39-mile segment. Beetle habitat is not clearly defined, but recent captures suggest riparian woodlands, wetland forest, mixed agricultural land (including pastures and mowed fields), and grassland. Historic locations for the beetle in South Dakota include Haakon, Union, and Brookings Counties. The beetle is attracted to carrion anywhere in South Dakota or Nebraska with significant humus and topsoil suitable for the burying of carrion, on which it is dependent for food. The beetle is one of the largest of its kind and is a strong flier, which enables it to move great distances.

Candidate Species

These are the species for which there is information indicating that listing as threatened or endangered might be appropriate and the Fish and Wildlife Service is considering adding them to the list. Candidate species that may live in the area include sturgeon chub (*Macrhybopsis gelida*), sicklefin chub (*Macrhybopsis meeki*), and Topeka shiner (*Notropis tristis*).

Species of Special Concern

These species are of concern because at one time they were listed as category 2 candidate species, which meant that the Fish and Wildlife Service had information that indicated that listing as threatened or endangered was possibly appropriate, but conclusive data was not yet available. The Fish and Wildlife Service has recently revised its policy on candidate species. The National Park Service is in the process of obtaining updated information from the Fish and Wildlife Service. In the interim the National Park Service, in the interest of conserving species, has maintained the old category 2 candidate list and is considering them as species of concern until updated information is available. The Fish and Wildlife Service will provide a new list of species that will include threatened, endangered, proposed, candidate, and species of concern. Species of concern are expected to include the former category 2 species in the local area.

Species of special concern that may live in the project area and that should be considered in any management actions include: plains spotted skunk (*Spilogale putorius interrupta*), western burrowing owl (*Athene cunicularia hypugea*), ferruginus hawk (*Buteo regalis*), black tern (*Chlidonias niger*), cerulean warbler (*Dendroica cerulea*), loggerhead shrike (*Lanius ludovicianus migrans*), white-faced ibis (*Plegadis chihi*), Blanding's turtle (*Emydoidea blandingii*), false map turtle

(*Graptemys pseudogeographica*), lake sturgeon (*Acipenser fulvescens*), blue sucker (*Cycleptus elongatus*), plains topminnow (*Fundulus sciadicus*), western silvery minnow (*Hybognathus argyritis*), plains minnow (*Hybognathus placitus*), flathead chub (*Platygobio gracilis*), elktoe (*Alasmidonta marginata*), scaleshell (*Leptodea leptodon*), spectacle case pearly mussel (*Cumberlandia monodonta*), Noctuid moth, no common name (*Schinia indiana*), Belfragi's chlorochroan bug (*Chlorochroa belfragi*), Regal fritillary butterfly (*Speyeria idalia*), bulrush (*Scirpus hallii*), and paddlefish (*Polyodon spathula*).

The paddlefish spawning that occurs in the 39-mile Missouri River segment may be the most significant remaining natural reproduction for the species between Garrison Dam, North Dakota, and the confluence of the Missouri and Mississippi rivers (NPS 1995). However, considerable paddlefish spawning is known to occur along some of the larger tributaries to the lower Missouri River, especially along the Osage River in Missouri. Blockage of migrations, over harvest, and loss of deep pool habitat are among the key factors affecting paddlefish.

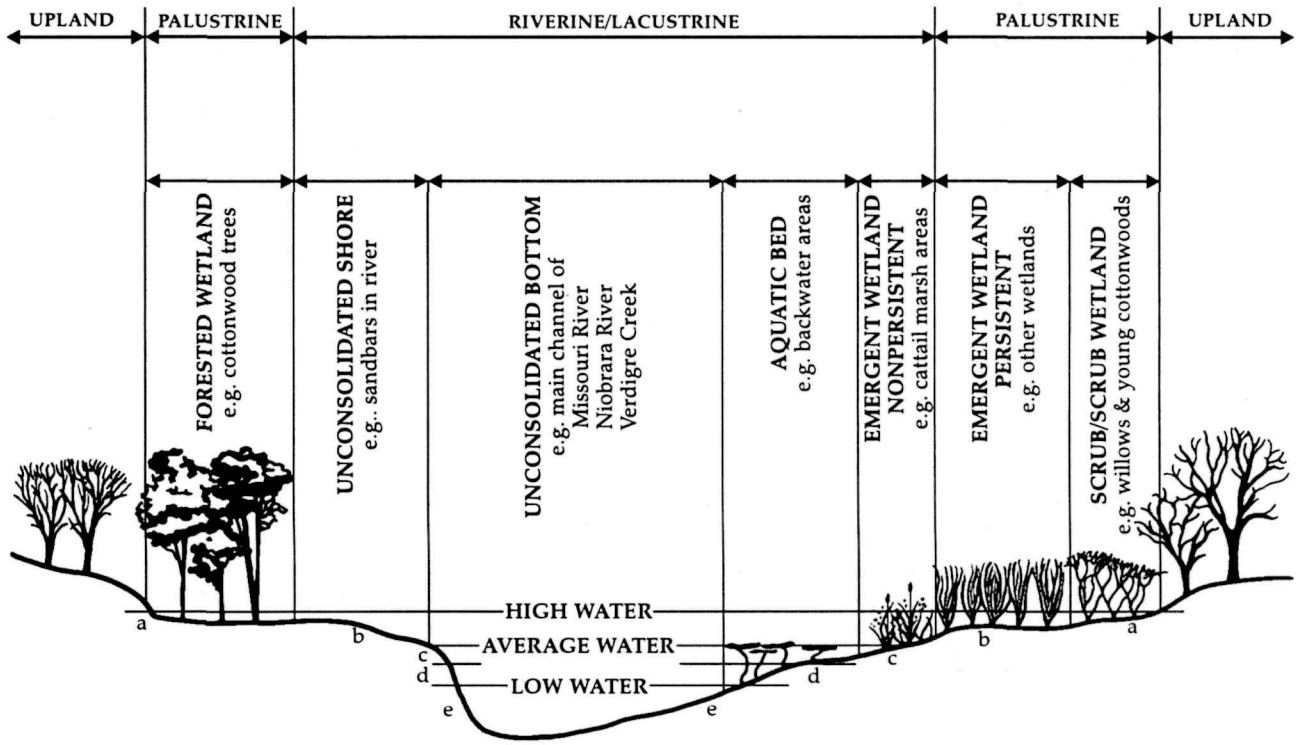
Areas with the most potential for rare species were determined using GIS technology in consultation with South Dakota Game, Fish, and Parks and Nebraska Game and Parks biologists. These areas may provide habitat for a number of federal and state rare, threatened, or endangered species. In addition to the protected species, animal and plant species of concern to the states of South Dakota and Nebraska that may live in the project area are listed in appendix C. It is Park Service policy to give these species the same consideration/protection as federally listed species.

WATER RESOURCES

Surface Hydrology

The segment of the Missouri River in the project area represents one of the few remaining reaches of a once vast and dynamic natural ecosystem that still exists in a relatively natural state. It is a wide, meandering channel containing numerous shifting sandbars and subsidiary channels. Seven principal aquatic habitats identified in the free-flowing Missouri River are the main channel, main channel border, sandbar, pool, chute, backwater, and marsh. The sandbar, backwater, and marsh habitats are especially threatened in the Missouri River system. These habitats are extremely productive and dynamic and are not duplicated in the channelized or impounded segments of the river.

In the project area on the Niobrara River, the river valley widens and the canyons and seepages diminish in number, although numerous surface streams exist in Holt and Knox Counties. The lower river, now spread out in multiple meandering channels, is laden with sand, silt, and organic debris at its confluence with Verdigre Creek and then the Missouri River. The Nebraska Public Power District's Spencer Hydroelectric Dam, approximately 40 miles upstream from the Niobrara River mouth, currently has very little effect on the Niobrara River hydrograph since it has silted in and has little storage for flow regulation.



a. Temporarily flooded
b. Seasonally flooded
c. Semipermanently flooded
d. Intermittently exposed
e. Permanently flooded

Distinguishing features and examples of habitat in the riverine system

Floodplains

The upper and lower sections of the Missouri River are influenced by the presence of the large dams and extensive river flow regulation by the Corps of Engineers. The river has entrenched into a more confined channel and has steep, unstable banks. Rapid erosion of the banks has supplied sediment to form mid channel bars and reflects river's attempt to adjust to the regulated flow regime. Bank erosion has been more noticeable at least above Greenwood but occurs throughout the reach. Because one of the purposes of the mainstem dams was to control floods, floodplain processes (land features formed by very high water) have diminished over time and, subsequently, reduced the number of traditional floodplains. The floodplain along the Missouri River on both sides generally has stands of large cottonwoods and associated species. The floodplain forests extend up to 1 mile from the river. Cottonwoods are also commonly associated with several large islands in the free-flowing Missouri River segment.

Any proposed actions or sites for future facilities will require determination of the 100- and 500-year floodplains so that floodplains are not adversely affected.

The possibility of using a more precise method of floodplain delineation for the project area was determined infeasible because of the cost and time required. The Niobrara and Verdigre systems

have very unstable banks (nearly pure sand) that are constantly adding and subtracting land, as evidenced by mapped side channels. Additionally, because of the braided nature of the Niobrara River and Verdigre Creek, the river channels can accommodate substantial increases in discharge without undergoing dramatic changes in river stage, and the local hydrology also results in fairly constant water surface elevations on the Niobrara River. The natural flow regime of the Niobrara is such that the river does not undergo substantial changes in stage seasonally like most western rivers (Buchanan 1981).

The Niobrara River is aggradating near the mouth, and the river is developing a new channel through the Mormon Canal. This change is threatening the stability of a bridge and road embankment in the area.

Sedimentation

Two major sedimentation processes are occurring in the 39-mile reach: degradation and aggradation. Degradation refers to the general erosion of the channel bed and banks over a substantial distance downstream from a dam. It occurs as sediment-free water released from the dam picks up material from the riverbed and banks to obtain a full sediment load. The river cannot replace these materials in-kind once they have been removed. According to measured water surface profiles, the Missouri River channel has degraded from Fort Randall Dam downstream to about river mile 860 just downstream of Greenwood, South Dakota. This degradation process has increased the carrying capacity of this section of the Missouri River channel (compared to pre-dam conditions).

Aggradation is the progressive build up of the channel bed and/or floodplain due to sediment depositing. At the mouth of a river or in the headwaters of a reservoir, this aggradated area is called a delta. There are two separate deltas between the Fort Randall and Gavins Point dams. The farthest downstream is the delta at the upper end of Lewis and Clark Lake, which exists because the velocity of the water in the lake and its backwater area is not sufficient to transport the sediment from upstream. This delta has virtually no effect on the 39-mile reach, with the possible exception of the Running Water area.

The delta at the confluence of the Niobrara and Missouri Rivers is causing the greatest impact in the study reach. This delta exists because of the Fort Randall project. Historically, sediment was deposited at the confluence of these two rivers because of the abrupt change in river slope as the steep and relatively swift Niobrara River entered the relatively flat and sluggish Missouri River. Before Fort Randall Dam was built, the delta formed by this deposition was naturally controlled by the periodic flushing action of the annual spring and June rises on the Missouri River. Completion of the Missouri River mainstem reservoir system has eliminated these flushing flows on the Missouri, and as a result the deposits at the confluence have grown continually, producing a constriction of the Missouri River. This constriction of the Missouri River has had a damming effect, which causes a rise in normal river stages and a reduction in bankfull channel capacity. The Niobrara delta appears to influence the Missouri River from about Running Water, South Dakota (RM 813), upstream to Verdel, Nebraska (RM 835), and the Niobrara River from its mouth to approximately seven miles upstream. Smaller tributaries to the two rivers are also affected in the vicinity of their confluences, particularly Verdigre Creek on the Niobrara and Ponca Creek on the Missouri.

Growth of the Niobrara delta and the subsequent increased river stages and reduced channel capacities have caused several problems. Some developed and undeveloped river access and recreation sites have filled with sediment and are no longer usable. Land in Nebraska and South Dakota is now flooded at a discharge of 35,000 cubic feet per second compared to a pre-dam discharge of 100,000 to 150,000 cubic feet per second. The groundwater table has risen in response to higher river stages and has caused subsurface flooding of crops and field access problems.

As aggradation and degradation continue in the 39-mile reach, the channel will eventually adjust to the changes in sediment load and discharges imposed upon it by the mainstem reservoir system and will reach equilibrium. The river slope, discharge, channel pattern, and sediment supply will be balanced and the channel will no longer undergo long-term aggradation or degradation. Available information does not allow a prediction of when or where the Missouri and Niobrara Rivers will stabilize, but based on existing trends additional aggradation and degradation can be expected.

As aggradation continues, additional land in Nebraska and South Dakota between the towns of Niobrara and Verdel may be subject to surface flooding and rising groundwater. The frequency of flooding is expected to increase with reductions in channel capacity. More boat access and recreation sites are expected to become unusable, which will cause the remaining sites to be used more. Aggradation will shift recreation access to the Missouri River to Sunshine Bottom and Verdel Landing, and there will probably be more boats on Lewis and Clark Lake.

Environmental effects of sedimentation were also predicted by the Corps of Engineers. Habitat for fish and wildlife will continue to change. Because of the wide variety of hydraulic conditions in the area, habitat potential is good. There will be increased wetland environment in the open water, and marshes will be dominated by cattails, reed canarygrass, giant reed, bulrush, and purple loosestrife (an exotic weed). Sandbar habitat in the lower sections of the Niobrara River and Verdigre Creek will increase, which will probably benefit the least tern and piping plover.

These habitats will not support agriculture nor be suitable for vacation home development, but they will benefit wetland- dependent waterfowl and migrating birds, mammals, amphibians, and fish. Recreational benefits of such land, other than for hunting, fishing, and wildlife observation, will diminish. Most of the fish in the river are species that thrive in small rivers. Lower reaches are valuable as a spawning and nursery area for these fish. Many fish populations in the lake have not changed in twenty years, but because of flow reductions on the Missouri River, production of mature river fish will be reduced.

The sedimentation study concluded that unless actions are taken to reduce the problems in this area, they will worsen. The ability of the river to carry water will decrease, increasing the frequency of overbank flooding and continuing to raise the groundwater table. Also, because of sedimentation, several public recreation areas will become unusable. Habitat around the deltas will continue to become more aquatic and marshy.

The Corps of Engineers study looked at nine alternatives to solve the problems and provided cost estimates for each. The study concluded that it is less costly to buy affected land in fee or easement than to carry out any of the other measures to mitigate the impacts caused by the delta formation (COE 1994).The National Park Service will support additional study of the sedimentation problem within the recreational rivers, and it will also cooperate with the Corps

of Engineers to assist landowners in stabilizing rapidly eroding banks when significant resources are threatened.

Wetlands

Thirteen lacustrine, palustrine, and riverine wetland community types were identified and mapped for the three recreational rivers using USFWS *National Wetlands Inventory* data, which originally consisted of 125 wetland categories. These categories were further classified by the Nebraska Game and Parks Natural Heritage Program into the 13 wetland community types based on their habitat similarities and association with rare, threatened, and endangered species.

Flood control has contributed to the loss of wetland habitat upstream of Greenwood (COE 1995). Backwater chutes, pools, and lakes were a part of the braided river channel created by erosion and sedimentation. There has been some chute and backwater loss below the dam to Greenwood, but several are still very active. Conversely, there has been an increase of active chutes below Greenwood. Wetlands, created by changes in channel shape, were maintained by periodic flooding. The lack of flooding has changed the species composition of remaining wetlands. Pool fluctuations above Gavins Point Dam have contributed to the development of monoculture plant (cattails and purple loosestrife) stands on land that was once prone to flooding (COE 1995). Wetlands along overflow pools on the floodplain further upstream were maintained by groundwater, but these have slowly disappeared as the river has a deeper trench. Adjacent wetland losses have occurred in the upper area due to decline in groundwater, but the reverse is happening below Greenwood. The remainder of the Missouri River segment, including the lower Niobrara and Verdigre Creek, has actually experienced a net gain in wetlands due to formation of the Niobrara River delta and loss of channel capacity of the Missouri River (COE 1995). As this delta continues to form, the riverbed will rise and more adjacent land will flood. The boundary in alternatives 3 and 5 includes land where this water table is projected to rise to within 3 feet of the surface within 30 years.

Water Quality

Water quality in the project area is generally good. Niobrara River water has been monitored and some chemical and physical aspects of Missouri River water have been studied intermittently since before closure of the mainstem dams. The water quality factor on the Missouri most affected by dam construction was turbidity. The water became less turbid, or much clearer, after the dams reduced natural sediment transport in the river. High turbidity did not affect the primary energy source of the river, the erosion caused by main channel meandering, or the runoff from tributaries (Hesse et al. 1988). The clean water from the dams leads to downcutting, narrowing of the river channel, rapid erosion on the new banks, loss of sandbars, and reduction of nutrients important in fish and wildlife habitat.

Selenium, a naturally occurring heavy metal, is found in eastern South Dakota. The Corps of Engineers did an analysis of the Missouri River water and sediment during 1992 in conjunction with a project to create habitat for interior least tern and piping plover. Sample sites included Niobrara, Nebraska, and Running Water, South Dakota. Results indicated that the amount of selenium was within state water quality standards and EPA criteria.

Point-source water pollution occurs downstream of the study area on the Missouri River in the vicinity of Sioux City, Iowa.

AIR QUALITY

Air quality is an important resource that directly affects the visitor experience. The Clean Air Act was amended in 1977 to, among other things, preserve, protect, and enhance quality of the air in national parks, wilderness, and other nationally significant areas. Under the act, the three recreational rivers were designated as a Class II clean air area. There could be moderate, well-planned industrial growth in the vicinity of the recreational river segments as long as the class II maximum allowable increases for particulate matter, sulfur dioxide, and nitrogen dioxide were not exceeded.

Air quality in the project area (Nebraska Intrastate Air Quality Region) is generally good. The project area is an attainment area for the National Ambient Air Quality Standards. The clean air and good visibility are important in the project area.

NOISE

Noise levels in the project area are varied, with relative tranquility in some areas, typical sounds in more developed areas near towns, and seasonal sounds of motorboats in other areas. The opportunity to experience a quiet, natural environment is part of the relatively primitive recreational experience that is valued on the recreational rivers.

CULTURAL RESOURCES

PREHISTORIC USE

This segment of the Missouri River and its tributaries lies at the juncture of several geographic, climatic, and environmental transition zones that includes plains, prairies, and woodlands. For thousands of years the topography, geology, animal life and vegetation have provided opportunities for many different human groups to hunt, gather, trade, and build settlements. The archeological remains of their tools and weapons, campsites and habitations, food, and religious and ceremonial objects provide clues to their lifestyles. Each of the human groups adapted to the area and its resources differently, resulting in observable distinctions among the area's sites.

Recognizing these cultural and environmental differences, archeologists have defined a broad sequence of cultural history for the area that includes the following periods and/or cultural affiliations.

Paleo-Indian Period

The earliest archeological remains date from before 11,000 years ago to 7,000 or 8,000 years ago and are linked to Paleo-Indian people who gathered plants for food and pursued large game.

Archaic Period

Archaic groups occupying the area from about 8,500 years before present (B.P.) to about 2,000 years ago relied on a wide range of animals and gathered food. However, scientists speculate that climatic changes contributed to the extinction of large animals, which made Archaic people more dependent on vegetables and smaller game toward the end of this period.

Woodland Period

The development of farming and new technology and tools such as the bow and arrow and ceramics marked the transition into the Plains Woodland period (about 400 to 800 years B.P.). When compared to earlier times, this period is characterized by an increasing complexity in the numbers and variety of tool types and styles, shelters, and in types of animals used for food. It is thought that bison hunting and gathering were supplemented by horticultural crops like corn and squash. The use of symbolic items and elaborate mortuary practices suggests increasing ritual or religious behavior.

Great Oasis

Great Oasis appears to have been an independent cultural group practicing extensive trade (especially in shells) with other groups to the east from whom they may have acquired corn.

Great Oasis sites dating between about A.D. 850 and 1150 are contemporaneous with Late Woodland occupations and often include the remains of moderately large villages or small camps. Site features include storage pits that held large quantities of cultivated plant foods. Artifacts include distinctive pottery.

Coalescent Tradition

During the period from around A.D. 1000 to A.D. 1400, cultures collectively known as the Central Plains Tradition developed in Kansas, Nebraska, and western Iowa. These groups built villages of square earth lodges that contrasted with the compact villages of the Middle Missouri Tradition (built north and upriver from the study area). Interaction among these two groups and prehistoric farmers from the upper Midwest (the Oneota) resulted in a new cultural tradition in the study area from about A.D. 1300 through historic times. This Coalescent Tradition includes St. Helena sites along the Missouri River.

HISTORIC USE

American Indian tribes, including the Omaha, Ponca, Yankton, Santee Dakota, Pawnee, and the Brule and Oglala divisions of the Lakota, are known to have used the area in historic times. The Omaha and Ponca are closely related and are believed to have once been parts of the same tribe. French maps identify Omaha Indians occupying land along the Missouri River, and they are known to have participated in the fur trade. Political alliances with the Ponca, hunting, and warfare brought the Omaha into the study area.

The Ponca are believed to have separated from the Omaha in the 17th or early 18th centuries. The Ponca lived near the mouths of the Niobrara River and Ponca and Bazile Creeks and hunted in the Niobrara River valley throughout most of their recorded history. The Ponca typically lived by semiannual buffalo hunts, by gardening, and by gathering wild plants.

In the late 18th century the Ponca began trading with Spanish traders from St. Louis and continued trading with the Americans after the United States acquired Louisiana from France. Early contacts with Euroamerican traders led to epidemics that decimated the tribe's population by the early 1800s. These contacts initiated far-reaching technological and economic changes among all of the Plains tribes.

Movements of Dakota and Lakota onto the Plains resulted in warfare with the Ponca. By the middle of the 19th century this warfare had forced the Ponca to become increasingly dependent on the U.S. government for subsistence and protection. In 1858 and 1865 treaties the Ponca ceded most of their land to the United States. By an oversight, the Fort Laramie Treaty of 1868 gave the remaining Ponca land to the Lakotas. Life for the Ponca continued to deteriorate to the point where, in 1877, the U.S. government forced them to relocate to the Indian territory (present-day Oklahoma). The tribe suffered greatly from this uprooting, and many died during the journey south and afterward.

One of the dead was the son of Chief Standing Bear. Standing Bear set out with approximately 65 family and clan members and followers to return to the Ponca homeland to bury his son.

Viewed as an Indian who had illegally escaped from his reservation, Standing Bear was arrested in Nebraska and tried in Omaha. The trial resulted in a landmark legal decision to the effect that American Indians were people within the meaning of the law and were thus afforded the protection of the Constitution. This meant that Standing Bear was entitled to live where he chose, and he and a few other Poncas returned to the area near the mouth of the Niobrara River.

Historically there were three broadly recognized divisions among the Dakota Sioux. They all occupied land in present-day Minnesota and Wisconsin. During the early 1700s the Middle Dakota moved west. The Yankton Sioux now reside on their late historic homeland, a reservation established by the 1858 Fort Laramie treaty north of the Missouri River in South Dakota.

In the early 1800s relations between the Dakota and the U.S. government were generally peaceful, and several major treaties established boundaries for the tribe. Wars with the Chippewa encouraged some emigration westward, but the Santee (the Eastern Dakota) were widely scattered following the Minnesota Sioux uprising of 1862. In 1866 one group of Santee were forcibly relocated to what is today the Santee reservation in Knox County, Nebraska. The Brule and Oglala Lakota (the Western Dakota) raided the Ponca and Santee in this area, and an agency for the Brule was briefly located near the mouth of the Niobrara during the 1860s before their removal in 1878 to the Rosebud Reservation in South Dakota.

The Pawnee may have been part of the Coalescent tradition of the Dakotas, and their historic homeland was along the Loup and Platte Rivers in central Nebraska. Prior to the 1500s, ancestors of the historic Pawnee once lived in small farming hamlets scattered along the Missouri River. Other than occasional buffalo hunts, the Pawnee made little use of this area, and the tribe was removed to the Indian territory in the 1870s.

Euroamerican exploration of this area began in the early 1700s when the Mallet brothers ascended the Missouri in search of trade routes. Spanish traders soon followed, and by 1739 traders and explorers had built encampments at the mouth of the Niobrara River. Acquisition of the area as part of the Louisiana purchase in 1803 led to the 1804-1806 Lewis and Clark expedition that hoped to link exploration with expansion and American commercial development. A number of trading posts were built along the Missouri River in association with the fur trade.

During the mid-1800s a series of military expeditions explored the Missouri and Niobrara valleys seeking transportation routes across the Great Plains. During the 1840s a party of Mormons wintered near the mouth of the Niobrara River. The Newell Knight Memorial was erected to commemorate the 11 Mormon travelers who died of pneumonia during the winter of 1846-1847. By this time fur trade had ceased to be a powerful force in the area. There was no Euroamerican settlement in many parts of the region until the latter part of the century because the land was still occupied by several tribes, including the Sioux and the Ponca.

Official federal Indian policy during the first half of the 19th century included assimilation and removal of Indian tribes. Around the Civil War, travel through the area — both overland and by steamboat — increased as Euroamericans seeking land and gold began to filter into the region. Treaties with Indian tribes were negotiated and repeatedly violated, and the Indians' major food source, bison, was depleted, resulting in recurring conflicts between these groups and Euroamericans.

Eventually a chain of military forts was constructed across Nebraska and South Dakota. One of these forts was Fort Randall, established as the main U.S. outpost on the middle Missouri River in the wake of hostilities with the Sioux Indians in 1854-1855. It served for 36 years as a continuously occupied military post, longer than any other fort on the middle Missouri River. A road, later known as the "Dugway," ran between Fort Randall and the Yankton Indian Agency.

By the 1880s most Indians, including the Santee, Yankton, and Ponca, had been confined to reservations and were dependent on the Indian agencies for subsistence. Various religious groups sent missionaries to minister to soldiers and travelers and to establish missions and build churches for the Indians on the reservations.

As tribes were removed to reservations, land in the study area was opened for settlement. Immigration into the area was encouraged by the Homestead Act and aided by the development of reliable overland routes such as the Fort Randall Stage and Wagon Road, increased steamboat and ferry service on the river, and construction of railroads (the Chicago, Milwaukee, and St. Paul Railroad in South Dakota and the Chicago and North Western Railroad in Nebraska). During the late 1870s and early 1880s immigrants from France, Ireland, the Scandinavian countries, Czechoslovakia, Germany, and Russia settled in this area and established farms and ranches, small market villages, and crossroads communities like Verdigre and Pishelville. These areas initially attracted people from other regions of the United States; ethnic populations that moved directly from Europe came later in the 19th century.

In an attempt to help the Indians become self-supporting, changes were made in federal Indian policy in the late 1800s. Both the government and missionaries provided schools. Individual Indians were granted land allotments, many of which were subsequently sold to non-Indians.

A number of transportation routes were established or improved, and bridges were built during the early 20th century. South Dakota State Route 50 was built along the Fort Randall Stage and Wagon Road.

Extensive flooding prompted the passage of many flood control measures during the mid-1900s. The Flood Control Act was passed in 1944 to capitalize on the potential of the Missouri River. This law created a program, later known as the Pick-Sloan Plan, which was intended to have far-reaching benefits for the entire Missouri Basin through flood control, irrigation, navigation, development of recreation areas, fish and wildlife conservation, and production of hydroelectric power. During the same period, the federal government created Pickstown, a planned community for employees working on the construction of Fort Randall Dam. Construction of the dam created Lake Francis Case and encouraged the subsequent development of river access points, recreation areas, and facilities such as those below Fort Randall dam and at Niobrara State Park. Wildlife management areas were set aside to provide habitat for important wildlife.

Further changes in federal Indian policy were made during the 1930s with passage of the Indian Reorganization Act of 1934. Marginal land was purchased by the government, and colonies based on traditional communalism were established.

The Ponca of Nebraska, under the Indian Reorganization Act, incorporated in 1936, and elected their first tribal government. Because of the relocation to Oklahoma, most of their former land

had been homesteaded and has never been restored to the tribe. The tribe now has approximately 165 acres of land, and is in the process of purchasing more of their original homeland. In withdrawing federal recognition from American Indian tribes and assimilating American Indians into mainstream American society, the U.S. government terminated recognition of the Poncas of Nebraska in 1962. However, after four years of effort, the Poncas were reinstated to tribal status in October 1990.

The Poncas that stayed in Oklahoma are the Southern Ponca, and those who are in their original homeland area are the Poncas of Nebraska. The two tribes have worked together to unite their people, and they were symbolically reunited in a special ceremony at the first annual Ponca Tribe of Nebraska Pow Wow in August of 1994.

CULTURAL SITES

The cultural resources in the three recreational rivers require consideration in planning and resource management. Archeological, historic, and cultural landscape resources include places and objects that reflect and have meaning to past and present human cultures or that have important information about them. These tangible resources are nonrenewable; once their significant material aspects are gone, they are lost forever. Ethnographic resources are associated with traditional human use and may include sacred sites and traditional use areas.

Prehistoric Sites

A large number of archeological projects have been conducted in or near the three recreational rivers boundaries, but only a small portion of the area has been formally inventoried (NPS 1994b). Surveys have varied in coverage, research direction, reporting, analysis of data, and terminology. Most of the sites have been defined by the presence of surface materials, and only limited excavations have been conducted in the area, mostly by the Corps of Engineers.

Eighty-two of the 160 sites identified within or adjacent to the recreational rivers predate European contact in this area and include burials and burial mounds, villages, bison kill sites, and campsites with scattered lithics and ceramics. Sixty-seven sites could be identified only as prehistoric; 11 sites are of unknown age or culture.

Paleo-Indian Period. One Paleo-Indian site has been identified in the general vicinity of the three recreational rivers and includes what may be a short-term campsite or site where hunters killed and processed game animals.

Archaic Period. Thirteen archaic sites, primarily small camps, cemeteries, and game and food processing areas, have been documented in the study area.

Woodland Period. Ten woodland sites found in the area include small habitation sites with lightly built structures and occasional conical burial mounds. Remains of maize, squash, gourds, bison, and a variety of woodland animals have been found at these sites, along with a number of decorated ceramics.

Coalescent. Three Coalescent sites and two Central Plains sites have been documented along the Niobrara and Missouri Rivers.

Historic Sites

Two historic districts, 16 archeological sites associated with the Ponca / Sioux occupation (eight of them associated with the Redbird sites), one Santee site and 68 historic sites and structures have been documented in or near the project area. These properties include farms and ranches, structures with unusual architecture, mill sites, dumps, bridges, schools, ferry landings, Indian agencies, and parks. Sixteen sites contain artifacts from both historic and prehistoric people.

The Redbird Focus archeological sites, dating from about 1650 to 1750, are remains of small villages of circular earth lodges located on stream terraces and low bluffs. These sites may be related to historic Ponca Indian occupation; they may be historic Pawnee sites. European trade goods found in some sites suggest occupation during the time of French and Spanish exploration, and some of these sites may be the Ponca villages recorded by Lewis and Clark in 1804. Occupants of the well-preserved Ponca fort village site (circa 1790-1800) probably were involved in the fur trade.

Although the fur trading posts along the Missouri River, including Ponca Post, Fort Mitchell, and Le Clerc's Post have been obscured or destroyed by siltation, erosion, and development, some historic locations can still be identified. For example, Fort Vermillion and a trading post at Running Water were active during the height of the fur trade. The fort is gone, but the Running Water ferry site still exists. Traces of old stage and wagon roads can be found within 0.25 mile of the three recreational rivers.

The Lewis and Clark expedition diaries described geographic features and landmarks along the route, several of which are still visible. These features include the confluence of the Missouri River with the Niobrara River and with Choteau Creek. The Dome or Cupola Hill (also known as Old Baldy or the Tower) was climbed by Lewis and Clark, and they collected the first scientific specimen of a prairie dog nearby. The general locations of several of their campsites have been identified and include the September 4, 1804, camp at the mouth of the Niobrara River, the September 5, 1804, and August 31, 1806, camps near the mouth of Choteau Creek, and the September 6, 1804, camp near Greenwood. The route and landmarks of the Lewis and Clark National Historic Trail are commemorated by interpretive kiosks at selected sites along the river. The expedition also noted the abandoned Trudeau trading cabin on the river a few miles below the present Fort Randall dam site. A highway marker notes this feature.

The area's historic resources and landscapes also provide extensive documentation of the federal government's evolving Indian policies. Historic remains of Fort Randall still exist and include buried foundations and artifacts and the chalkrock Fort Randall Church. Features lost in the construction of Fort Randall dam include the Fort Randall cemetery, Handy's trading post, and White Swan archeological site. Many historic resources associated with the Santee and Yankton Sioux reservations include mission churches such as the 1866 Episcopal Church and the 1870 Pilgrim Congregational Church at Santee; and the Ihanktowan Presbyterian, Holy Fellowship, and Greenwood Episcopal Churches on the Yankton Reservation and the Marty Mission Catholic Church at Marty, South Dakota, as well as archeological remains of several Indian agencies. A

number of chalkrock buildings and landscape features remain at the Yankton's Rising Hail Colony, largest of the New Deal farming communes built to help Indians during the Great Depression. Ponca sites near the three recreational rivers include the Ponca cemetery, the 1930s community building, allotment farmsteads, and sites associated with Chief Standing Bear.

Historic Euroamerican structures and features from the late 1800s and early 1900s include general stores, postal facilities, farms, churches, school buildings, granaries, processing mills, railroad depots, social halls, and other gathering places. There are pioneer farms (farms owned by the same family and located on the same property for at least 100 years) along the three recreational rivers (NPS 1994). The Mormon Canal is an old river cutoff and has no historic significance.

Construction of transportation networks facilitated settlement. A historic railroad roadbed is visible parallel to Verdigre Creek in Nebraska, and there are a railway roadbed and an abandoned depot at Running Water in South Dakota. The town of Verdigre is a good example of community-building related to railroad expansion in the West. There are steamboat wrecks along the Missouri River (the Livingston sank not far from Niobrara, Nebraska), traces of stage and wagon road lines, and many county road bridges. The Trumbo State Station, an 1880s stage stop and post office, stood along the river just upstream from the Running Water Ferry.

Construction related to the Pick-Sloan Plan created a number of utility corridors and engineering structures, including the Fort Randall dam and powerhouse. The planned community of Pickstown is also a valuable historic resource associated with the dam project.

The old portion of Niobrara State Park is a planned recreational facility that illustrates public works projects built during the Great Depression and demonstrates the growth of 20th century tourism and recreation along the Missouri River in Nebraska.

The Niobrara River Bridge, one of only a few remaining multiple-span railroad truss bridges in Nebraska, was built at the confluence of the Niobrara and Missouri Rivers in 1929 for the Chicago and North Western Railroad. The bridge was recently converted into a multiuse trail. Four highway bridges within the project area are noted for their type of construction or contribution to the landscape.

The river valleys also contain a series of cultural landscapes. The landscapes include residences and farm buildings (many of them historic), bridges, roads and trails, fences and corrals, orchards and gardens, cultivated fields, grazing land, and timbered areas. The arrangement of these features on the land and the spatial relationships among them combine to create rural landscapes. These landscapes are characteristic of this area, not only because of the landforms and vegetation, but because of the ways people settled the land and used its resources, particularly with traditional farming and cattle ranching. The states of South Dakota and Nebraska have identified numerous historic resources that contribute to agrarian and ethnic landscapes. For example, in Sunshine Bottom, long narrow lots were laid out perpendicular to the river, a pattern not common in this area. Settlers constructed residences and farm buildings of native chalkstone. Often the vernacular design and arrangement of these buildings was guided by the availability of local materials, the topography, and by cultural traditions.

Some of these landscapes as seen from the river are reminiscent of the scenes reported by Lewis and Clark. Features recorded during their 1804 visit include the Tower (or Old Baldy, a geographic feature located in Boyd County), cottonwood stands, islands, and bluffs along the river.

The pastoral qualities of the landscapes are widely appealing, but a cultural landscape is more than a beautiful scene:

> it is a space on the surface of the earth that has a degree of permanence, with its own distinct character, either topographical or cultural, and above all a space shared by a group of people. When these people modify their patch of ground, a cultural landscape results (NPS 1994c).

NATIONAL REGISTER OF HISTORIC PLACES AND NATIONAL HISTORIC LANDMARKS

Very few of the cultural resources of the study area have been rigorously studied and evaluated to determine national register eligibility, national historic landmark status, or level of significance in a national context. The following historic properties in or immediately adjacent to proposed recreational rivers boundaries have been listed on the National Register of Historic Places: in Nebraska the Redbird and Ponca Fort archeological sites, the Pishelville Hall , the Gross State Aid Bridge, and the Niobrara River railroad bridge; sites in South Dakota are Fort Randall historic site, Rising Hail Colony, and the Holy Fellowship Episcopal Church. The county highway bridge over Verdigre Creek was listed on the national register, but the bridge has since been moved and placed across the Niobrara River at Smith Falls State Park in 1996.

In recognition of its importance to American history, the route of the 1804–1806 Lewis and Clark expedition was designated as a national historic trail in 1978.

A number of farms were included in a nomination of folk architecture in southeastern South Dakota. They appear to be close to the boundaries of the 39-mile river segment. Three historic districts in Nebraska have been determined eligible for the national register: the Sunshine Bottom Historic District, the historic town of Niobrara, and historic properties with boundaries contiguous with Niobrara State Park. Some buildings have been removed from the latter two districts and much of the area is now inundated. At least 16 properties associated with the Sunshine Bottom Historic District are in or immediately adjacent to the recreational rivers' boundaries; nine of these are identified as contributing to the significant qualities of the district. A number of other buildings and sites are listed on the Nebraska state site list and include a number of farm properties and bridges that contribute to a cultural landscape.

The *Historical Overview and Inventory of the Niobrara/Missouri National Scenic Riverways* (NPS 1994c) and the *Draft Archeological Overview and Assessment, Niobrara/Missouri National Scenic Riverways* (NPS 1994b) helped to identify these and other prehistoric and historic resources in the study area that have potential for further evaluation for national register eligibility. Specific recommendations include further study of the representative dams, powerhouses, and bridges in the 39-mile river segment and the planned community of Pickstown to determine their national significance as related to technology, engineering, and invention. Ethnographic resources associated with traditional farming and ranching and with ethnic settlements are

included in the area's cultural resource base. Researchers have consulted with Indian tribes to identify tribal concerns, traditional uses, and sensitive areas. This information will be used to ensure that important resources are protected, but information will not be made public unless tribes so request.

VISITOR USE AND INTERPRETATION

VISITOR EXPERIENCE

Because the national recreational rivers have a relatively new designation and the boundaries are being determined through the general management plan process, there is little or no identification of, or orientation to, this unit of the national wild and scenic rivers system. The area is not a destination for national visitors; the majority of use is by local people (within a 150-mile radius).

The recreational rivers offer a variety of activities, including boating, fishing, wildlife viewing, hunting, and trapping. There is both private and public access to the 39-mile stretch of the Missouri River, but access to the 20-mile stretch of the Niobrara River and 8-mile stretch of Verdigre Creek is extremely limited.

There is no single entry into the recreational rivers. Local users put their boats onto the 39-mile stretch of the Missouri River at any of the public or private boat ramps or docks. There are many small towns on both the South Dakota and Nebraska sides of the Missouri River, so there are multiple arrival points. There are no lodging, restaurant, or grocery establishments directly along the rivers, though the towns of Pickstown and Niobrara, located partly within the preferred alternative boundary, do provide these services. During the summer months Niobrara State Park offers regularly scheduled power raft tours along the Missouri River from Verdel Landing to Niobrara, and charter boat trips are available on the Missouri River out of Pickstown. The Missouri River can be crossed at Fort Randall Dam in Pickstown, South Dakota. The Niobrara River can be crossed at Niobrara and at Pishelville, Nebraska. Verdigre Creek can be crossed at Verdigre, Nebraska, and a bridge 5 miles north of Verdigre.

These sections of the Missouri and Niobrara Rivers and Verdigre Creek offer experiences involving all the senses. Local people, especially those who grew up in the area, recognize the rivers' beauty and bounty. Exceptional scenery surrounds river users, and views range from open vistas to enclosing, chalky bluffs. People who are fishing, hunting, or canoeing on the Missouri River can experience only natural sounds — of water, wildlife, or wind in the trees. The smell of moving water and fresh air and the coolness of the water contribute to the rivers' calming effects. Calm, quiet experiences on the rivers are almost always interrupted by the challenges of negotiating watercraft around, or over, or through low water and other river obstacles. Time spent on the recreational rivers is time remembered.

INTERPRETIVE FACILITIES AND PROGRAMS

Orientation/Information

There are no orientation or informational materials available that pertain expressly to the three recreational rivers. However, both Nebraska and South Dakota publish boating, fishing, and hunting guides that cover the recreational rivers (in addition to Lewis and Clark Lake and other water-based recreational resources). These guides provide information on boating, fishing, and hunting regulations, as well as safety messages.

Interpretation

Interpretation concerning the significance and values of the recreational rivers occurs primarily outside the boundary. Karl Mundt National Wildlife Refuge is inside the boundary of the preferred alternative, but no interpretation is offered on the refuge. There are public interpretive facilities above and below the 39-mile stretch of the Missouri River (Fort Randall Dam and Gavins Point Dam). Interpretive media in these facilities present aspects of Missouri River history and contribute to visitor understanding of the significance of the recreational rivers.

Interpretation of the three recreational rivers and their cultural and natural resources is very limited. The interpretation offered at Fort Randall and Niobrara State Park is an excellent introduction to some of the historical events and people associated with the area, but additional explanation and historical context are not available. The interpretive exhibits in Yankton and at Gavins Point Dam are within a reasonable driving distance (under 50 miles from Niobrara to Yankton) of the recreational rivers, but the area's history and cultural heritage is more extensive than these exhibits will suggest.

The region's rich and complex American Indian history, especially of the various Siouan tribes, is barely covered. The tribes are mentioned in the context of their initial contacts with the Lewis and Clark expedition in August and September 1804 and September 1806, but there is no interpretation of the prehistoric occupation of the area or of tribal histories subsequent to white contact. The presence of the Santee Indian Reservation and the Yankton Indian Reservation is noted on highway signs, but the history and culture associated with these American Indians is only minimally interpreted anywhere in the region. Some military actions against the Sioux are described in association with the Fort Randall campaigns, and the Yankton are discussed in interpretive displays at Lewis and Clark Recreation Area.

Interpretation of Ponca tribal history is very limited. Niobrara State Park's interpretive plaques focus on their forced removal from the Niobrara River valley in 1877 and Standing Bear's subsequent court case. No other information about this tribe's prehistory and history in the region is presented formally to the public.

There is little interpretation available concerning the Euroamerican settlement of the region. Waves of European immigration into the region included the Danish, Swedish, Norwegian, Irish, Czechoslovakian, Bohemian, and German-Russians. Physical evidence of the impact of immigrant and American ranchers, farmers, and settlers is all around the recreational rivers. Visitors can learn about this history through personal contacts with local people or by participating in local festivals, fairs, rodeos, or other activities. Interpretive exhibits about some aspects of this heritage are available to a limited extent in Yankton, South Dakota.

The natural resources of the Missouri River, Niobrara River, and Verdigre Creek are interpreted only minimally. The bald eagles at Karl Mundt National Wildlife Refuge are interpreted through a wayside plaque. Changes in the Missouri River's physical appearance and the history and operational aspects of the Corps of Engineers' efforts to control Missouri River flooding are presented in the Lewis and Clark Visitor Center, at Gavins Point Dam, and at Fort Randall Dam. Staff at Lewis and Clark Recreation Area west of Yankton offer programs on basic aspects of natural history.

Niobrara State Park. Lewis and Clark's activities along this stretch of the rivers are interpreted at the J. Alan Cramer Interpretive Shelter at Niobrara State Park. The shelter is on a bluff overlooking the Missouri-Niobrara confluence and features eight bronze plaques with text on several topics, including the Lewis and Clark expedition route and local campsites, the 1846-47 Mormon winter camp, the Ponca Indian tribe and their forced removal from the Niobrara River valley, the fur trade and Fort Mitchell, and local Niobrara history. The shelter is covered and has benches. The number of visitors who stop at the interpretive shelter is not known. Regional orientation and information is available at the park headquarters, and the Niobrara State Park brochure offers information, maps, and local history. During the summer of 1996 Niobrara State Park began its first season of offering two-hour interpretive power raft tours of the Missouri River from Verdel Landing to the town of Niobrara. Approximately 900 Niobrara State Park visitors participated in this raft tour during the four-month 1996 season. On September 3, 1804, William Clark wrote of the area:

> at 4 Mls ½ passed the mouth of the River *Que Courre (rapid R)* on the L.S. and Came to a Short distance above. this River is 152 yards Wide at the Mouth & 4 feet Deep Throwing out Sands like the Plat, (only Corser) forming bars in its mouth I went up this river three Miles to a butifull Plain on the upper Side where the Panias once had a Village this River widens above its mouth and is divided by sands and Islands, the Current verry rapid, not navigable for rein Canoes without Great difficult owing to its Sands; the color like that of the Plat is light

Even though he corrupted the French name, *Riviere qui Court*, of the Niobrara (or Rapid) River, he aptly described the river's suitability for canoeing. When the Lewis and Clark expedition met the "Poncarars Nations" on September 5, 1804, the Indians were "out in the praries hunting the Buffalow."

The story of Ponca Chief Standing Bear's court case and return in 1879 to the Niobrara-Missouri confluence and the 1990 federal restoration of tribal status for the Ponca of Nebraska has resulted in greater recognition from visitors and from the state and federal governments. There are sites associated with tribal history in the area, but the Poncas do not allow visits to most of these sites without permission due to their sacred nature.

Fort Randall Historic Site. This site is on the National Register of Historic Places. Meriwether Lewis and William Clark established good relationships with Indian tribes in the area, particularly the various Sioux tribes, but subsequent relations between many Indians and Euroamerican settlers were not friendly or peaceful. Fifty-two years after the expedition's meetings at Calumet Bluff, a military presence was established at Fort Randall on the middle Missouri River. Today the Corps of Engineers manages the site. Wayside exhibits at Fort Randall (1856-1892) focus on the fort's role in protecting travelers and settlers, in military campaigns (the fort was a base of operations for several campaigns against the Sioux from 1863-65), and as a supply depot. Ruins of the post's chalkrock chapel still stand, and visitors can follow a self-guided 0.5 mile trail to see foundations of buildings. Wayside exhibits tell about the fort's inhabitants as well as its operations. No interpretive programs at the fort are offered for visitors by Corps of Engineers staff.

Karl Mundt National Wildlife Refuge. The Karl Mundt National Wildlife Refuge on the southwest side of the Missouri River in South Dakota is managed by the U.S. Fish and Wildlife Service and provides habitat for wintering bald eagles. Since 1992 bald eagles have successfully

nested in the refuge. Public use on the refuge is prohibited because eagles could abandon their roosts if disturbed by humans. An eagle observation point is located on COE property directly below the Fort Randall Dam next to the river on the Nebraska side. At the observation point there is a small bronze plaque with interpretive text about the bald eagles. The Corps of Engineers does not keep a separate count of overlook users.

Fort Randall Dam. The Corps of Engineers manages a visitor center on the north side of the dam in Pickstown, South Dakota. The visitor center is open from May 1 to September 30 every year, and staff services are provided under contract. The center features an interpretive scale model of historic Fort Randall. Orientation and information materials about COE facilities at the dam, as well as at other COE areas along the middle Missouri River are available for visitors. Tours of the dam's powerhouse are offered. In the lobby of the powerhouse are interpretive displays about historic Fort Randall, past archeological surveys at the fort, powerhouse functions, and COE activities at other Missouri River dams.

Gavins Point Dam. The Corps of Engineers offers public tours of the powerhouse at the dam. Interpretive displays about the dam and powerhouse are provided, as are orientation and information brochures about COE areas.

Lewis and Clark Visitor Center. The COE Lewis and Clark Visitor Center is at Gavins Point Dam on the Nebraska side. The visitor center, which opened in 1976, offers historical exhibits covering a wide range of topics about the Missouri River. The Lewis and Clark expedition, transportation routes, fur trade, steamboat era, railroading, and harnessing the river are a few of the subjects. Artifacts from the dam construction are on display, and large windows offer views of the dam and lake. New exhibits at the visitor center are scheduled to be planned, designed, and installed (to replace the 1976 exhibits) in 1997.

Over the past 20 years, visitation to the center has fluctuated up and down from 20,000 to 45,000 a year. In 1996 the visitor center attracted 35,420. A majority of the visitation is believed to be from outside the local area, with large numbers of visitors coming from Minnesota and Iowa. An estimated 10% of the visitors are international. Many of the long- distance visitors come to the area to follow the route of the Lewis and Clark expedition.

In 1997 the Corps of Engineers, in cooperation with the National Park Service, will be installing interpretive wayside exhibits at a visitor center overlook. These wayside exhibits will interpret the Lewis and Clark Expedition (pers. com., COE, Carol Ryan 1996).

Lewis and Clark Recreation Area. Both South Dakota and Nebraska manage a Lewis and Clark State Recreation Area on land leased from the Corps of Engineers. Interpretive programs are offered for visitors at South Dakota's Lewis and Clark Recreation Area on Lewis and Clark Lake during the busy summer weekends. Recreation area staff members present programs throughout the area and focus on crafts and natural history. At the Gavins Point unit people can visit an interpretive shelter. Interpretive panels offer information on the Yankton and Yanktonai people of the region; Missouri rivercraft, including steamboats and keelboats; and on the Lewis and Clark expedition meeting with the Yankton at Calumet Bluff in 1804. Visitation at South Dakota's Lewis and Clark State Recreation Area exceeds 1 million visitors annually, while visitation at Nebraska's Lewis and Clark State Recreation Area is approximately one-fourth of the South Dakota total.

Dakota Territorial Museum. The Dakota Territorial Museum in Yankton, South Dakota, interprets the early years of the town's history. Operated by the Yankton County Historical Society, the museum includes several historic buildings, including a schoolhouse, railroad depot, and blacksmith shop. The main building houses American Indian artifacts and memorabilia from the years when Yankton was a transshipment point on the river and capital of the Dakota Territory. Visitation to the museum averages 10,000 people annually.

Yankton. The Yankton Area Chamber of Commerce offers a walking/auto tour brochure for the city of Yankton. Visitors can walk or drive to nearly 40 different historic residences and buildings, including the Historic Downtown Yankton District, which is on the National Register of Historic Places. Some of the attractions include the G.A.R. Hall, Gurney Seed and Nursery, Carnegie Library, A.M.E. Church, and many individual residences. Only the Cramer-Kenyon Heritage Residence is open for tours. The chamber of commerce hands out thousands of the brochures every year to walk-ins, conventioneers, and visitors to the Yankton Riverboat Days and Summer Arts Festival held every August. The estimated number of people taking the self-guided tour is 2,000–3,000 per year.

Lewis and Clark National Historic Trail. The Lewis and Clark National Historic Trail (established by Congress in 1978 as a component of the national trails system) is administered by the National Park Service in partnership with many federal, state, and local agencies, private organizations, and private property owners. Interpretation is provided in many locations along the trail from Illinois to Oregon. In Nebraska the historic expedition is interpreted in several parks and museums along the Missouri River and by a series of state historical markers. Planning is underway by the National Park Service to construct a series of interpretive kiosks and panels along the expedition route through Nebraska. While no kiosks are planned for any Lewis and Clark campsites within the recreational rivers, the National Park Service is working with the Corps of Engineers and the Nebraska Game and Parks Commission to construct interpretive kiosks at an overlook at the Lewis and Clark Visitor Center at Gavins Point Dam and at an overlook in Ponca State Park in Ponca, Nebraska.

Lewis and Clark Trail Center. In 1989 Congress directed the National Park Service to plan a Lewis and Clark Trail Center in Nebraska City, Nebraska. This facility will interpret the Lewis and Clark National Historic Trail and related sites in Nebraska. This project has not been funded beyond initial planning.

Western Historic Trails Center. The National Park Service is designing the Western Historic Trails Center for Council Bluffs, Iowa. This interpretive facility will examine the role of western trails in the development and expansion of the United States. These trails include the Lewis and Clark, Mormon Pioneer, and Oregon National Historic Trails. The facility will be managed by the State Historical Society of Iowa.

RECREATIONAL AREAS AND FACILITIES

Missouri River

The 39-mile Missouri River segment represents one of the few remaining reaches of the river that remains in a relatively natural state and offers scenic beauty and solitude. It offers opportunities

for wildlife observation and peaceful canoeing, boating, and rafting in a primitive, relatively undeveloped landscape. A trip down this segment of the Missouri River offers sensory delights for the traveler, including views of woody draws and limestone bluffs with cliff swallow nests and open, clear vistas of sky and water. River users on this section of the Missouri can feel a sense of slow passage through a historic transportation corridor with its prehistoric and historic American Indian occupation, Lewis and Clark expedition campsites, fur trade, steamboats, and surrounding pastoral landscape.

There are seven public access sites on the Missouri River from Fort Randall Dam to the headwaters of Lewis and Clark Lake:

Fort Randall Dam, Gregory and Charles Mix Counties, South Dakota
Boyd County Boat Ramp, Boyd County, Nebraska
Verdel Landing, Knox County, Nebraska
Niobrara Boat Ramp, Knox County, Nebraska
Ferry Landing State Recreation Area, Knox County, Nebraska
Old Running Water Ferry Landing, Bon Homme, South Dakota
Bazile Creek Wildlife Management Area, Knox County, Nebraska

Fort Randall Dam. The Corps of Engineers manages Fort Randall Dam and its recreational facilities. On the Nebraska side of the river below the dam, the Randall Creek area has developed campsites and a picnic area, shoreline fishing, and boat ramps. Visitation at the Randall Creek area has recently been reported by the Corps of Engineers to be over 100,000 annually; however, accurate statistics are unavailable. Self-guided trails interpret the Fort Randall historic site with its parade grounds, church, and military cemetery. In South Dakota the spillway area offers picnicking, camping, and fishing, and a concrete boat ramp.

Principal recreational activities at Fort Randall Dam during summer and fall include fishing, boating, hiking, photography, bird and nature watching, hunting, and interpretation of the historic fort. Limited waterskiing and boating are available below the dam due to fluctuations in the water flow. There is little canoeing and rafting on this section of the river. Below Fort Randall Dam there is greater public access on the Nebraska side of the river than on the South Dakota side, where there is no public boat ramp upstream from Running Water. On the Nebraska side there is no public boat ramp upstream from the Boyd County boat ramp.

Boyd County Boat Ramp. Public access to the river at the Boyd County boat ramp is in Sunshine Bottom on the Nebraska side. There is a single concrete boat ramp. There are several other private boat docks on private land in this area.

Verdel Landing. This public river access point is owned by Knox County and offers a gravel boat ramp. There are several other private boat docks on private land in this area.

Niobrara Boat Ramp. The state of Nebraska owns this triple concrete boat ramp. It is in a chute of the Missouri River a mile downstream from where the Niobrara River enters the Missouri.

Ferry Landing State Recreation Area. This area is managed by the state of Nebraska and has a double concrete ramp for river access. The area offers camping, primitive sanitation facilities, and concessions.

TABLE 9: EXISTING PUBLIC USE AREAS

AREA NAME AND LOCATION	FACILITIES	MANAGEMENT	RECREATIONAL USES	ESTIMATED ACREAGE
Fort Randall Historic Site and Randall Creek Recreation Area	Historic fort ruins; large, developed campgrounds; picnic area; interpretive signs; 3 boat ramps and other visitor facilities; most facilities and public use access on the southwest side of river	COE	Public recreation and education use, including boating, fishing, sightseeing, picnicking, camping	612 acres
Karl Mundt National Wildlife Refuge Gregory County, South Dakota	None	USFWS	Wildlife preservation; viewing from river and Ft. Randall Dam	1085 acres (780 fee, 305 easement)
Boyd County Landing, Nebraska	Public boat ramp and parking lot	Boyd County	Public recreational boating access	Section line, right of way
Verdel Landing (Knox County, Nebraska)	Boat ramp, parking lot, and restrooms	Nebraska Game and Parks Commission	Public recreational boating access and day use	9 acres
Niobrara State Park (Knox County, Nebraska)	Camping cabins, group lodge, meeting rooms, developed and primitive camping, picnic facilities, fishing access, trails, swimming pool, and interpretive exhibits	NGPC	Public recreation (fishing, camping, hiking, picnicking, horseback and bicycle riding, swimming) and education	2,062 acres
Niobrara Landing (Knox County, Nebraska)	Boat ramps, fish cleaning station, restrooms, picnic facilities	NGPC	Public recreational boating access, fishing, picnicking, day use	N/A
Ferry Landing (Knox County, Nebraska)	Boat ramps, parking lot	NGPC	Public recreational boating access	N/A
Bazile Creek (Knox County, Nebraska	Boat ramps, parking lot	NGPC	Public recreational boating access	N/A
Running Water Landing (Bon Homme County, South Dakota)	Boat ramp, parking area, and restrooms	South Dakota	Public recreational fishing, boating access, day use	10 acres

Old Running Water Ferry Landing. Owned by the city of Running Water, South Dakota, this landing has a concrete ramp for boats. This was formerly an anchorage for a ferry that crossed the Missouri River. There are approximately 30 private residences in this area.

Bazile Creek Wildlife Management Area. Managed by the state of Nebraska, this river access point has a single concrete slab and gravel combination ramp.

Niobrara State Park. Niobrara State Park is one of Nebraska's primary tourism and recreational facilities on the Missouri River. Others are at Ponca State Park and Lewis and Clark State Recreation Area. The Niobrara State Park, at the Niobrara-Missouri confluence, offers a variety of recreational activities and support facilities. These include hiking trails, horse trails, overnight lodging in cabins, an activity building, picnic shelter, swimming pool, trailer dump station, showers, concessions, mess hall, and stables. The park also has information kiosks and an interpretive shelter. There is no boat access to the Missouri River in the park. The park has a 2.1-mile trail that follows the northern park boundary and crosses the Niobrara River over a converted railroad bridge. The wide, open views of the Missouri River valley from the high bluffs are sublime. Most of the use at the park is on weekends, and most of the visitors are from Nebraska. An estimated 50% of the park's visitors come to fish on the Missouri River. During the past 7 years, the estimated attendance at Niobrara State Park has gone up and down from a low of 113,445 in 1993 to a high of 132,595 in 1996.

Lewis and Clark National Historic Trail. The nationally significant Lewis and Clark National Historic Trail, commemorating the Lewis and Clark expedition's route from the Mississippi River to the Pacific Ocean and return, is located along this section of the Missouri River. The trail does not include a continuous hiking corridor. It consists of rivers and reservoirs, short trail segments, and marked highways that sometimes very loosely follow the outbound and return expedition routes. Visitors have options for hiking, driving, or boating segments of the trail. The number of visitors who follow the historic trail along this section of the Missouri River is not known.

Fishing. There is plenty of fishing on the 39-mile Missouri River stretch of the recreational rivers throughout the year. Fort Randall tailwater species include walleye, sauger, catfish, smallmouth bass, white bass, crappie, muskie, and brown trout. Species in the Missouri River below the Fort Randall tailwater include walleye, sauger, catfish, smallmouth bass, northern pike, and muskie.

Hiking. A comprehensive recreation trails plan for the state of Nebraska was printed in July 1994. The plan focuses on 16 resource corridors or clusters of recreational, environmental, cultural, and historical features linked by trails. Both the 1991 recreational rivers and the 1978 Missouri National Recreational River are included in the Lewis and Clark resource corridor, which follows the Lewis and Clark National Historic Trail. In addition to the recreational rivers the proposed corridor includes Ponca State Park, Niobrara State Park, and Lewis and Clark Lake. It also connects Nebraska's three American Indian reservations: the Omaha, Winnebago, and Santee.

In June 1995 the 2.1-mile Niobrara Trail was dedicated. The new trail connects the abandoned town site of Niobrara to Highway 12 on the west side of Niobrara State Park. It provides access to the trailheads of four trails that wind for 10 miles through the park. Part of the trail is on old railroad right-of-way and crosses the Niobrara River over the 1,200-foot-long Chicago and North

Western Railway bridge. Extended fishing platforms are on the bridge, and facilities accessible to people with disabilities and parking are on the east end of the trail at the Niobrara townsite. The new trail is a part of the Lewis and Clark National Historic Trail. Outside of Niobrara State Park there are essentially no public hiking trails along the 39-mile segment of the Missouri River.

Hunting. Hunting is another popular activity along the Missouri River. Waterfowl hunting along the river and its marshy backwaters is among the best in the state of Nebraska. Whitetail deer are hunted in the bluffs above the river and in the river and creek bottoms through the grasslands and croplands. Wild turkeys live along the river bottom and in timber, while pheasants and bobwhite quail frequent farm fields. Squirrels are hunted in the timbered bluffs along the river. Public hunting land in Nebraska along the 39-mile Missouri River stretch includes Ferry Landing State Recreation Area (waterfowl), and Bazile Creek Wildlife Management Area (pheasant, quail, waterfowl, deer, squirrel, rabbit). There is also hunting on private land, with permission of the property owner.

Scenic Drives. The open scenic views of the Missouri and Niobrara River valleys from the surrounding bluffs attract out-of-town visitors and local people who take leisurely drives along the river bluffs.

Niobrara River and Verdigre Creek

There are no public access points or recreational facilities along the 20-mile stretch of the Niobrara River. Any local access is from private property, and the amount of recreational use the river receives is not extensive. The same situation exists along the 8-mile stretch of Verdigre Creek.

Other Missouri River-Based Attractions

Lewis and Clark Lake. There is a large Missouri River impoundment downstream from the three recreational rivers. Lewis and Clark Lake is impounded behind Gavins Point Dam, extends about 25 miles upstream from the dam, and covers 33,000 acres. The main body of the lake is the largest, most intensively developed, water-based recreational resource in a 200-mile radius. The lake has accessible deep water and highly developed facilities for shoreline recreation on the South Dakota side and less intensive recreational development and access on the Nebraska side. South Dakota manages the Lewis and Clark Recreation Area (with three recreation areas) outside Yankton, while the state of Nebraska manages the Lewis and Clark Lake State Recreation Area (with six recreation sites) along the lake's south shore. The Corps of Engineers offers camping and fishing along the dam tailwaters on both sides of the river.

Recreational activities on the lake include fishing, boating, waterskiing, sailing, and swimming. Campsites are offered on both sides of the lake, and horseback riding, picnicking, bicycling, hiking, cross-country skiing, snowmobiling, and hunting are popular on land. In calendar year 1994 visits to the South Dakota state recreational facilities reached 1,043,451. For the past 4 years the visitation numbers at all facilities on Lewis and Clark Lake have steadily increased at approximately 6% a year. In 1996 the total number of visits to all facilities (Corps of Engineers,

Nebraska, and South Dakota) on Lewis and Clark Lake reached 1,663,259. Visitation to the lake is primarily regional.

Because of its extremely high fish and wildlife productivity, the U.S. Fish and Wildlife Service and the Corps of Engineers believe that the headwaters of Lewis and Clark Lake below the Niobrara-Verdigre and Niobrara-Missouri river confluences, provide excellent recreational fishing, wildlife observation, hunting, and trapping on the Missouri River. The headwaters area and the entire 39-mile stretch of the Missouri River provides excellent habitat for bass fishing, and for this reason it was chosen for several events of the National Federation of B.A.S.S. (Bass Angler Sportsman's Society).

Missouri National Recreational River. There are boating and fishing activities on the Missouri National Recreational River from the Gavins Point Dam tailwaters to Ponca State Park (a 59-mile Missouri River segment designated in 1978). Recreational facilities available on this river segment include the Corps of Engineers facilities (camping, shoreline fishing, swimming, boat ramps) at Gavins Point as well as the facilities at Ponca State Park (boat ramp, horseback riding, overnight lodging in cabins, camping, swimming pool) in Ponca, Nebraska. There are both private and public access points on the river along this segment.

Lake Francis Case above Fort Randall Dam. Recreational activities on this lake include camping, picnicking, bicycling, boating, waterskiing, sailing, and swimming. Fishing is for a variety of sport fish, including catfish, walleye, pike, sauger, white bass, crappie, perch, sturgeon, and bullhead, while hunters seek upland game and deer. The Corps of Engineers manages public recreation facilities in 19 areas along the lake, featuring boat rentals, tables, concessions, playground equipment, and other amenities. In April 1995 the Yankton Sioux tribe proposed a Fort Randall/Lake Francis Case Marina Project to be developed over five years. The project site on the north side of the lake in South Dakota includes approximately 100 acres adjacent to Prairie Dog Bay and is to be developed with a marina, rustic lodge, cabins, and cultural facilities.

RECREATIONAL USE PATTERNS

Missouri River

Water access to the 39-mile Missouri River stretch is primarily limited to individuals with private boats, rafts, or canoes. Traditional uses of the rivers by local people include power boating, fishing, camping, hunting, trapping, and watching wildlife throughout the year.

Summer use of cabins and trailers along this section of the Missouri River is high. Developments on the Missouri River include permanent and seasonal residences. Cabins and trailers can be found at several sites, including Sunshine Bottom, Sleepy Hollow Harbor, and Verdel. There are over 300 private buildings along the 39-mile stretch of the Missouri River.

The differences in ownership patterns and land uses between the South Dakota and Nebraska sides of the Missouri River result in differing levels of protection for the river.

More riverfront land each year is converted to recreational cabin development. Almost all of the development is on the Nebraska shore. Currently, individual owners plan and manage without zoning or guidelines.

There are some commercial boat rental services available. In Pickstown, South Dakota, people can rent boats, paddleboats, and canoes. A charter float service using this section of the Missouri River has been established in Pickstown. Canoe use is not common on this stretch of the Missouri River, though there are limited canoe rentals available in the town of Niobrara. A seasonal motorized guided raft tour from Verdel Landing to the town of Niobrara was begun in 1996 by Niobrara State Park.

The heaviest use on the 39-mile Missouri River segment is concentrated at Fort Randall Dam (Thompson and Lime 1995). Visitors to the dam facilities numbered 180,000 to the south bank, and 30,000 to the north bank. Below the dam in South Dakota there is little use; in Nebraska, Niobrara Landing is the most heavily used landing on the 39-mile Missouri River segment, receiving approximately 18,000 visits per year. There is moderate to light use of most public access points used for launching fishing boats. Weekends during the summer see the heaviest use of the 39-mile river segment, but anglers and hunters use the river during the fall season.

Niobrara River and Verdigre Creek

Recreational use of the Niobrara River and Verdigre Creek segments of the recreational rivers is limited due to lack of public access and the predominance of private adjacent land. Fluctuations in the water levels further limit use as both the river and the creek are very shallow for most of the river. Fishing for catfish is popular on the lower sections of the creek, and trout can be caught in the upper sections. Other than fishing and hunting, recreational use in these areas is limited to wildlife viewing, picnicking, and hiking, but there are no related developed facilities.

SOCIOECONOMIC RESOURCES

SOCIOECONOMIC CONDITIONS

For purposes of this document, the socioeconomic region is defined as Boyd and Knox Counties in Nebraska and Gregory, Charles Mix, and Bon Homme Counties in South Dakota. The information in this section was derived primarily from a 1993 report by the University of Nebraska at Lincoln Bureau of Business Research.

DEMOGRAPHICS

The regional population has been decreasing steadily for more than 65 years. The 1990 census recorded 34,000 people in the five-county region. The exodus, especially of younger people, results in an older median age than is average for either Nebraska or South Dakota. Immigration to the area is very low; 81% of the people in the area are living in the state where they were born. The population is 91% white and 9% American Indian. The Yankton Reservation, Rosebud Trust Lands, Santee Reservation, and Ponca tribal designated statistical area are all located in the region.

The University of Nebraska Bureau of Business Research recently identified a reversal in the declining population of some rural counties in the state, particularly along the Missouri and Niobrara Rivers. For example, Knox County's migration rate from 1980 to 1990 was -17.4, but its migration rate from 1990 to 1995 was +1.2. These positive trends are expected to continue over the next 15 years.

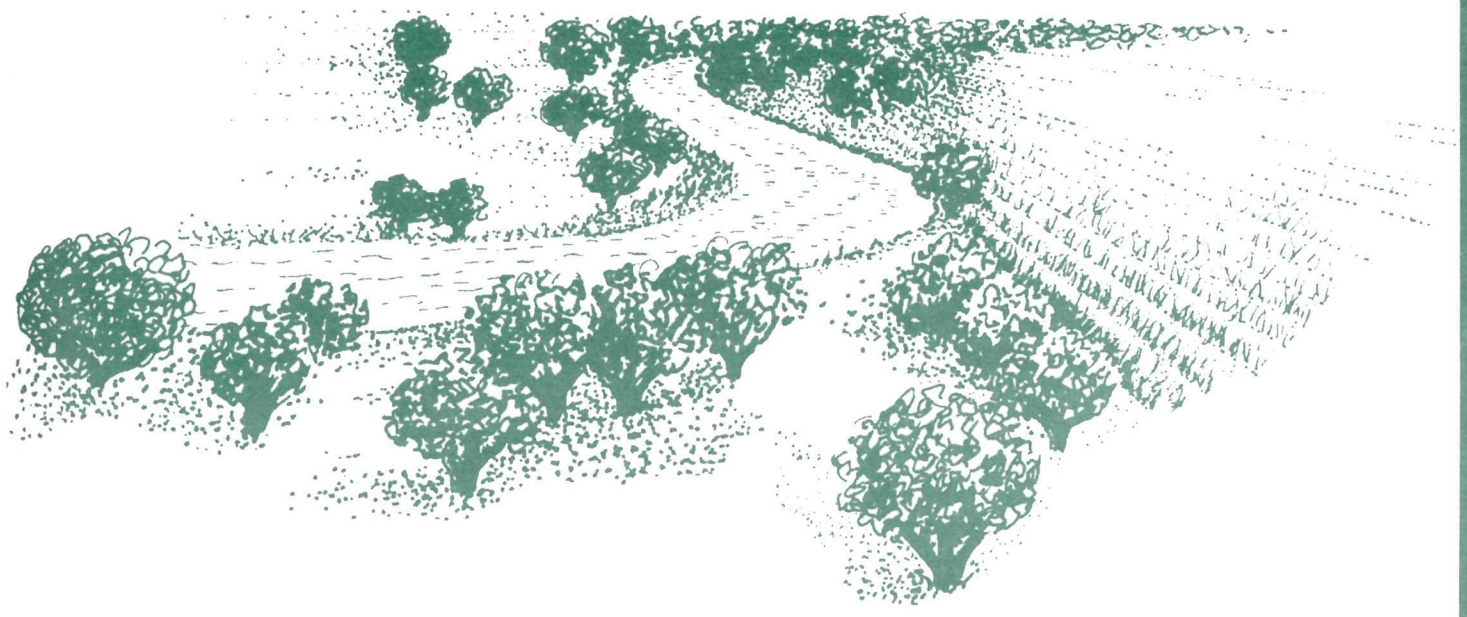
EMPLOYMENT AND INCOME

Total employment in 1990 was approximately 17,000. Between 1975 and 1990 farm employment decreased sharply from 34% to 26% but is still more than twice the average for the two states. Government employment remained fairly steady at 18%, manufacturing jobs are minimal (4%), and other nonfarm employment grew to 52%. The net effect was that overall employment in the region dropped 2% between 1975 and 1990. During this same period total employment for the two states increased 25%.

The primary sources of employment are agriculture, government, the service sector, and retail trade. In 1990 tourism in Knox and Boyd Counties, Nebraska, resulted in a payroll of $5.8 million, employment of 640, and tax receipts of $4.1 million. Knox County, which includes the communities of Niobrara, Verdigre and Crofton, instituted a lodging tax in 1989. In Knox County lodging tax revenues that are returned to the county have increased steadily from $1995 in 1990 to $3,700 in 1995, with the largest jumps occurring in 1994 and 1995. There was a slight decrease in lodging tax revenues in 1996. The increase in lodging tax revenue can result not only from increases in the number of rooms sold, but from increases in the price of lodging. Boyd County, Nebraska, does not have a lodging tax.

In Gregory, Charles Mix, and Bon Homme Counties, South Dakota, tourism resulted in a payroll of $2.5 million, employment of 296, and tax receipts of $1.5 million in 1990. In South Dakota estimated visitor expenditures in Gregory County have fluctuated up and down from 1989 to 1996, averaging around $1.1 million. In Fiscal Year 1996 Gregory County collected $7,088 from the state's 1% tourism tax, which was instituted in 1995. In Bon Homme County estimated visitor expenditures have also fluctuated up and down, averaging around $1.5 million. In Charles Mix County estimated visitor expenditures rose dramatically in 1992 to $6.3 million (due to the opening of the casino), and since that time have increased more slowly. The tourism tax collected in Gregory County was $11,354 in fiscal year 1996.

Regional per capita income ($14,680 in 1990) is lower than in most surrounding counties, South Dakota, Nebraska, or the nation. The poverty rate, 22%, is twice the Nebraska average. After adjusting for inflation, it becomes apparent how different components of personal income changed between 1975 and 1990. Farm income varied due to weather and prices, but the overall trend was down. Nonfarm income also decreased. These decreases in earnings were largely offset by growth in income sources other than employment. Per capita government transfer payments (retirement, medical, welfare payments) were 55% higher in 1990 than in 1975, substantially outpacing the growth in the two states and the nation. Such payments now account for 20% of total personal income and will be expected to continue to increase as the population ages. Dividends, interest, and rent income also grew and now account for 23% of total personal income.



Environmental Consequences

INTRODUCTION

The National Environmental Policy Act requires that environmental documents disclose the environmental impacts or consequences of a proposed federal action, reasonable alternatives to that action, and any adverse environmental effects that cannot be avoided should the proposed action be implemented. In this instance, the proposed federal action involves the implementation of the general management plan for the three recreational rivers. Through comparison of the impacts of each alternative on the environment, the relative merits and drawbacks of each can be effectively evaluated.

To compare the alternatives and focus the discussion of potential consequences of implementing the alternatives, specific impact topics were selected based on federal laws, regulations, executive orders, and NPS *Management Policies*; knowledge of the resources and resource studies; and concerns expressed by the public.

The no-action alternative describes the impacts of continuing current conditions. It does not mean deauthorization of the rivers that only Congress can do. The action alternatives are all conceptual, and the National Park Service has agreed not to condemn any land; acquisitions will be from willing sellers only. Under the action alternatives the National Park Service will seek cooperative methods to prevent incompatible land uses.

IMPACTS OF ALTERNATIVE 1

IMPACTS ON NATURAL RESOURCES

Mineral Resources

Analysis. Sand, gravel, clay, and chalk are mined in the project area. Mineral extraction would be expected to continue, and new mining operations could occur. The Wild and Scenic Rivers Act does not preclude mining or mineral extraction on private land. Mineral extraction could affect the significant values of the area. Mining operations on private land inside or outside the boundary require permits. There are several such operations, but most are outside the 0.25-mile planning boundary. A National Park Service employee might be able to spend a small portion of time reviewing and mitigating impacts from mining operations. The time available to do such a review and mitigation would be considerably less than under any of the action alternatives.

Conclusion. Mining operations within the river boundary could increase under this alternative, though operations within the river boundaries would still need permits and approvals.

Prime and Unique Farmland

Analysis. There are approximately 5,284 acres of prime farmland (24% of the total land) inside the boundaries. Mineral extraction would be expected to continue, and new mining operations could occur. Analysis of aerial photographs shows that development has been increasing along the river. If the trend continues, it could result in the loss of prime farmland within the recreational river segment. There are a number of current programs in effect that encourage farmers to protect prime and unique farmland. Most of the landowners along the river have kept the land in agricultural use over generations. A National Park Service employee might be able to spend a small portion of time reviewing and mitigating impacts from mining operations. The time available to do such review and mitigation would be considerably less than under any of the action alternatives.

Conclusion. Due to private development, there could be some loss of prime and unique farmland. River flows could result in a temporary short-term loss of prime farmland.

Soils

Analysis. Riverbank erosion is more prevalent on the upper portion of the Missouri River segment than it is on the lower section. A delta has formed at the confluence of the Missouri and the Niobrara Rivers due to lack of large floods. Agricultural practices and development trends would continue. Streambank erosion and deposition would also continue. Landowners would continue to protect their land from streambank erosion. Development and agriculture have the potential to cause soil erosion, but landowners can participate in programs that are already in place to prevent soil loss.

Conclusion. Due to river flows, agriculture, mineral extraction, and private development, there could be some soil erosion.

Vegetation

Analysis. Based on aerial photographs and historical data, grassland and riparian forests are declining. Because of the introduction of nonnative plants, and conversion for agriculture and development, the number of native vegetation communities would continue to decline. Fire suppression has contributed to the increase of red cedar. Lack of early season flooding and ice scouring have increased sandbar vegetation. Some landowners participate in vegetation conservation and revegetation programs.

Conclusion. Due to agriculture, mineral extraction, and residential and other private development, the overall amount of native vegetation would continue to decline.

Wildlife

Analysis. Public land would continue to be managed for wildlife. However, protection of habitat depends on protection of the entire riverine system. Some private landowners participate in habitat enhancement programs. Habitat loss could occur due to conversion to agriculture, development, and alteration of river flows.

Conclusion. Some wildlife habitat could be protected or restored by others. Due to river flows, agriculture, mineral extraction, and private development, the overall amount of wildlife habitat could continue to decline.

Threatened and Endangered Species

Analysis. The impacts on threatened and endangered species were based on the likelihood of each species and its habitat type occurring in the recreational river boundary and any potential actions proposed by this plan that could affect the species or habitat. Listed species would continue to be protected on public land. Recovery plans for the threatened and endangered species are in place and would continue to be implemented. However, increases in visitation and undirected recreational use, without subsequent increases in law enforcement, interpretation, or added protection programs could result in adverse impacts to terns and plovers. Predation and disturbance by humans, pets, and flooding could continue to adversely affect the birds. The interior least tern and the piping plover nesting habitat could continue to decrease due to vegetation encroachment and reduced island formation caused by altered river flows. Bald eagle habitat could be affected by the continued loss of cottonwood forest. Overfishing, pollution, and hybridization could continue to contribute to the decline of pallid sturgeon. Species habitat loss could continue due to development, but could be mitigated by conservation programs already in place.

Conclusion. Through current efforts and recovery plans some species and habitat would be protected and restored. Due to river flows, agriculture, mineral extraction, and development, the overall amount of habitat for threatened and endangered species could continue to decline, and without mitigation increased visitation would adversely impact terns and plovers.

Wetlands and Floodplains

Analysis. Wetlands could be affected by agriculture and private development; some agricultural and development activities would be regulated by the Clean Water Act, section 404 permitting process. On the lower segment, wetlands are increasing, particularly near the confluence with the Niobrara River due to sediment deposition. Wetlands could be affected by agriculture and private development; some agricultural and development activities would be regulated by the Clean Water Act, section 404, permitting process.

Based on existing trends, additional aggradation and degradation of the riverbed can be expected. Habitat for fish and wildlife would continue to change. There would be increased wetland environment in the open water, and marshes would be dominated by cattails, reed canarygrass, giant reed, bulrush and purple loosestrife (an exotic weed). Sandbar habitat in the lower sections of the Niobrara River and Verdigre Creek would increase and would likely benefit the least tern and piping plover. These habitats would not support agriculture nor be suitable for vacation home development but would benefit wetland-dependent waterfowl and migrating birds, mammals, amphibians, and fish.

Conclusion. Some wetlands and floodplains would be protected or restored.

Water Quality

Analysis. Increased uses and shoreline development along the river segment could increase the potential for impacts to water quality. Pollution from motorboats, vehicles, residences, and careless visitor use could increase.

Conclusion. Due to agriculture, mineral extraction, development, and motorboats there could be some localized decrease in water quality.

Air Quality

Analysis. Air quality in the area is good and is not expected to change in the foreseeable future. There could be short-term localized impacts from construction and possibly more vehicle exhaust if visitation increases.

Conclusion. Due to agriculture, mineral extraction, development, and vehicles there could be some localized decrease in air quality.

Noise

Analysis. Noise is seasonal and localized. Use of jet skis, airboats, and other motorcraft could increase over time and impact noise levels in the area, as could mineral extraction.

Conclusion. Due to mineral extraction, private development, and visitor use there could be some localized increase in noise.

IMPACTS ON CULTURAL RESOURCES

General

Analysis. Cultural resources on public land would generally benefit from continued agency management, but lack of a coordinated, comprehensive management effort would contribute to fragmented preservation efforts. Lack of funding and lower priorities for cultural resources due to mandated COE programs (recreation, river management, natural resources), could result in occasional negative effects.

Conclusion. Lack of coordinated management and funding could result in limited negative effects. Because the extent and nature of future development and visitor use along the rivers is unknown, impacts on cultural resources cannot be accurately predicted.

Historic Resources

Analysis. Most property owners would continue current stewardship practices. Demographic changes and occasional inappropriate uses would continue to diminish the number and quality of historic structures.

Because visitation in this area has been relatively low when compared to riverway areas near major population centers and because much of the land is privately owned, looting and vandalism are not major concerns. However, future increases in visitation and undirected recreational use without subsequent increases in law enforcement, interpretive measures, or protection programs could result in adverse impacts. The absence of a strong educational program could contribute to some resource degradation.

If traditional farming and ranching activities are continued, the cultural landscape would benefit. However, in those areas lacking zoning or other protective measures, inappropriate development or visitor use could compromise the integrity of this landscape.

Conclusion. Most historic resources would benefit from continued public and private stewardship and limited technical assistance. Some adverse effects on historic resources would continue from changes in demographics and inappropriate uses.

Prehistoric Resources

Analysis. Under the no-action alternative, many land managing agencies would continue to suffer a lack of personnel and funding needed to fully identify, evaluate, and protect resources. Private stewardship would continue to protect most archeological resources on private land. The present level of resource impacts does not appear to be significant, but impacts could increase in the future with unmanaged visitor use and development.

Conclusion. There could be negative impacts from inappropriate uses, undirected recreational activities, development, and continued lack of agency personnel and funding.

Ethnographic Resources

Analysis. Ethnographic resources are often associated with archeological sites or natural features. Such resources on tribal land would continue to be managed by the tribes. In other areas, if archeological sites or natural features important to tribes were destroyed or damaged the ethnographic resources could lose their spiritual significance. If sensitive areas are not identified through consultation, there is potential for inadvertent damage to ethnographic resources due to minimal law enforcement and lack of coordination among public agencies.

Conclusion. There would be some potential for inadvertent damage to ethnographic resources.

IMPACTS ON VISITOR USE AND INTERPRETATION

Visitor Activities

Analysis. Under this alternative most recreational uses are not expected to change over present conditions. The levels of use on the rivers are expected to increase, but not significantly over present conditions. Current use of the rivers is primarily local; however, at Lewis and Clark Lake, and perhaps along the rivers as well, a significant portion of visitors are from Minnesota and Iowa, and there are some visitors from other countries.

Conclusion. Facilities and opportunities would be adequate to meet visitor needs.

Visitor Use Management

Analysis. The Corps of Engineers, the U. S. Fish and Wildlife Service, and the Nebraska Game and Parks Commission would continue to emphasize recreational use of the rivers in a manner similar to their present emphasis. The Corps currently emphasizes recreational use near its Fort Randall Dam. In contrast, the U. S. Fish and Wildlife Service does not provide for public use at its Karl Mundt National Wildlife Refuge. In Nebraska, Niobrara State Park currently gives considerable emphasis to recreational use, establishing a new guided raft tour of the Missouri River in 1996.

Conclusion. The quantity and quality of river experiences provided by existing managing agencies would be expected to continue in the direction that they are currently moving.

Interpretation and Visitor Services

Analysis. Identification, orientation, and information about the recreational rivers would be minimal. In-depth interpretive programming throughout the recreational rivers would continue to be scarce.

Conclusion. Visitors would have minimal access to orientation and information about available activities and interpretive programs. Visitors would have minimal access to interpretation about the recreational rivers and their values. Visitors would have access to few programs that

encourage visiting historic and cultural sites outside the recreational river. Scenic roads would not be designated or signed.

Future Demand for Recreation

Analysis. Visitation cannot be accurately or precisely projected because the level and type of future private and public development is unknown. It is expected that some of the existing visitor use facilities would be improved and some new facilities would be added. This would result from actions by other agencies and governments. These actions are primarily intended to better serve current users. Some of these actions would result in redistribution of use; some would result in increased capacity for visitor use or would make the area more attractive for new users.

Current use of this section of the river is not strongly constrained by insufficient visitor facilities. Even the highest level of development being considered would probably only result in a moderate growth in visitor use. Use of the river would increase, but remain significantly below the level of use that occurs on Lewis and Clark Lake. The majority of visitors would continue to be local residents living within 150 miles. Although the population in the counties along this stretch of the Missouri River has been declining for decades, a recent trend in Nebraska counties along the Missouri River has been toward stabilization or slight increases in population

In all alternatives (including no action), a moderate increase in the demand for visitation is expected. This would result largely from an increased demand for river-related recreation. River use would also increase as a result of actions by other agencies and governments. For example, gambling began several years ago on the Yankton Sioux Reservation near Pickstown, South Dakota, and last year gambling began on a smaller scale on the Santee Sioux Reservation in Santee, Nebraska. Casinos have the potential to attract more nonlocal visitors to the area. The Yankton Sioux tribe has proposed a Fort Randall / Lake Francis Case Marina project with a marina, rustic lodge, cabins, and cultural facilities. The proposed bridge at Running Water, South Dakota, would increase access and opportunities for scenic drives. It would also provide increased opportunities for South Dakota residents to use Niobrara State Park. In 1996 Niobrara State Park began a seasonal guided raft tour for park visitors between Verdel Landing and the town of Niobrara. Canoeing is becoming more popular throughout Nebraska, and there may be opportunities for outfitters in Pickstown, South Dakota, to serve the 39-mile Missouri River stretch. Access to the rivers could increase through such commercial outfitting, which could provide rafts, boats, and canoes for river rafting and boat trips. The Santee and Yankton tribes might develop tourism businesses. Other federal agencies (primarily the Fish and Wildlife Service and the Corps of Engineers) as well as local, state, and tribal governments, would probably improve some facilities and could provide new facilities. Some of these actions, such as the bridge opening, could have a significant effect on increasing visitation to the recreational rivers.

Conclusion. Under this alternative, there would be an unknown, but probably moderate, increase in the number of visitors.

IMPACTS ON SOCIOECONOMIC RESOURCES

Visitor Expenditures

Analysis. The majority of visitors to the recreational rivers would likely continue to come from within a 150-mile radius. The activities that they participate in would probably remain the same. If a moderate increase in the number of visitors occurs as expected, a similar increase in visitor expenditures would occur. An increase in visitor expenditures can be seen by examining the increase in lodging tax revenues in Knox County, Nebraska, for the past few years. Lodging tax revenues in Knox County increased from $1,995 in 1990 to $3,700 in 1995, with the largest jumps occurring in 1994 and 1995 (personal communication from Cathy Stark, Knox County Treasurer, March 1997).

Conclusion. Under this alternative, visitor expenditures would have a moderate beneficial impact on the regional economy.

Recreational River Staff Payroll and Other Expenditures

Analysis. The regional economy would benefit to the extent that outside monies are used to fund payroll, operations, and construction associated with the national river. One employee would spend 1/3 of his or her time on the three rivers. This would inject some personal income into the regional economy. This person would be based at an undetermined location. The amount of salary spent locally would vary with the individual employee, but at least a portion of personal expenditures for housing, food, fuels, and other necessities would probably be made within the region. An unknown percentage of recreational river supplies (including materials, transportation, and equipment purchases) would be purchased within the region. There would be no NPS funded construction or resulting economic benefits.

Conclusion. Under this alternative, there would be an unknown, but probably extremely slight, beneficial impact to the regional economy.

Land Use, Property Owners, and Regional Population

Analysis. Land use could be affected by county zoning. Typically, the limitations imposed by zoning would allow current land uses to continue. This means that land values and property taxes would not be significantly affected.

Market conditions could result in land being converted to feedlots, residential, extensive new cabin development, developed campgrounds, or other land use. The National Park Service would not offer incentives (payment for conservation easements) or buy or condemn land to prevent such conversions. The decision would rest with property owners and with county governments. Limiting land use results in at least a perceived loss of freedom and a reduced potential for economic gain. When this is accomplished through zoning, the property owner is not paid for the resulting decrease in the value of the land.

Growth of the Niobrara delta and the subsequent increased river stages and reduced channel capacities have caused some developed and undeveloped river access and recreation sites to fill with sediment and become unusable. Land in Nebraska and South Dakota is now flooded at a

discharge of 35,000 cubic feet per second, compared to a pre-dam discharge of 100,000 to 150,000 cubic feet per second. The groundwater table has risen in response to higher river stages and has caused subsurface flooding of crops and field access problems. As aggradation continues, additional land in Nebraska and South Dakota between Niobrara and Verdel may be subject to surface flooding and rising groundwater. Habitat around the deltas would continue to become more aquatic and marsh-like. These habitats would not support agriculture nor be suitable for vacation home development.

The frequency of flooding is expected to increase with future reductions in channel capacity. More boat access and recreation sites are expected to become unusable, which would cause the remaining sites to be used more. Shifts in recreation access would be to Sunshine Bottom and Verdel Landing, and there would probably be more boats on Lewis and Clark Lake as well.

Conclusion. Under this alternative, there would be an unknown but potentially significant adverse impact on land use because such uses as feedlots and extensive new developments could occur. A few property owners could receive substantial economic benefits from such conversions; however, other property owners might perceive such land use changes as reducing their quality of life.

County Expenses and Revenue

Analysis. Under this alternative a moderate increase in visitation could lead to the construction of additional recreational and tourism facilities to meet the demand. If new recreational and tourism development was privately owned, both property tax revenues and demand for services would increase.

In Nebraska lodging taxes can be used by counties for visitor promotion but not for general county expenses. However, the property taxes of private, tourism-related businesses would bring additional revenue to the county. While Boyd County does not have a lodging tax, Knox County, which includes the communities of Verdigre, Niobrara, and Verdel, began using a lodging tax in 1989. In Knox County lodging tax revenues that are returned to the county have increased steadily from $1,995 in 1990 to $3,700 in 1995, with the largest jumps occurring in 1994 and 1995. There was a slight decrease in lodging tax revenues in 1996. Lodging taxes and the tourism expenditures on which they are based would likely continue to rise in the future. It should be noted that the increase in lodging tax revenue not only results from increases in the number of rooms sold, but from increases in the price of lodging.

In South Dakota estimated visitor expenditures have averaged around $1.2 million annually in the years from 1989 to 1996. In fiscal year 1996 Gregory County collected $7,088 from a 1% tourism tax that was instituted statewide in 1995. In Bon Homme County estimated visitor expenditures fluctuated up and down from 1989 to 1996, averaging around $1.5 million annually. In Charles Mix County estimated visitor expenditures rose dramatically in 1992 to $6.3 million and since that time have increased more slowly. The tourism tax collected in Gregory County was $11,354 in fiscal year 1996.

Residential and other private development could increase as the market demands and without zoning controls. A few areas of infill residential development would probably bring in more property tax revenue than they would cost the county in services. However, dispersed residential development, which would probably be more common, would likely cost the county

much more in services than it would bring in property taxes. Among the additional county services would be increased maintenance cost for roads and more demand for law enforcement and other emergency services.

This unit would not be staffed with employees trained and equipped to respond to fire, rescue, and law enforcement emergencies. Outside funds would not be used to contract with county governments or others to provide such services. Since no federal or state funds would be used to provide such services, there would be no mitigation of the increasing demands placed on the county governments.

The county tax base would increase as agricultural land is converted to residential and other private development. The resulting increase in tax revenue would at least partially offset the increased services required to support these land uses.

No conservation easements or fee land would be purchased by the National Park Service. Since no land would be purchased by the National Park Service, none would be removed from the county tax base.

Conclusion. Under this alternative, there would be an unknown, but probably minor, adverse impact on county expenses and revenues.

Employment

Analysis. Employment options would increase with increased development and with increased demand for services.

Conclusion. Under this alternative, there would be an unknown, but probably minor, beneficial impact on employment opportunities.

CUMULATIVE IMPACTS

Cumulative impacts are the impacts on the environment that result from incremental actions added to other past, present, and reasonably foreseeable future actions, regardless of who undertakes those other actions. Current conditions, trends, and actions by others would continue to impact the three recreational rivers.

The ecological health of the Missouri River and adjacent resources has been significantly altered by damming and imposition of unnatural water flows. There is potential for implementation of a more natural water flow regime. The recovery and health of threatened and endangered species would be primarily related to the actions taken by the Corps of Engineers and the U.S. Fish and Wildlife Service.

The amount of wildlife, native plants, wetlands, soils, and prime and unique farmlands has decreased due to agriculture, mineral extraction, and development. There is potential for increased impact to wildlife habitat, wetlands, soils, farmlands, vegetation, cultural resource sites and the visual quality of the river from these activities.

Visitors, landowners, and threatened and endangered species have been negatively impacted by increasing visitor use. A moderate increase in visitation would result from the expected increased demand for river-related recreation. Increased visitor use and demand for second homes might result from construction of the Niobrara/Running Water bridge, construction of the Lake Francis Case marina, gambling on the Santee Sioux reservation, or a new a recreational boat/raft tour business. Other federal agencies and local, state, and tribal governments could improve some visitor use facilities and provide new facilities, which could further increase use. Unmitigated increased visitor use could result in unacceptable impacts to threatened and endangered species or in unacceptable visitor experiences.

UNAVOIDABLE ADVERSE EFFECTS

Continued trends could result in a net loss of agricultural land and natural resources.

Increased use and continued conversion of agricultural land to residential and other private development might have a net negative impact on the county government. Whether this would actually take place cannot be predicted.

THE RELATIONSHIP BETWEEN SHORT-TERM USES AND MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

The primary short- and long-term use of the project area would be agricultural. Long-term productivity would be affected if agricultural land was converted to private developments. The long-term ability of the area to maintain natural resources, the current quality of life, and the visitor experience should not be significantly decreased.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Irreversible commitments of resources are those that cannot be reversed, except perhaps in the extreme long-term. Irretrievable commitments of resources are those that are lost for a period of time — a resource is devoted to a use that simultaneously precludes other uses. The extraction of mineral resources under this alternative would be considered irreversible.

IMPACTS OF ALTERNATIVE 2

IMPACTS ON NATURAL RESOURCES

Mineral Resources

Analysis. New mining operations would be considered an incompatible use within the boundary of the recreational rivers. However, existing mineral extraction operations within the boundary could continue. The intent of this alternative is to maintain the rural landscape. Mineral extraction could affect the scenic values of the area, and noise associated with mining could affect the peaceful atmosphere. If mining were to adversely affect the rural landscape integrity, the National Park Service would encourage landowners to mitigate or avoid the effects of mineral extractions on the significant resources. There are several such operations, but most are outside the 0.25-mile planning boundary. Mitigation and permitting for mining operations would be the same as for alternative 1.

Conclusion. The National Park Service would encourage existing mining operations to mitigate any impacts they might have on the recreational rivers. New mining operations would be considered an incompatible use within the boundary of the recreational rivers.

Prime and Unique Farmland

Analysis. According to county soil surveys there are approximately 2,138 acres of prime farmland (34% of the total acreage) inside the boundary included in this alternative. Current agricultural practices would be sustained and allowed to evolve, and streambank protection to protect agricultural land would be permitted. Since only existing developed sites would be used for visitors, there would be no conversion of the land for recreational development, such as reduced tax assessment for agricultural land, would be encouraged.

Conclusion. To the extent that this alternative was successful in maintaining agricultural use of prime and unique farmland, it would have a positive impact.

Soils

Analysis. This alternative would allow limited private residential development to occur; however, no new recreational development is proposed. Removal of vegetation during limited private development could cause some temporary localized increase in erosion and sedimentation; however, technical assistance would be available to landowners to minimize impacts. The practice of agriculture would continue, causing some streambank erosion and deposition.

Conclusion. This alternative does not propose any actions that would affect soil resources. Limited private development has the potential for impact; however, such impacts could probably be mitigated.

Vegetation

Analysis. The National Park Service would encourage landowners to participate in vegetation conservation and revegetation programs to maintain the rural landscape.

Conclusion. Some native plant communities could be protected or restored; possibly more than in alternative one. Limited private residential development could slightly reduce the overall amount of native vegetation, but probably at a rate less than alternative 1.

Wildlife

Analysis. Maintenance of the rural landscape would protect some wildlife habitat. Public land would continue to be managed for wildlife. Some landowners participate in wildlife conservation programs. Development or conversion to agriculture could reduce wildlife habitat. Increased visitor use would not be encouraged, which would reduce disturbance from recreational activities.

Conclusion. Some wildlife habitat could be protected or restored; possibly more than in alternative one. This alternative does not propose any actions that would negatively impact wildlife resources.

Threatened and Endangered Species

Analysis. The impacts on threatened and endangered species are based on the likelihood of each species and its habitat type occurring inside the recreational river boundary as well as any actions proposed in this plan that could affect species or habitat. No new recreational development is proposed in this alternative, and only a limited degree of private residential development could occur.

Increases in visitation could have adverse impacts on terns and plovers. To mitigate these impacts, terns and plovers would be monitored, and visitors would be redistributed to avoid disturbance to nests. It is not possible to precisely predict the response of displaced users. Some would return at a later time, some would switch to other parts of the river, some would go elsewhere. This slight reduction in use might approximate the slight increase that could result from improved facilities.

Cooperation and coordination between the National Park Service, other agencies, and private property owners would discourage certain development and incompatible uses in order to protect species and habitat. This would benefit the listed species. NPS participation in activities to conserve species and restore habitat would also benefit the listed species. Increased monitoring of species and redistribution of visitors would mitigate potential impacts.

Conclusion. Through recovery plans and cooperative agency efforts, some habitat for threatened and endangered species would be restored; possibly more than in alternative one. There would be no adverse impacts on threatened and endangered species as a result of this alternative. This alternative would result in increased efforts to protect and conserve species, which would have beneficial impacts on listed species.

Wetlands and Floodplains

Analysis. Maintenance of current land uses would help to preserve wetlands. Incentives would be offered to property owners to protect wetlands. Building in the floodplain would be discouraged, which would help to protect floodplains.

Conclusion. Some wetlands and floodplains would be protected or restored; possibly more than in alternative 1. This alternative does not propose any actions that would negatively impact wetlands.

Water Quality

Analysis. No additional recreational development is proposed in this alternative. Limited private residential development within existing developed areas would be unlikely to have any impact on water quality.

Conclusion. This alternative does not propose any actions that would negatively impact water quality.

Air Quality

Analysis. The air quality in the area is good and is not expected to change in the foreseeable future. No new recreational facilities are proposed in this alternative, and only limited private residential development could occur.

Conclusion. This alternative does not propose any actions that would negatively impact air quality.

Noise

Analysis. A localized increase in noise resulting from increased use of jet skis and other motorcraft could occur; however, noise from airboat use would be reduced since this use is not permitted within an NPS designated area. .

Conclusion. This alternative does not propose any actions that would negatively impact natural quiet. Any reduction in noise level due to restrictions in airboat use would probably be offset by an increase in noise from additional motorized use.

IMPACTS ON CULTURAL RESOURCES

General

Analysis. NPS coordination of inventory, evaluation, and protection efforts among federal and state agencies would have positive effects on resources. Close coordination and cooperative agreements among state and federal agencies would help resolve conflicting management goals

for preservation of biological and cultural resources and avoid adverse impacts. For example, archeological investigations would help ensure that restoration of habitat did not impact archeological resources.

Conclusion. Cultural resources would benefit from NPS management and coordinated identification, evaluation, and protection. Coordinated efforts would help correlate biological and cultural resources management goals.

Historic Resources

Analysis. Agencies would continue preservation efforts. On private land, protection of historic resources would rely on property owners and the development and implementation of resource sensitive guidelines in county zoning and other local plans. Limited technical assistance and incentives would provide some beneficial effects by aiding property owners in maintaining historic sites and structures. There would continue to be some loss of resources from deterioration, inappropriate use, and razing of structures.

Because of the limitations on residential and recreational development in this alternative, there would be few, if any, impacts from construction activities.

Looting, vandalism, and inappropriate uses could accompany increased recreational use in the future. Continuation of traditional farming and ranching activities would benefit the cultural landscape.

Conclusion. Most historic resources would benefit from continued public and private stewardship and limited technical assistance and incentives. There would be occasional adverse effects on historic resources from changes in demographics and inappropriate uses. There would be few, if any, impacts from residential construction.

Prehistoric Resources

Analysis. Landowner stewardship is expected to continue. Cultivation and livestock trampling could continue to disturb some archeological resources. Because of the low-key nature of management in this alternative, there is still potential for damage to sites from undirected recreational use, looting, and vandalism. Because no recreational development is proposed in this alternative and only limited private residential development could occur, no adverse impacts on prehistoric resources would be anticipated from construction. Any potential impacts from construction on private land could be mitigated through agreements and incentives.

Conclusion. This alternative does not propose any actions that would adversely affect prehistoric resources. There would be occasional adverse impacts from inappropriate uses, but generally prehistoric resources would benefit.

Ethnographic Resources

Analysis. There is some potential for inadvertent damage to ethnographic resources due to the low-key nature of management and undirected recreational activities.

Conclusion. There is some potential for inadvertent damage to ethnographic resources.

IMPACTS ON VISITOR USE AND INTERPRETATION

Visitor Activities

Analysis. Types of recreational use of the rivers would not change significantly over present conditions. Levels of use would not increase significantly over present conditions. There would be no new development of visitor use facilities, and increases in visitor use would not be promoted by the National Park Service. If the amount of orientation and interpretive programs were increased, people visiting the recreational rivers would be able to find their way more easily, identify river resources, and participate in more land- and water-based activities.

Conclusion. Existing facilities and opportunities would be adequate to meet visitor needs.

Visitor Use Management

Analysis. Local users of the recreational rivers would continue to use and enjoy river-based recreational activities, and use roads and trails as under present conditions. Emphasis would be placed on visitor safety and respect for private property. The carrying capacity for all recreational facilities open to the public would be determined, types of use on the rivers would be strictly controlled, and an interpretive program emphasizing respect for private property owner rights and responsible behavior would be developed.

Conclusion. The quality of river experiences, including isolation and solitude, would not change significantly for visitors or residents.

Interpretation and Visitor Services

Analysis. Visitor services and facilities would be limited and would not be expanded beyond what is available presently. Even minimal efforts to increase identification, orientation, and interpretation of the recreational rivers would benefit visitors in terms of finding their way and planning their visits. Interpretive activities, offered by local people with life-long experiences in the region, and emphasizing education and land protection, would be available for children and adult visitors. Visitors with interests in land management, land stewardship, and the history of ranching and farming would benefit from the interpretive emphasis of this alternative.

Conclusion. Visitors would have adequate access to orientation and information about available activities and interpretive programs. Visitors with interests in the preservation of the rivers' values and landscapes would benefit from the interpretive emphasis of this alternative. Visitors

would have access to more programs that encourage visiting historic and cultural sites outside the recreational river. Scenic roads would not be designated or signed.

Future Demand for Recreation

Analysis. In all alternatives (including no action), a moderate increase in the demand for river-related recreation is expected. This would be stimulated in part by actions outside the control of the National Park Service, such as gambling or a marina on Lake Francis Case. If carrying capacity concerns developed, visitor use could be redistributed, redirected, or otherwise limited.

Conclusion. Under this alternative, a moderate increase in the number of visitors would probably occur, though not as a result of actions proposed in the plan. The increase would probably be less than that which would take place under the no-action alternative.

IMPACTS ON SOCIOECONOMIC RESOURCES

Visitor Expenditures

Analysis. Actions recommended in this alternative would not have a significant impact on visitor expenditures. However, in combination with the actions of others (for example, bridge construction), a moderate increase in visitor expenditures could occur.

Conclusion. Actions recommended in this alternative would not likely have any significant impact on the regional economy.

Recreational River Staff Payroll and Other Expenditures

Analysis. Under this alternative, the regional economy would benefit to the extent that outside monies would be used to fund payroll and operations associated with the national river. A description of the level and types of staffing and other expenses estimated for this alternative is described in appendix D. Recreational river staff positions would create new jobs in the area and inject new personal income into the regional economy. The amount of salary spent locally would vary with the individual employee, but at least a portion of personal expenditures for housing, food, fuels, and other necessities would probably be made within the region. An unknown percentage of recreational river supplies (including materials, transportation, and equipment purchases) would be purchased within the region.

Conclusion. Under this alternative there would be an unknown, but probably no more than modest, beneficial impact on the regional economy.

Land Use, Property Owners, and Regional Population

Analysis. Under this alternative land use could be affected by county zoning or by voluntary conservation agreements. Land use and property ownership could also be affected through purchase or donation of conservation easement or fee interest. The relative and actual amount

of land to be protected through any of these means can only be estimated. Although the National Park Service would actively support providing incentives for donation of voluntary conservation agreements, the form or value of such incentives cannot be projected.

Developed land in the vicinity of the river is generally assessed based on current use. All other land uses are generally assessed based on agricultural rates. Currently Nebraska offers reduced tax valuation for agricultural land in counties that are zoned. The National Park Service has supported legislation in the Nebraska Unicameral for reduced tax valuation for agricultural land along any scenic or recreational river in the state, irrespective of whether the county is zoned or not. If assessment rates on agricultural land along the recreational rivers are reduced, property owners would receive an economic benefit, possibly a substantial one. In addition, this differential assessment would help ensure that agricultural land is retained in agriculture. The federal purchase of easement land from willing sellers would also help to conserve resources and retain land in agricultural use.

Typically, the limitations imposed by voluntary conservation agreements, conservation easements and zoning would allow current land uses to continue. This means that land values and property taxes would not be significantly affected. Donation of revocable voluntary conservation agreements would probably not qualify as a tax deductible gift.

Under this alternative, the National Park Service would purchase very little land and only from willing sellers. This would provide an economic benefit to the property owners who sold their land or an easement. No new recreational development is proposed under this alternative, so no landowners would be displaced for this purpose. Any landowners that do leave the vicinity of the rivers would likely be offset by other people moving into the area.

Conclusion. If assessment rates for agricultural land along the recreational rivers were reduced and conservation easements were purchased, this alternative would have a significant beneficial economic benefit for property owners along the recreational rivers. This reduced assessment rate would also help ensure that agricultural land was retained in agriculture. The federal purchase of conservation easements would help ensure that significant resource land was protected.

County Expenses and Revenue

Analysis. Under this alternative there would be no increase in recreational facilities; however, a moderate increase in visitation is still projected. Lodging taxes in Nebraska and city tourism taxes in South Dakota would grow with increasing visitation. The funds collected from lodging taxes in Nebraska are returned to the county for use in promoting tourism. In South Dakota city taxes on tourism are returned to the cities that have them, minus an administrative fee taken by the state (personal communications from Tanna Zabel, S.D. Dept. of Revenue, and Cathy Stark, Knox County Treasurer, March 1997). Increased recreation visits in both states results in increased county and city revenue for the local governments that have adopted these taxes.

Under this alternative only a limited amount of residential development would occur within existing developed areas. The increase in county revenues resulting from this slight increase in private development would likely be greater than the cost of increased county services. Dispersed residential development would not occur in this alternative.

This unit might be staffed with NPS employees trained and equipped to respond to fire, rescue, and law enforcement emergencies. The cost of such staff might come from federal, state, or county government. NPS or state funds might also be used to contract with county governments or others to provide such services. To the extent that federal or state funds are used to provide such services, this would mitigate the increasing demands placed on the county governments.

If the state of Nebraska adopts a law allowing reduced tax assessments on agricultural land along national recreational rivers, a decrease in county revenues for Knox and Boyd Counties could occur. However, it is believed that the county revenue reduction would be small because only a relatively small amount of a county's total tax revenue would come from agricultural land along the three recreational rivers, and this land would still be taxed, but at a lower rate.

Under this alternative there is not expected to be any fee acquisition of land by the National Park Service. The purchase of conservation easements would occur on a willing seller basis and would have an estimated cost of $500,000 spread over five years. Because title to conservation easement land would remain with the private landowner, there would be no decrease in the taxation of this land.

Conclusion. Under this alternative, there would be an unknown but likely beneficial impact on county revenues.

Employment

Analysis. Under this alternative no new recreational facilities are recommended. However, an increase in tourism employment would likely parallel an increase in visitation to the recreational rivers. Approximately five National Park Service employees would spend a portion of their time managing these rivers, probably from an office in O'Neill. The beneficial impact of these positions would be very small, compared to total employment in the region. Because no facility development is recommended in this alternative, there would be no impact on the construction industry.

Conclusion. Under this alternative there would be an unknown but probably minor beneficial impact on employment opportunities.

CUMULATIVE IMPACTS

The cumulative impacts on natural resources would be approximately the same as in alternative 1. Cumulative impact is the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes the other actions. Such existing conditions, trends, and actions by others would continue to impact the three recreational rivers. Actions by the National Park Service and its partners would result in minimal negative impacts to any of the resources. For example:

The ecological health of the Missouri River and adjacent resources has been significantly altered by damming and imposition of unnatural water flows. There is potential for implementation of a more natural water flow regime. Actions by the National Park Service and its partners could

contribute to a more natural situation. Due to river flows, agriculture, and limited private development, species habitat would continue to decline. NPS actions would have minimal effect on threatened and endangered species. The health of such species would be primarily related to actions taken by the Corps of Engineers and the U.S. Fish and Wildlife Service.

The amount of wildlife, native plants, wetlands, soils, and prime and unique farmlands has decreased due to agriculture, mineral extraction, and private development. There is potential for increased impacts from these activities. Water quality could also decrease by these activities. Section 404 permits, issued by the Corps of Engineers, would minimize impacts to wetlands and water quality. The National Park Service would review section 404 permits for consistency with the *General Management Plan.* The National Park Service and its partners could implement zoning, land use management plans, property owner associations, watershed districts, voluntary conservation agreements (with or without incentives), conservation easements, restrictive covenants, conditions and restrictions, tax incentives, and land trusts. Such actions could reduce new impacts.

A moderate increase in visitation would result from the expected increased demand for river-related recreation. Increased visitor use and demand for second homes might also result from construction of the Niobrara / Running Water bridge, construction of the Lake Francis Case marina, gambling on the Santee Sioux reservation, or inauguration of a recreational boat / raft tour business. Other federal agencies as well as local, state, and tribal governments would probably improve some visitor use facilities and could provide new ones, which would further increase use. In no alternative would the National Park Service or its partners take any action that would significantly increase visitor use. The National Park Service and its partners would not provide for or allow increased visitor use if such use might result in unacceptable impacts to threatened or endangered species or result in unacceptable visitor experience or resource conditions.

Impacts of NPS actions coupled with impacts of actions by others would have minimal negative impacts to any of the resources.

UNAVOIDABLE ADVERSE EFFECTS

If Nebraska passes a law permitting a reduced assessment for agricultural land adjacent to national recreational rivers, a corresponding decrease in county tax revenue would occur. However, it is believed that any decreases in county tax revenues would be offset by increases in county tax revenues from other sources, as described in the "County Expenses and Revenues" section. Only a limited amount of land within existing residential areas could be developed, possibly resulting in a minor adverse impact on the environment; this impact could likely be mitigated.

THE RELATIONSHIP BETWEEN SHORT-TERM USES AND MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

The primary short- and long-term use of the project area would be agricultural. Long-term productivity would be affected if agricultural land is converted to residential and other private

developments. The long-term ability of the area to maintain both the current quality of lifestyle and to support the current visitor experience should not be significantly decreased.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Irreversible commitments of resources are those that cannot be reversed, except perhaps in the extreme long-term. Irretrievable commitments of resources are those that are lost for a period of time — a resource is devoted to a use that simultaneously precludes other uses. In this alternative, the continued extraction of mineral resources from existing mining operations would be considered irreversible.

IMPACTS OF ALTERNATIVE 3

IMPACTS ON NATURAL RESOURCES

Mineral Resources

Analysis. New mining operations would be considered an incompatible use within the boundary of the recreational rivers. However, existing mineral extraction operations within the boundary could continue. The intent of this alternative would be to protect and restore the ecosystem. Extraction of minerals could impact water quality, soils, wildlife habitat, air quality, scenic values, and natural quiet. Landowners would be encouraged to voluntarily ensure the integrity of the significant resources. There are several such operations, but most are outside the 0.25-mile planning boundary. Mitigation and permitting for mining operations would be the same as in alternative 1.

Conclusion. The National Park Service would encourage existing mineral operations to mitigate any impacts they might have on the recreational rivers. New mining operations would be considered an incompatible use within the boundary of the recreational rivers.

Prime and Unique Farmland

Analysis. According to county soil surveys there are approximately 3,432 acres of prime farmland (21% of the total acreage) within the boundary. Natural river function causes flooding, erosion, expansion of banks, and opening of backwater areas. Any inundation would come from regulated COE flows and aggradation effects. Some prime farmland could be flooded. Since only developed sites would be used for visitors, there would be no conversion of the land for recreational development, such as reduced tax assessment for agricultural land, would be encouraged.

Conclusion. To the extent that this alternative was successful in maintaining agricultural use of prime and unique farmland, it would have a positive impact.

Soils

Analysis. This alternative favors natural riverine processes. Streambank erosion and deposition would continue. Agriculture would continue. This alternative would allow limited private residential development to occur; however, no new recreational development is proposed. Removal of vegetation during limited private development could cause some temporary localized increase in erosion and sedimentation. Technical assistance would be available to landowners to reduce some of the impacts.

Conclusion. This alternative does not propose any actions that would significantly affect soil resources.

Vegetation

Analysis. The National Park Service would encourage landowners to participate in vegetation conservation and revegetation programs. This alternative includes important biological bottomland so that more vegetation could be protected. Emphasis would be on natural river functioning, erosion and expansion of banks, and opening of backwater areas. Active restoration, protection, and enhancement of vegetation would include incentives for property owners to improve habitat. Development would be discouraged, and increased visitor use would not be encouraged, in order to avoid habitat disturbance.

Conclusion. Some native plant communities could be protected or restored; possibly more than in alternatives one, two, and four. Limited private residential development could slightly reduce the overall amount of native vegetation, but at a rate less than alternative 1.

Wildlife

Analysis. Management for natural river processes would help to restore wetlands and riparian areas. The boundary proposed for this alternative includes important biological bottomland, so more riparian habitat could be protected. There would be active restoration of wildlife habitat, including wetlands and riparian areas, on public land and on private land with the landowner's permission. No new recreational development is proposed in this alternative. Only a limited amount of private residential development could occur within existing developed areas, so there would be little or no loss of wildlife habitat from that source.

Conclusion. Some wildlife habitat would be protected or restored; possibly more than in alternatives one, two, and four. This alternative does not propose any actions that would negatively impact wildlife resources.

Threatened and Endangered Species

Analysis. Impacts and mitigation measures would be the same as in alternative 2, except that this alternative would place a greater emphasis on habitat protection and restoration. Re-creation of former habitats would be encouraged. River flows would be expected to mimic the natural regime. Development and incompatible recreation would be discouraged. It is not possible to precisely predict the response of displaced users. Some would return at a later time, some would switch to other parts of the river, some would go elsewhere. This slight reduction in use might approximate the slight increase that could result from improved facilities.

Conclusion. The impacts would be the same as in alternative 2 except that there would be a potential to protect and restore more habitat than in alternatives 1, 2, and 4. There would be no adverse impacts to listed species.

Wetlands and Floodplains

Analysis. Wetlands and floodplains would be improved through enhancement, restoration, and re-creation of natural riverine ecosystems. The amount and the quality of wetlands would be increased.

Conclusion. Some wetlands and floodplains would be protected or restored, possibly more than in alternatives 1, 2, and 4. This alternative does not propose any actions that would negatively impact wetlands.

Water Quality

Analysis. No additional recreational development is proposed in this alternative. Limited private residential development within existing developed areas would unlikely have any impact on water quality.

Conclusion. This alternative does not propose any actions that would negatively impact water quality.

Air Quality

Analysis. The air quality in the area is good and is not expected to change in the foreseeable future. No new recreational facilities are proposed in this alternative, and only limited private residential development would occur.

Conclusion. This alternative does not propose any actions that would negatively impact air quality.

Noise

Analysis. The impacts for this alternative would be the same as those described under alternative 2.

Conclusion. This alternative does not propose any actions that would negatively impact natural quiet. Any reduction in noise level due to restrictions in airboat use would probably be offset by an increase in noise from other motorized recreational use.

IMPACTS ON CULTURAL RESOURCES

General

Analysis. NPS coordination of inventory, evaluation, and protection efforts among federal and state agencies would have positive effects on resources. Close coordination and cooperative agreements among state and federal agencies would help resolve conflicting management goals for preservation of biological and cultural resources and avoid adverse impacts. For example,

archeological investigations would help ensure that restoration of habitat did not impact archeological resources.

Conclusion. Cultural resources would benefit from NPS management and coordinated identification, evaluation, and protection. Coordinated efforts would help correlate biological and cultural resources management goals.

Historic Resources

Analysis. Law enforcement, monitoring of visitor use and resource condition, and directing visitors to nonsensitive areas would help prevent or minimize negative impacts to historic sites and structures. (See the description of potential impacts in the no action alternative and in alternative 2). Because of the limitations on residential and recreational development in this alternative, there would be few, if any, impacts from construction activities. Because of the resource preservation emphasis in this alternative, sites and historic structures would benefit more from incentives and technical assistance for private property owners than in alternative 2. Cultural resources would also benefit from purchase or donation of conservation easements or voluntary conservation agreements. Preservation of the character of the river landscape would result in a more natural scene, in keeping with the landscape viewed from the river by the Lewis and Clark expedition. Because traditional farming practices are expected to continue above 1991 ordinary high water, no adverse impacts on agrarian cultural landscapes would be expected.

Conclusion. Historic resources would benefit from continued public and private stewardship, technical assistance, and incentives. Occasional adverse effects on historic resources would occur from changes in demographics and inappropriate uses. There would be few, if any, impacts from residential construction.

Prehistoric Resources

Analysis. Much of the discussion of historic resources (above) is also relevant to prehistoric resources, and these archeological resources would also tend to be better protected under this alternative than in alternative 2. Because alternative 3 focuses on habitat preservation, the amount of area near the shoreline that is under active cultivation could be reduced. This change would benefit buried archeological resources by reducing erosion and other changes to the site (damage to artifacts and mixing of soil strata) caused by cultivation. Measures to restore habitat could inadvertently damage some archeological resources. Some looting and vandalism could still occur but it would be expected to be less intensive than in alternatives 2 or 4 due to interpretation and directing visitors to nonsensitive areas.

Because no recreational development is proposed in this alternative and only limited private residential development could occur, no adverse impacts on prehistoric resources are anticipated from construction. Any potential impacts from construction on private land could be mitigated through agreements and incentives.

Conclusion. This alternative does not propose any actions that would adversely affect prehistoric resources. There would be occasional adverse impacts from inappropriate uses, but generally prehistoric resources would benefit.

Ethnographic Resources

Analysis. Protection of archeological sites and natural resources would benefit ethnographic values. The effects of habitat restoration on ethnographic resources are unknown, but would not be expected to have major effects. The emphasis on government-to-government consultation would help ensure that sites are not inadvertently desecrated.

Conclusion. Ethnographic resources would generally benefit.

IMPACTS ON VISITOR USE AND INTERPRETATION

Visitor Activities

Analysis. Even though types and levels of recreational use would not change significantly over present conditions, some visitor activities currently taking place on the recreational rivers (such as use of jet skiing or loud motorboating) could be regulated, or controlled, to ensure that negative impacts to the rivers' natural resources are not occurring. Management emphasis would be placed on promoting river-based activities consistent with recreational river values. There would be no new development of visitor use facilities, and increases in visitor use would not be promoted by the National Park Service.

Conclusion. Facilities and opportunities would be adequate to meet visitor needs.

Visitor Use Management

Analysis. Careful planning for managing visitor use at developed recreational areas would result in visitation levels that would not adversely affect the integrity or quality of the recreational rivers' resources. The majority of local users would continue to enjoy river-based recreational activities as under present conditions, and would not be negatively impacted by significant increases in visitation or changes in types of use.

Conclusion. The quality of river experiences, including isolation and solitude, would not change significantly for visitors or residents.

Interpretation and Visitor Services

Analysis. Visitors with interests in river science and natural history would benefit from the interpretive emphasis of this alternative. Low key, hands-on interpretive activities for children and adults focusing on the protection and management of natural resources would be provided. Even minimal efforts to increase identification, orientation, and interpretation of the recreational rivers would benefit visitors in terms of finding their way and planning their visits.

Conclusion. Visitors would have adequate access to orientation and information about available activities and interpretive programs. Visitors with interests in river science and natural history would benefit from the interpretive emphasis of this alternative. Visitors would have access to more programs that encourage visiting historic and cultural sites outside the recreational river. Scenic roads would not be designated or signed.

Future Demand for Recreation

Analysis. This alternative would have the same type of effects as were described for alternative 2.

Conclusion. Under this alternative, a moderate increase in the number of visitors would probably occur, though not as a result of actions proposed by this plan. The increase would probably be less than that which would take place under the no-action alternative.

IMPACTS ON SOCIOECONOMIC RESOURCES

Visitor Expenditures

Analysis. Actions recommended in this alternative would not have a significant impact on visitor expenditures. However, in combination with the actions of others, (for example, bridge construction), a moderate increase in visitor expenditures could occur.

Conclusion. Actions recommended in this alternative would not likely have any significant impact on the regional economy.

Recreational River Staff Payroll and Other Expenditures

Analysis. As detailed in appendix D, the National Park Service staff payroll and other expenditures are estimated to be $210,000, which is more than alternative 2 but less than alternative 4. Several seasonal park rangers and biological technicians would be employed to work solely on these recreational rivers. The impact of these employees on the regional economy would be modest at most, when compared with the total area economy.

Conclusion. Under this alternative, there would be an unknown but probably no more than modest beneficial impact to the regional economy.

Land Use, Property Owners, and Regional Population

Analysis. In this alternative some land would be acquired by the National Park Service in fee and easement because of its resource values. This would preclude its possible conversion into agricultural land and would provide an economic benefit to the property owners who sold their land or an easement. Other aspects of the analysis of land use, property owners, and the regional population would be the same as described in alternative 2.

Conclusion. If assessment rates for agricultural land along the recreational rivers are reduced and conservation easements are purchased, this alternative would have a significant beneficial economic benefit for property owners along the recreational rivers. This reduced assessment rate would also help ensure that agricultural land is retained in agriculture. The federal purchase of conservation easements and fee land would help ensure that significant river-related resources were protected.

County Expenses and Revenue

Analysis. In this alternative some land would be acquired by the National Park Service in fee and easement because of its resource values. Any federal land that is acquired in fee would be taken off the county tax rolls. This adverse effect on county revenue would be substantially mitigated by the Payment in Lieu of Taxes Act. Other aspects of the analysis for this alternative would be the same as that described for alternative 2.

Conclusion. Under this alternative there would be an unknown but likely minor adverse or beneficial impact on county revenues.

Employment

Analysis. This alternative would hire several additional seasonal park rangers and biological technicians that are not projected in alternative 2, having a beneficial impact on employment opportunities, if local residents were hired. Other aspects of the employment analysis for this alternative would be the same as for alternative 2.

Conclusion. Under this alternative, there would be an unknown but probably minor beneficial impact in employment opportunities.

CUMULATIVE IMPACTS

The cumulative impacts would be similar to alternative 2.

UNAVOIDABLE ADVERSE EFFECTS

Resource land that is acquired in fee by the National Park Service would be taken off the county tax rolls. However, the amount of land to be acquired in fee is not expected to be great, and any adverse impact on county revenue would be largely mitigated by the Payment in Lieu of Taxes Act. Other unavoidable adverse impacts would be the same as described for alternative 2.

THE RELATIONSHIP BETWEEN SHORT-TERM USES AND MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

The primary short- and long-term use of the project area would be agricultural. Long-term productivity would be affected if agricultural land is converted to residential and other private

developments. The long-term ability of the area to maintain both the current quality of lifestyle and to support the current visitor experience should not be significantly decreased.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Irreversible commitments of resources are those that cannot be reversed, except perhaps in the extreme long-term. Irretrievable commitments of resources are those that are lost for a period of time — a resource is devoted to a use that simultaneously precludes other uses. In this alternative, the continued extraction of mineral resources from existing mining operations would be considered irreversible.

IMPACTS OF ALTERNATIVE 4

IMPACTS ON NATURAL RESOURCES

Mineral Resources

Analysis. New mining operations would be considered an incompatible use within the boundary of the recreational rivers. However, existing mineral extraction operations within the boundary could continue. Mineral extraction could affect recreation in the area, and visitor enjoyment could be impacted by noise or effects on the scenic values. If mining were to adversely affect visitor experience the National Park Service would encourage landowners to mitigate or avoid the effects of mineral extractions. There are several such operations, but most are outside the 0.25-mile planning boundary. Mitigation and permitting for mining operations would be the same as in alternative 1.

Conclusion. The National Park Service would encourage existing mineral operations to mitigate any impacts they might have on the recreational rivers. New mining operations would be considered an incompatible use within the boundary of the recreational rivers.

Prime and Unique Farmland

Analysis. This alternative includes approximately 2,432 acres of prime farmland (31% of the total) inside the boundary. It recommends a limited amount of development on both public and private land for expanded visitor facilities. According to federal guidelines, prime farmland would not be used for development of public facilities, but private landowners could develop their land. The National Park Service would not convert any prime and unique farmland into developed recreational use land.

Conclusion. To the extent that this alternative was successful in maintaining agricultural use of prime and unique farmland, it would have a positive impact. No prime and unique farmland would be converted into federal recreational use areas.

Soils

Analysis. Expanded visitor facilities could include trails, restrooms, boat ramps, and parking lots, which could require soil disturbance through minimal cutting and filling. Removal of vegetation during development could cause some temporary localized increase in erosion and sedimentation. This could be minimized by avoiding construction in highly erodible areas and by using sediment and erosion control structures. Agricultural practices would continue. Private residential development could also cause some erosion. The practice of agriculture would continue, causing some streambank erosion and deposition. The amount of erosion potential in this alternative would be greater than in alternatives 2, 3, and 5. However, technical assistance would be available from the National Park Service to assist landowners in reducing erosion.

Conclusion. This alternative recommends additional recreational and residential development, which would have the potential to cause soil erosion. The potential for impact to soils would be greater in this alternative than in alternatives 2, 3, and 5.

Vegetation

Analysis. The National Park Service would encourage landowners to participate in vegetation conservation and revegetation programs to maintain the rural landscape. Expanded visitor facilities and increased development would require removal of some vegetation. Some of the impact to vegetation might be mitigated by technical assistance.

Conclusion. This alternative recommends additional recreational and residential development, which would result in an unknown amount of vegetation removal. The potential for impact to vegetation would be somewhat greater in this alternative than in alternatives 2, 3, and 5.

Wildlife

Analysis. Expansion of visitor facilities and visitor opportunities would be encouraged on both public and private land. There would also be some development, so there is some potential to decrease wildlife habitat.

Conclusion. Some wildlife habitat could be protected or restored; possibly more than in alternative one. Increased recreational and residential development has the potential to reduce wildlife habitat by an unknown amount. The amount of wildlife habitat available in this alternative would be less than in alternatives 2, 3, and 5.

Threatened and Endangered Species

Analysis. The impacts would be the same as in alternative 2. However, expanded visitor facilities have the potential to impact listed species. Visitor facilities and activities would be located in areas away from listed species to mitigate any potential impacts. It is not possible to precisely predict the response of displaced users. Some would return at a later time, some would switch to other parts of the river, some would go elsewhere. This slight reduction in use might approximate the slight increase that could result from improved facilities.

Conclusion. There would be no adverse impacts on threatened and endangered species as a result of this alternative. This alternative would result in increased efforts to protect and conserve species, which would have beneficial impacts on listed species.

Wetlands and Floodplains

Analysis. Some wetlands and floodplains would be protected or restored, possibly more than in alternative 1. Expansion of visitor facilities and opportunities and increased developments would have the potential to impact wetlands and floodplains. Development requiring a 404

permit would require avoidance of wetlands to the extent practicable and mitigation for unavoidable impacts.

Conclusion. Increased recreational and residential development has the potential to reduce the size of wetlands. It is not known whether the increase in wetlands under this alternative would be greater than the decrease in wetlands.

Water Quality

Analysis. Increased uses and shoreline development along the river segment could increase the potential for impacts to water quality. Pollution from motorboats, vehicles, residences, and careless visitor use could increase. Increases in visitor use and facility development could increase the potential for water quality impacts. Emphasis on education and interpretation has the potential to reduce negative effects of visitor use.

Conclusion. Increased recreational and residential development has the potential to reduce water quality by an unknown amount.

Air Quality

Analysis. There could be short-term localized adverse impacts from recreational and residential construction. There could also be more vehicle and boat exhaust as a result of increased visitation. It is doubtful that these impacts would significantly affect overall air quality.

Conclusion. This alternative could result in short-term localized adverse impacts, as well as a potential decrease in air quality as a result of more vehicle and boat exhaust.

Noise

Analysis. There could be a short-term localized increase in noise as a result of recreational and residential construction. There could also be increased noise as a result of increased visitation.

Conclusion. This alternative could result in short-term localized adverse impacts, as well as a potential decrease in natural quiet as a result of increased visitation.

IMPACTS ON CULTURAL RESOURCES

General

Analysis. Cultural resources would benefit from coordinated resources management and identification, evaluation, and protection. Resources would require more intensive management than in other alternatives to avoid potential negative effects of development and increased visitor access.

Conclusion. Cultural resources would benefit from coordinated management but would require intensive mitigation.

Historic Resources

Analysis. Enlargement of public use areas and construction of new river access points, picnic areas, camping, and trails has the potential to disturb historic resources. However, much of the area near public use facilities is already disturbed, and it is likely that any remaining resources could be avoided through sensitive design.

Two bridges and several historic sites and farmsteads situated along the abandoned historic rail line between Verdigre and Niobrara are unlikely to be directly affected by trail construction. Construction of a trail on the railroad bed and interpretation of the railroad's history would be beneficial to this historic resource. The new trail would make it easier for hikers to access the historic farmsteads and sites in the general vicinity, which could result in trespassing, vandalism and looting. Construction of facilities along the Mormon Canal would not affect the Newell Knight memorial. Making the memorial more accessible to visitors would encourage protection and understanding of historic resources. The exact location of Mormon burials associated with the area has not been identified and the possibility exists that these or other remains of their winter encampment could be encountered during facility construction. Mitigation, including identification and avoidance of sites, site stabilization, data retrieval, law enforcement, and protective measures such as fencing, would help to prevent adverse impacts on these resources. Increased interpretation would also help to avoid impacts from visitor use through sensitizing visitors to resource importance. The partnership approach of this alternative would make coordinated efforts to identify and protect resources easier and more effective that in alternative 2. Changing demographics would result in loss of some historic resources.

Because development of contemporary structures along the three recreational rivers could alter and impact the visual character of the landscape, agreements regarding design and placement would be important to avoid adverse impacts.

Conclusion. Historic resources would benefit from continued public and private stewardship, technical assistance, and incentives. There would be some adverse effects on historic resources from changes in demographics and increased visitor access.

Prehistoric Resources

Analysis. Several prehistoric archeological sites are near the proposed developments. However, it is expected that these could be avoided, and careful planning and mitigation would help prevent damage to any of the sites. Increased access could allow visitors into some sites, which could result in illegal artifact collecting, trampling of sites (causing erosion and damage to fragile artifacts like bone or shell), and looting and vandalism. However, these impacts would largely be averted by directing visitors to nonsensitive areas and by fencing, law enforcement, and public education.

Conclusion. There could be occasional negative impacts from inappropriate uses, but generally prehistoric resources would benefit.

Ethnographic Resources

Analysis. Impacts on these resources would be as described for prehistoric resources and in alternative 3. There is the possibility that increased visitation could cause some disruption for farmers and ranchers.

Conclusion. Ethnographic resources would generally benefit, but there is some potential for disruption for farmers and ranchers.

IMPACTS ON VISITOR USE AND INTERPRETATION

Visitor Activities

Analysis. The visitor experience within the recreational rivers would be significantly broadened with more river- and land-based interpretive activities being made available by the National Park Service.

Conclusion. Visitors would have access to increased and improved facilities and opportunities.

Visitor Use Management

Analysis. Both local residents and visitors living outside the immediate area would have increased access to all three recreational rivers. The carrying capacity for all recreational facilities open to the public would be determined, types of use on the rivers would be strictly controlled, and an interpretive program emphasizing respect for private property owner rights and responsible behavior would be developed.

Conclusion. The quantity and variety of recreational facilities and experiences along the three rivers would increase under this alternative.

Interpretation and Visitor Services

Analysis. Cooperative efforts would expand the amount of interpretive programming and activities provided throughout the recreational rivers, and local people would help protect and interpret the recreational rivers' resources and themes. Visitors would have more opportunities to visit public facilities and, possibly, signed scenic roads for river viewing.

Conclusion. Visitors would have good access to orientation and information about available activities and interpretive programs. More visitors would be able to learn about the recreational rivers' interpretive themes through a variety of media and personal services. Visitors would have access to many programs that encourage visiting historic and cultural sites outside the recreational river. Visitors would be more likely to have access to signed scenic roads. Local involvement with interpretation could result in increased awareness and protection of the recreational rivers' values, as well as increased pride and celebration of local cultural and natural heritage.

Future Demand for Recreation

Analysis. This alternative recommends additional recreational and residential development. This increased development would likely attract an increase in visitation beyond that which would occur under alternatives 1, 2, 3, and 5. Because the increase in recreational development recommended in this alternative would be minimal, the overall increase in visitation might not be much greater than in the other alternatives.

Conclusion. This alternative would likely stimulate an increase in visitation beyond that of the other alternatives.

IMPACTS ON SOCIOECONOMIC RESOURCES

Visitor Expenditures

Analysis. This alternative would have the same type of effects as were described for alternative 1. The recreational facilities recommended in alternative 4 would likely cause only a modest increase in visitor expenditures in the vicinity of the recreational rivers. This, combined with the actions of others (for example, bridge construction), would probably result in a moderate increase in visitor expenditures.

Conclusion. Actions recommended in this alternative would likely have a modest beneficial impact on the area's economy, more than in alternatives 2, 3, and 5.

Recreational River Staff Payroll and Other Expenditures

Analysis. The recreational river staff recommended in this alternative would have a slightly higher payroll than alternatives 2, 3, and 5; however, the beneficial impact of these National Park Service employees on the regional economy would be modest at most. Because this alternative recommends construction or improvement of boat ramps, parking lots, picnic areas, primitive campgrounds, restrooms, trails, and access roads, a significant beneficial impact on the economy of the local area could occur. However, the beneficial impacts of construction would be short-term and would be reduced if construction was undertaken by companies from outside the local area or if the construction occurred over a period of several years.

Conclusion. Under this alternative, there could be a short-term significant beneficial impact that would result from construction activities of recreation-related facilities.

Land Use, Property Owners, and Regional Population

Analysis. This alternative would convert the use of up to 100 acres of land into recreation land. Acquisition of land for recreation would be from willing sellers only, and those sellers would obtain an economic benefit from National Park Service. By constructing or improving boat ramps, parking lots, picnic areas, primitive campgrounds, restrooms, trails, and access roads, local property owners and other residents would have significantly greater local recreational opportunities than they currently have available to them. It is possible that these additional

recreational opportunities would also attract more individuals and families into the area. The University of Nebraska Bureau of Business Research believes that the Missouri River, and the recreational opportunities it provides, is responsible for initiating a reversal in the several-decade decline in population prior to 1990.

Conclusion. Under this alternative, there would be a potentially significant beneficial impact on land use, property owners, and regional population.

County Expenses and Revenue

Analysis. This alternative would convert up to 100 acres of private, nonfederal land into federal and state recreation land. This land would be taken off the county tax rolls, which would be a negative impact on county revenue. To lessen the impact of land being taken off the tax rolls, the federal Payment in Lieu of Taxes Act allows for payments to be made to local jurisdictions for several years after the land is purchased. The negative impact to county revenues of removing land from the tax rolls would be very small because the acreage (less than 100 acres) is only a small portion of the total acreage in Knox and Boyd Counties, Nebraska.

It is unlikely that county expenses would increase as a result of the conversion of less than 100 acres of private land into public recreation land, since either the National Park Service or the Nebraska Game and Parks Commission would be responsible for maintaining and patrolling the land.

Conclusion. Under this alternative, there would be an unknown but probably minor adverse impact on county expenses and revenues.

Employment

Analysis. Under this alternative a staff of five permanent positions and two to four seasonal positions is projected. Of these, two full-time park ranger positions and two to four seasonal park ranger positions would work solely on these recreational rivers. It is possible that some of these positions would be filled from the local labor market. The impact of these positions on local employment opportunities would be greater than that of any of the other alternatives. Nevertheless, this beneficial impact on employment would likely be small when compared with the full employment market of the local area.

This alternative recommends the construction of recreational facilities, such as primitive campgrounds, trails, and restrooms. The construction of these recreational facilities could provide a beneficial impact to the local labor market for a relatively short time period.

Conclusion. The impact of this alternative on employment opportunities would be greater than any of the other alternatives; nevertheless, it would likely have only a minor beneficial impact.

CUMULATIVE IMPACTS

The cumulative impacts would be similar to alternative 2.

UNAVOIDABLE ADVERSE EFFECTS

Under this alternative, up to 100 acres of private land could be acquired in fee by the National Park Service for the purpose.of developing recreational facilities. This land would be taken off the county tax rolls. However, the amount of land to be acquired in fee is relatively small, and any adverse impact on county revenue would be largely mitigated by the Payment in Lieu of Taxes Act. Other unavoidable adverse impacts would be the same as described for alternative 2.

THE RELATIONSHIP BETWEEN SHORT-TERM USES AND MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

The primary short- and long-term use of the project area would be agricultural. Long-term productivity would be affected if agricultural land is converted to residential and other developments. The long-term ability of the area to maintain both the current quality of lifestyle and to support the current visitor experience should not be significantly decreased.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Irreversible commitments of resources are those that cannot be reversed, except perhaps in the extreme long-term. Irretrievable commitments of resources are those that are lost for a period of time — a resource is devoted to a use that simultaneously precludes other uses. Under this alternative, the continued extraction of mineral resources from existing mining operations would be considered irreversible. Construction activities involving long-term impacts to wetlands (such as boat ramps and parking) are generally irreversible. Any construction impacts would be mitigated to the extent possible.

IMPACTS OF ALTERNATIVE 5

IMPACTS ON NATURAL RESOURCES

Mineral Resources

Analysis. New mining operations would be considered an incompatible use within the boundary of the recreational rivers, and their establishment would be discouraged. However, existing mineral extraction operations within the boundary could continue with the proper permits and approvals. Extraction of minerals could impact water quality, soils, wildlife habitat, air quality, scenic values, and natural quiet. Landowners would be encouraged to voluntarily ensure that significant resources were not affected.

Conclusion. The National Park Service would encourage existing mineral operations to mitigate any impacts they might have on the recreational rivers. New mining operations would be considered an incompatible use within the boundary of the recreational rivers.

Prime and Unique Farmland

Analysis. According to county soil surveys approximately 3,432 acres of prime farmland (21% of the total acreage) are within the boundary. Natural river function causes flooding, erosion, expansion of banks, and opening of backwater areas. Any inundation would come from regulated COE flows and aggradation effects. Prime farmland could be flooded. Since only existing developed sites would be used for visitors, there would be no conversion of the land for recreational development. Incentives, such as reduced tax assessment for agriculture land, would be encouraged.

Conclusion. To the extent that this alternative was successful in maintaining agricultural use of prime and unique farmland, it would have a positive impact.

Soils

Analysis. This alternative favors natural riverine processes. Streambank erosion and deposition would continue. Agriculture would continue. This alternative would allow limited private residential development to occur; however, no new recreational development is proposed. Removal of vegetation during development could cause some temporary localized increase in erosion and sedimentation. This could be minimized by avoiding construction in highly erodible areas and by using sediment and erosion control structures. Technical assistance could be provided, which could reduce adverse impacts to soils caused by development.

Conclusion. This alternative does not propose any actions that would affect soil resources. Limited private development has the potential for impact; however, such impacts could probably be mitigated.

Vegetation

Analysis. The National Park Service would encourage landowners to participate in vegetation conservation and revegetation programs to maintain the rural landscape and to protect and restore the Missouri River ecosystem. The boundary for this alternative includes important biological bottomland so that more vegetation can be protected. Active restoration, protection, and enhancement of vegetation would include incentives for property owners to improve habitat. Only limited residential development would occur, and no new recreational development is proposed by the National Park Service.

Conclusion. Native plant communities could be protected or restored; possibly more than in alternatives one, two, and four. Limited private residential development could slightly reduce the overall amount of native vegetation, but at a rate less than alternative 1.

Wildlife

Analysis. Management for natural river processes would help to restore wetlands and riparian areas and would maintain the rural landscape. The boundary proposed for this alternative includes important bottomland. Emphasis would be on the rural landscape and natural river functions. There would be active restoration of wildlife habitat, including wetlands and riparian areas, on public land, and on private land with landowner permission. No new recreational development is proposed in this alternative. Only a limited amount of private residential development could occur within existing developed areas, so there would be little or no loss of wildlife habitat from that source.

Conclusion. Wildlife habitat would be protected or restored; possibly more than in alternatives one, two, and four. This alternative does not propose any actions that would negatively impact wildlife resources.

Threatened and Endangered Species

Analysis. The impacts and mitigation measures would be the same as alternative 2. However, this alternative would place an emphasis on habitat protection and restoration. Re-creation of former habitats would be encouraged. No new recreational development is proposed in this alternative, and only a limited amount of private residential development would occur. It would be unlikely that this infill residential development would have any impact on sensitive species; if any sensitive species were located on development sites, any impacts to them would be mitigated.

Conclusion. The impacts would be the same as in alternative 2 except that there would be a potential to protect and restore more habitat than in alternatives 1, 2, and 4. There would be no adverse impacts to listed species as a result of implementing this plan.

Wetlands and Floodplains

Analysis. On public land, and on private land with landowner permission, wetlands and floodplains would be improved through enhancement, restoration, and re-creation of natural riverine ecosystems. The amount and quality of wetlands would be increased.

Conclusion. Wetlands and floodplains would be protected or restored, possibly more than in alternatives 1, 2, and 4. This alternative does not propose any actions that would negatively impact wetlands.

Water Quality

Analysis. No additional recreational development is proposed in this alternative. Limited private residential development within existing developed areas would unlikely have any impact on water quality.

Conclusion. This alternative does not propose any actions that would negatively impact water quality.

Air Quality

Analysis. The air quality in the area is good and is not expected to change in the foreseeable future. No new recreational facilities are proposed in this alternative, and only limited private residential development would occur.

Conclusion. This alternative does not propose any actions that would negatively impact air quality.

Noise

Analysis. The impacts in this alternative would be the same as those described for alternative 2.

Conclusion. This alternative does not propose any actions that would negatively impact natural quiet. Any reduction in noise level due to restrictions in airboat use would probably be offset by an increase in noise from other motorized recreational use.

IMPACTS ON CULTURAL RESOURCES

General

Analysis. Close coordination and cooperation among local and state governments and the National Park Service would help to ensure consistent and effective resource inventory, evaluation, monitoring, and protection, which would help to prevent adverse impacts on cultural

resources. Development of plans to care for resources would be beneficial. Potential conflicts between biological goals and preservation of cultural resources would be resolved cooperatively and are not expected to affect cultural resources adversely. The proactive approach of this alternative should result in benefits to cultural resources.

Conclusion. Cultural resources would benefit from coordinated resources management, identification, evaluation, and protection. Coordinated efforts would help to resolve conflicting biological and cultural resources management goals.

Historic Resources

Analysis. Continued stewardship by property owners would benefit historic resources. Abandonment and deterioration of historic properties such as schools and farmsteads is likely to continue, but property owner incentives could be used to rehabilitate significant sites and structures. There could be occasional adverse effects from vandalism, inappropriate use, and natural forces (flooding, erosion, and vegetation), but these would largely be mitigated through directed public use, agency efforts, local stewardship, agreements, and incentives. Public education and volunteer programs would encourage resource preservation. Retention of traditional farms would help to maintain rural cultural. Because of the limitations on residential and recreational development in this alternative, there would be few, if any, impacts from construction activities.

Conclusion. Historic resources, including cultural landscapes, would benefit from public and private stewardship and incentives. There could be occasional adverse effects on historic resources from inappropriate uses. There would be few, if any, impacts from residential construction.

Prehistoric Resources

Analysis. Potential impacts on prehistoric archeological resources (such as relic hunting, vandalism, inappropriate use, and agricultural activities) were described in the impact analyses for historic and prehistoric resources in alternatives 1 and 2. A variety of mitigating measures (such as private and public stewardship, volunteer programs, education, law enforcement, resource protection measures, incentives, and agreements) would be used to help to ensure that no adverse effects occur.

Because no recreational development is proposed in this alternative and only limited private residential development could occur, no adverse impacts on prehistoric resources are anticipated from construction. Any potential impacts from construction on private land could be mitigated through agreements and incentives.

Destruction of cultural sites through natural forces such as flooding and erosion is possible, but the majority of cultural sites along the rivers would be protected through federal or state agency actions. Through the permitting process, the Corps of Engineers and/or the National Park Service would help to ensure that significant resources are protected during bank stabilization.

Conclusion. This alternative does not propose any actions that would adversely affect prehistoric resources. There would be occasional adverse impacts from inappropriate uses, but generally prehistoric resources would benefit.

Ethnographic Resources

Analysis. Because of the cooperative and proactive nature of management, protection afforded to sites by tribes and local landowners, and the government-to-government consultation with tribes proposed in this alternative, Native American ethnographic resources would benefit. This alternative provides for a number of mitigating measures to reduce or eliminate potential impacts on local communities from visitor use such as trespassing, littering, crime, and noise.

Conclusion. No adverse effects on ethnographic resources would be expected.

IMPACTS ON VISITOR USE AND INTERPRETATION

Visitor Activities

Analysis. Even though types and levels of recreational use on the rivers would not be expected to change significantly over present conditions, some visitor activities could be regulated to ensure they are consistent with the values of the recreational rivers. There would be no new development of visitor use facilities, and increases in visitor use on the rivers would not be promoted by the National Park Service. If an existing boat ramp was lost to siltation, this alternative would allow for a replacement at another location, if feasible and environmentally suitable. Environmental compliance for such replacement would occur at the time that a replacement is proposed.

Conclusion. Facilities and opportunities would be adequate to meet visitor needs.

Visitor Use Management

Analysis. Even though a significant increase in the levels of visitor use is not expected, visitation would be monitored, determinations of carrying capacity would be made, and appropriate management actions would be implemented if necessary.

Conclusion. The quality of river experiences, including isolation and solitude, would not change significantly for visitors or residents.

Interpretation and Visitor Services

Analysis. The amount and variety of interpretive programs and activities outside the recreational rivers could increase through cooperative efforts and contribute to an expanded visitor experience. Local involvement with interpretation could result in increased awareness and protection of the recreational rivers' values, as well as increased pride and celebration of local cultural and natural heritage.

Conclusion. Visitors would have adequate access to orientation and information about available activities and interpretive programs. Visitors with interests in natural and cultural history would benefit from the interpretive emphasis of this alternative. Visitors would have access to many programs that encourage visiting historic and cultural sites outside the recreational river. The National Park Service would not designate or sign scenic roads; however, if requested, the National Park Service could provide advice or technical assistance regarding the potential for scenic roads in the area.

Future Demand for Recreation

Analysis. The impact analysis for this alternative is the same as described under alternative 2.

Conclusion. Under this alternative, a moderate increase in the number of visitors would probably occur, though not as a result of actions proposed by this plan. The increase would probably be less than that which would take place under the no-action alternative.

IMPACTS ON SOCIOECONOMIC RESOURCES

Visitor Expenditures

Analysis. Actions recommended in this alternative would not have a significant impact on visitor expenditures. However, in combination with the actions of others (for example, bridge construction), a moderate increase in visitor expenditures could occur.

Conclusion. Actions recommended in this alternative are not likely to have any significant impact on the regional economy.

Recreational River Staff Payroll and Other Expenditures

Analysis. As detailed in appendix D, the National Park Service staff payroll under this alternative is estimated to be $210,000, which is more than alternative 2, the same as alternative 3, and less than alternative 4. Five employees, including the park manager, would devote approximately 50% of their time on these recreational rivers and 50% of their time on the Niobrara National Scenic River east of Valentine. Several seasonal park rangers and biological technicians would devote all of their time working on the three recreational rivers. These staff positions would represent new jobs in the area that would inject new personal income into the regional economy. However, the impact of these employees on the regional economy would be modest at most, when compared with the total regional economy. In alternative 5 the National Park Service does not propose any construction of recreational facilities, so there would be no local economic stimulus from that source.

Conclusion. Under this alternative, there would be an unknown but probably no more than modest beneficial impact on the regional economy.

Land Use, Property Owners, and Regional Population

Analysis. The analysis for land use, property owners, and regional population for this alternative is the same as that described under the alternative 2 analysis.

Conclusion. No new recreational development is proposed under this alternative, so no landowners would be displaced for this reason. The federal purchase of some conservation easements from willing sellers would help ensure that significant resource land was protected. If assessment rates for agricultural land along the recreational rivers were reduced and conservation easements purchased, this alternative would have a significant economic benefit for property owners along the recreational rivers. This reduced assessment rate would also help ensure that agricultural land was retained in agriculture.

County Expenses and Revenue

Analysis. The impact analysis for this alternative is the same as described in alternative 2.

Conclusion. Under this alternative, there would be an unknown but likely beneficial impact on county revenues.

Employment

Analysis. This alternative would hire several additional seasonal park rangers and biological technicians that are not projected in alternative 2, having a beneficial impact on employment opportunities, if local residents are hired. Other aspects of the employment analysis for this alternative are the same as for alternative 2.

Conclusion. Under this alternative, there would be an unknown but probably minor beneficial impact on employment opportunities.

CUMULATIVE IMPACTS

The cumulative impacts would be similar to alternative 2.

UNAVOIDABLE ADVERSE EFFECTS

The analysis for unavoidable adverse effects for this alternative is the same as that described under alternative 2.

THE RELATIONSHIP BETWEEN SHORT-TERM USES AND MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

The primary short- and long-term use of the project area would be agricultural. Long-term productivity would be affected if agricultural land is converted to residential and other private developments. The long-term ability of the area to maintain both the current quality of lifestyle and to support the current visitor experience should not be significantly decreased.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Irreversible commitments of resources are those that cannot be reversed, except perhaps in the extreme long term. Irretrievable commitments of resources are those that are lost for a period of time — a resource is devoted to a use that simultaneously precludes other uses. Under this alternative, the continued extraction of mineral resources from existing mining operations would be considered irreversible.

COMPLIANCE

NATIONAL ENVIRONMENTAL POLICY ACT

The National Environmental Policy Act of 1969 declared a federal policy to preserve important historic, cultural, and natural aspects of our national heritage and required federal agencies to use a systematic, interdisciplinary approach that will ensure the integrated use of the natural and social sciences in planning and decision making that may have an impact on man's environment. This *Draft General Management Plan / Environmental Impact Statement* was prepared pursuant to the act and its implementing regulations and guidelines. A notice of intent to prepare an environmental impact statement was published in the *Federal Register* in July 1992. A *Federal Register* notice was published announcing the availability of this document, and public meetings were held during the public comment period. Following public review of this draft, the National Park Service addressed comments and prepared this final environmental impact statement. The agency will also prepare a record of decision.

THE WILD AND SCENIC RIVERS ACT

The Wild and Scenic Rivers Act protects certain rivers and their immediate environments for the benefit and enjoyment of present and future generations. To qualify for this protection rivers must be free-flowing, relatively undeveloped, and possess one or more outstandingly remarkable scenic, recreational, geologic, fish and wildlife, cultural, or similar values. Congress intended to complement a long-standing policy of dam and other construction on key streams with a policy that will preserve other rivers in their free-flowing condition.

The act established the national wild and scenic rivers system and outlined criteria and procedures whereby free-flowing streams, or portions thereof, could be added to the system. The system includes wild, scenic, and recreational rivers. Where designated rivers are administered by the National Park Service, the rivers become part of the national park system, and the laws and regulations applicable to national park system units become applicable to the rivers. When there is a conflict between this act and other legislation, the more restrictive provisions apply. The act also prohibits the Federal Energy Regulatory Commission from licensing any project on or affecting designated rivers and prohibits any federal assistance for water resource projects that will have a direct and adverse effect on the values for which the river was designated. The act also directs the appropriate federal parties to cooperate with state pollution control agencies to eliminate or diminish pollution in designated rivers.

THE ENDANGERED SPECIES ACT

The Endangered Species Act requires all federal agencies to consult with the U.S. Fish and Wildlife Service to ensure that any action authorized, funded, or carried out by the agency does not jeopardize the continued existence of listed species or critical habitat.

Because the project area includes listed species, the National Park Service has been informally consulting with the U.S. Fish and Wildlife Service. Lists of species were obtained from the U.S. Fish and Wildlife Service, the Nebraska Game and Park Commission, and the South Dakota

Department of Game, Fish, and Parks. Species locations were entered in the GIS database. The data was used in the analysis of alternatives. A U.S. Fish and Wildlife Service representative served as a planning team member for planning processes, threatened and endangered species information, and document revisions. The *Draft General Management Plan / Environmental Impact Statement* further facilitated informal consultation with the Fish and Wildlife Service. If it is later determined that actions under this plan could have significant adverse effects on a federally listed species, formal consultation will be initiated. As part of the consultation process, the National Park Service will seek concurrence regarding the environmental impact statement's determination of effect on endangered, threatened, and candidate species.

It is NPS policy to provide protection for federal candidate species and any state-listed species. Consultation with the Nebraska Game and Parks Commission and the South Dakota Department of Game, Fish, and Parks concerning these species has occurred.

EXECUTIVE ORDER 11988, "FLOODPLAIN MANAGEMENT"
EXECUTIVE ORDER 11990, "PROTECTION OF WETLANDS"

The three recreational rivers include extensive floodplains and wetlands, and NPS activities are subject to executive orders protecting these areas. Wetland information was collected from the U.S. Fish and Wildlife Service National Wetland Inventory and entered into the GIS database. Ordinary high water was interpreted from 1:24000 scale color aerial photography taken in October 1991.

Some sites for new public facilities in alternative 4 are located in the 100-year floodplain. However, federal roads, foot trails and associated daytime parking areas, boat ramps, and picnic areas are excepted from compliance with the executive order under NPS final implementation procedures as outlined in Special Directive 93-4, "Floodplain Management Guideline." Warning signs and an emergency flood response plan will be developed for dealing with all floodprone areas under the proposed action. No other construction is proposed by the National Park Service that might adversely affect floodplain or wetland values. Policies were developed to protect floodplains and wetlands and the data were used in the analysis of alternatives. Any proposed future actions will include recommendations that will not adversely impact floodplains/wetlands or a Statement of Findings will be prepared for implementing the executive orders. A goal of the management plan is to retain these lands in agricultural use.

The Storm Water Rule (Clean Water Act) requires a National Pollution Discharge Elimination System (NPDES) permit on certain categories of stormwater discharge. Road reconstruction that involves clearing and grading activities on more than five acres will require an NPDES permit.

Section 33 of the Water Resources Development Act of 1988 and an amendment in 1990 modified the Flood Control Act of 1944. This law permits the Corps of Engineers to stabilize streambanks on private land on the Missouri River. The Corps of Engineers can buy interest in land from willing sellers as an alternative to stabilization.

EXECUTIVE ORDER 12898, "ENVIRONMENTAL JUSTICE"

This executive order requires all federal agencies to identify and address disproportionately high and adverse human health or environmental effects of their programs and policies on minorities and low-income populations and communities. Actions proposed in this general management plan were assessed during the planning process relative to the order. It was determined that none of the alternatives will result in any direct or indirect negative effects on any minority (including Native Americans) or low-income populations. This determination was based on the following: the population of the five county region has relatively low incomes, but there are no concentrations of low-income population within that region. Representatives from the Santee Sioux, Yankton Sioux, and Northern Ponca tribes participated in the planning process and helped to identify tribal concerns. Alternatives proposed in the general management plan will generally increase public appreciation for Native American culture, resulting in benefits rather than negative impacts.

PRIME AND UNIQUE FARMLAND

Federal agencies are required to analyze the impacts of federal actions on agricultural land. This policy was developed to minimize the effect of federal programs in converting prime, unique, or locally important farmland to nonagricultural use. According to the Soil Conservation Service (1971), prime and unique farmlands are located all along the three recreational rivers. A goal of the general management plan is to retain these lands in agricultural use.

CLEAN AIR ACT

Section 118 of the Clean Air Act, as amended (42 USC 7401 et seq.), requires all federal facilities to comply with federal, state, and local air pollution control laws and regulations.

Under the Clean Air Act conformity requirements, federal actions must conform to all applicable state implementation plan requirements and purposes, and these actions must not cause or contribute to any violation. Conformity regulations published in late 1993 addressed only those areas that are not in attainment.

FEDERAL WATER POLLUTION CONTROL ACT (CLEAN WATER ACT OF 1972)

The act establishes federal regulation of the nation's waters and contains provisions designed to restore and maintain the chemical, physical, and biological integrity of the nation's waters. The act requires that the states set and enforce water quality standards to meet EPA minimum guidelines. It establishes effluent limitations for point source pollution, requires permits for point source discharge of pollutants and discharge of dredged or fill material, and emphasizes onsite biological monitoring. The Corps of Engineers issues permits for work affecting waters and wetlands of the United States and (with the states) issues joint permits for work affecting the waters of the states.

The Clean Water Act delegates water quality management to states with federal oversight by the Environmental Protection Agency. The Nebraska Department of Environmental Quality

administers surface water quality standards and stream classifications under title 117, standards for new septic systems under title 124, and regulations pertaining to feedlots and animal waste control under title 130. In general the Niobrara River is rated as a class A river in which the water quality must be maintained and protected. Permits for new septic disposal systems require that they be located at least 50 feet from class A streams, are under review for 200 feet from class A streams, be at least 4 feet above the seasonal high water elevation of ground water, and be installed on slopes not exceeding a 12% grade.

FISH AND WILDLIFE COORDINATION ACT

This act requires federal agencies to consult with the U.S. Fish and Wildlife Service and with parallel state agencies whenever water resource development plans result in alteration of a body of water. The secretary of the interior is authorized to assist and cooperate with federal agencies to provide that wildlife conservation receives equal consideration and is coordinated with other features of water-resource development programs.

NATIONAL HISTORIC PRESERVATION ACT OF 1966

Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC 470) requires that federal agencies having direct or indirect jurisdiction over undertakings consider the effect of those undertakings on national register properties and allow the Advisory Council on Historic Preservation and the state historic preservation officer an opportunity to comment. Because of the broad conceptual nature of the alternatives in this general management plan, it is not possible to list site-specific proposals and required future compliance actions. The National Park Service will work with the other partners to identify, evaluate, and protect significant resources. The National Park Service will comply with section 106 when undertaking projects that could impact cultural resources. Section 110 of this act requires federal agencies to survey and evaluate all cultural resources on land under their jurisdiction. Cultural resources are evaluated by applying the eligibility criteria for the National Register of Historic Places. Section 110 also provides for consultation with Indian groups in planning and management activities that affect them.

Federal funding for technical assistance will be linked to development of resource-sensitive plans and agreements. Federally funded, assisted, or licensed projects must comply with the provisions of section 106 of the National Historic Preservation Act. The National Park Service will consult with the Advisory Council on Historic Preservation and the state historic preservation officers to ensure the best preservation strategies. Where impacts could not be avoided, appropriate investigations and documentation will be conducted to recover scientific data and mitigate effects.

The 1993 amendments to the National Historic Preservation Act provide means whereby information about the character, location, or ownership of archeological sites, historic properties, and ethnographic sites including shrines and other religious places might be withheld from public disclosure. This provision is especially important in cases where disclosure could risk harm to the resource or impede the use of a traditional religious site by practitioners.

The National Historic Preservation Act also recognizes the importance of traditional human (ethnographic) resources and recommends that ways be found to preserve and encourage continuation of traditions that are a living expression of our American heritage.

THE ANTIQUITIES ACT OF 1906

This act (PL 59-209, 34 STAT 335) provides for protection of historic, prehistoric, and scientific features on federal land and requires penalties for unauthorized destruction or appropriation of antiquities. Scientific investigation of antiquities on federal land is subject to permit and regulations.

ARCHEOLOGICAL RESOURCES PROTECTION ACT OF 1979

The Archeological Resources Protection Act (PL 96-95, 93 STAT 712) provided definitions for archeological resources, required federal permits for their excavation or removal, and set penalties for violators. It provided for preservation and custody of excavated materials, records, and data and for confidentiality of archeological site locations. It encouraged cooperation with other parties to improve protection of archeological resources. The 1988 amendments require development of plans for surveying public land for archeological resources and systems for reporting incidents of suspected violations.

AMERICAN INDIAN RELIGIOUS FREEDOM ACT

The American Indian Religious Freedom Act of 1978 (PL 95-341; 92 STAT 469) declared the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonial and traditional rites.

NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT OF 1990

This act (PL 101-60; 104 STAT 3049) assigns ownership or control of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony that are excavated or discovered on federal land or tribal land after passage of the act to lineal descendants or culturally affiliated Native American groups; establishes criminal penalties for trafficking in remains or objects obtained in violation of the act; provides that federal agencies and museums that receive federal funding must inventory Native American human remains and associated funerary objects in their possession or control and identify their cultural and geographical affiliations.

PRESIDENTIAL MEMORANDUM, APRIL 29, 1994

This memorandum outlines principles to be followed by federal agencies when dealing with tribal governments on a government-to-government basis. The memorandum requires that agencies assess the impact of federal government plans on tribal trust resources and ensure that tribal government rights and concerns are considered during the development of these plans, programs, and activities. Consultation between the managers and recognized tribal officials and religious leaders will be used to address issues of access on public land for religious purposes, inadvertent discoveries of cultural materials, and traditional use of resources. Managing agencies will establish a prompt and effective notification system to contact and consult with concerned tribes and state officials should American Indian burials be discovered. Ethnographically sensitive areas identified through agency consultation with affiliated Indian groups or other traditional groups will be protected as described for archeological resources in the alternatives section of this document.



Consultation and Coordination

PLANNING FOR THE NATIONAL RECREATIONAL RIVERS

PROJECT HISTORY

The National Park Service established an office in O'Neill, Nebraska, in October 1991. Its role was to establish local relationships with the individuals, organizations, and governments of the 14-county, two-state area involved in the studies mandated by the Niobrara Scenic River Designation Act. National Park Service responsibilities were shared by the local O'Neill office, the Denver Service Center, and the Midwest Regional Office in Omaha.

Local knowledge of the Missouri, Niobrara, and Verdigre Creek National Recreational Rivers designation was limited. Most of the preauthorization debate had been focused 120 miles to the west on the proposed middle Niobrara Scenic River designation. There were few references to these rivers in the preauthorization legislative history.

Counties expressed an interest in participating in the planning process and had zoning and other powers that the National Park Service does not have, so federal, state, and local government representatives were invited to join the planning team. Their knowledge of and sensitivity to local concerns were critical in the deliberations. They also provided a role for local land use regulation in protection of the river resources. The planning team included representatives of the affected counties, the state park and historic preservation offices of South Dakota and Nebraska, three Indian tribes with land in the area, the Corps of Engineers, the U. S. Fish and Wildlife Service, and the Missouri National Recreational River Advisory Group.

SCOPING PROCESS AND PUBLIC INVOLVEMENT

Scoping meetings in the study area were held in Niobrara, Newcastle, Omaha, and Lincoln in Nebraska and Wagner, Yankton and Vermillion in South Dakota in the spring of 1992. They showed there was substantial local concern about the condemnation powers of the National Park Service and the impact of boundaries. Some early meetings of the National Park Service with local property owners added confusion and did not always reduce these concerns. Some people mistakenly believed that all land within the eventual boundaries will be acquired by the government. It was apparent from the scoping meetings that these issues will have to be addressed in the planning process. A chronological summary of scoping meetings resulting from all five planning projects in northern Nebraska and South Dakota follows.

A series of public scoping meetings was held in early 1992. These meetings brought to light a number of important issues and concerns. These were summarized in a public newsletter in August 1992 and are identified under issues.

In January 1993 the advisory group charter was approved, membership was determined and the group was established according to the law designating the river. This group has a ten-year life and individuals are appointed for two-year terms by the secretary of the interior. The 13 advisory group members are broadly based in the community and among affected agencies. They met several times during this period, reviewing the planning steps and listening to local concerns. The advisory group has kept up to date with the planning project and listened to local

concerns. They have taken an active role in reviewing the team products. The NPS staff continued to meet with local groups, county commissions, and other state and federal officials.

Another newsletter in November 1993 reviewed the legislative mandates, stated the purposes of the river, considered what was significant along the rivers, listed "desired futures" and asked for public comment. A third newsletter in September 1994 gave the public an early look at the proposed alternatives and again asked for comments. The *Draft General Management Plan / Environmental Impact Statement* was a reshaping of the alternatives as a result of the public response and comments by the planning team and advisory group.

A series of four meetings were held with property owners, two in Nebraska and two in South Dakota, in September 1994 to discuss the alternative boundaries and their implications. Two land protection workshops were held in December 1994 to further address property owner concerns. The workshops were conducted by the River Federation (a private conservation organization) and reviewed a number of protection methods that have been used to protect rivers and property owners' rights.

COOPERATING AGENCIES

Any federal, state, or local agency that has jurisdiction by law or that has special expertise may be asked to participate as a cooperating agency. The following agencies agreed to be cooperating agencies or have projects in the area that affect this draft general management plan.

U.S. Army Corps of Engineers

The Corps of Engineers manages the flow of the Missouri River through a series of dams and reservoirs to accomplish purposes authorized by Congress, including the Endangered Species Act as amended. The Corps of Engineers is the permitting agency for bank stabilization through section 404 of the Clean Water Act, which regulates discharge or fill into the waters of the United States. In conjunction with the construction of the dams and reservoirs in this area, the Corps of Engineers has acquired and manages land for both dam and recreational purposes immediately below Ft. Randall dam and in the headwaters of Lewis and Clark Lake. This land overlaps about four miles of the 39 miles of the Missouri National Recreational River.

U.S. Fish and Wildlife Service

The Fish and Wildlife Service has responsibilities for resources such as migratory birds and wetlands and for administering the Endangered Species Act. The Fish and Wildlife Service administers land in South Dakota and Nebraska on the west shore of the Missouri River as the Karl E. Mundt National Wildlife Refuge and provides habitat for the bald eagle.

Ponca Tribe of Nebraska

The Ponca Tribe of Nebraska was terminated by federal legislation in 1962. Through another legislative process, the tribe was reinstated to tribal status October 31, 1990.

Four service areas were designated in place of a reservation: 1) Knox and Boyd Counties, Nebraska and Charles Mix County, South Dakota; 2) Lancaster County, Nebraska; 3) Madison County, Nebraska; and 4) Douglas County, Nebraska. The Ponca aboriginal homeland was in the area of northeastern Nebraska and part of South Dakota that lies within and adjacent to proposed boundaries of the recreational rivers. The Ponca tribal headquarters is in Niobrara, Nebraska with satellite offices in the other service areas.

The Ponca agency building has been a ceremonial and social gathering center for the Poncas since it was built in the 1930s. It was recognized by the Nebraska State Historical Society and is being renovated by the tribe for cultural use.

Representatives from the Ponca tribe have been active in planning for the recreational rivers and were consulted during development of the ethnographic study (NPS 1995a).

Santee Sioux Tribe

The Santee Sioux tribe has its headquarters in Santee, Nebraska. The Santee Sioux reservation adjoins Lewis and Clark Lake along its south shore for more than twelve miles. The Santee Sioux tribe is interested in being involved in economic development projects, particularly tourism industry opportunities but generally opposes any increased federal presence within the reservation that could affect their resources or jurisdiction. Santee Sioux tribal representatives have been active in developing the general management plan and were consulted during development of the ethnographic study (NPS 1995a).

Yankton Sioux Tribe

The Yankton Sioux reservation is adjacent to the Missouri River in South Dakota. No specific authority was included by Congress in the designation act to include trust land within the boundaries of the Missouri National Recreational River. The Yankton Indian land comprises about 13.3 miles of the northeast shore of the Missouri River corridor in South Dakota. The Yankton Sioux business and claims committee on October 24, 1994, resolved "that the Yankton Sioux Tribe opposes and does not consent to any trust land to be placed within the Niobrara/Missouri River National Scenic Riverways" (sic). Yankton Sioux tribal representatives were included as members of the general management planning team and were consulted during development of the ethnographic study (NPS 1995a).

Nebraska Game and Parks Commission

The Nebraska Game and Parks Commission manages Niobrara State Park and leases and manages other recreation land and facilities from the Corps of Engineers and private individuals within the three recreational rivers boundaries. State parks, by law, have "significant scenic,

scientific, or historic statewide values and development potential and sufficient land that a representative portion can be retained in a natural or relatively undisturbed state."

South Dakota Game, Fish, and Parks

South Dakota Game, Fish, and Parks has prepared the *State Comprehensive Outdoor Recreation Plan*, which is described in the "Relationship to Other Projects" section of this plan. The agency manages several wildlife areas adjacent to the Missouri River, plus the South Dakota Lewis and Clark State Recreation Area on Lewis and Clark lake.

Nebraska State Historic Preservation Office

The Nebraska state historic preservation officer has contributed as a member to the planning team and has provided information on the cultural resources of the region. As required by section 106 of the National Historic Preservation Act, the office was formally consulted regarding this general management plan. As shown in appendix G, the Nebraska State Historic Preservation Office determined that this plan adequately conveyed the various alternatives and their consequences.

South Dakota State Historic Preservation Office

The South Dakota state historic preservation officer has served a member of the planning team and has provided information on the cultural resources of the region. As required by section 106 of the National Historic Preservation Act, the office was formally consulted regarding this general management plan. The South Dakota State Historic Preservation Office reviewed the draft plan and found that alternatives 3 and 5 would be beneficial to South Dakota's cultural resources.

Advisory Council on Historic Preservation

To ensure that general management plan proposals that might affect properties eligible for the national register comply with provisions of section 106 of the National Historic Preservation Act, a copy of the task directive was sent to the Advisory Council on Historic Preservation for their review and comment. Newsletters describing alternative proposals for the plan were also forwarded to the council. The advisory council found the draft general management plan and environmental impact statement to be quite thorough regarding the nature of and anticipated effects on cultural resources. The council also found that the National Park Service did a good job of detailing possible options for identifying and protecting historic properties that may be affected by the various alternatives.

County Governments

Zoning is a power of state and local governments. The Wild and Scenic Rivers Act encourages federal agencies to work with local land use management and planning agencies by issuing guidelines for local and state governments for consideration in protecting recreational rivers corridors. These guidelines are not binding on local governments nor can the federal government force the local governments to adopt them. Charles Mix County recently tried to implement a permanent zoning ordinance; however, in November 1996, voters failed to approve the proposed ordinance. Knox County, Nebraska, adopted a zoning ordinance in the past, but it has since been repealed. Other Nebraska and South Dakota counties along these recreational rivers have discussed zoning, but none have enacted it.

Bon Homme and Charles Mix Counties, South Dakota and Boyd County, Nebraska have appointed property owners to represent them on the planning team. Gregory County, South Dakota has been represented on the planning team by staff from Planning District III. Knox County, Nebraska, has appointed a county commissioner as their planning team representative.

Missouri National Recreational River Advisory Group

The Missouri National Recreational River Advisory Group was authorized by Congress by the Niobrara Scenic River Designation Act in 1991. The membership of the group was left to agency discretion and was established by charter in January 1993. The group will continue to meet and advise the secretary regarding this plan and beyond the planning period until May 24, 2001.

LIST OF AGENCIES, ORGANIZATIONS, AND INDIVIDUALS WHO WILL RECEIVE COPIES OF THE ENVIRONMENTAL IMPACT STATEMENT

Federal Agencies

Advisory Council on Historical Preservation
Bureau of Indian Affairs
Bureau of Land Management
Bureau of Reclamation
Department of Transportation Maritime Administration
Environmental Protection Agency
Farmers Home Administration
Federal Highway Administration
Natural Resource Conservation Service
U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
U.S. Forest Service
U.S. Geological Survey

Nebraska Agencies

Board of Education, Lands, & Funds
Commission of Indian Affairs
Department of Roads
Department of Environmental Quality
Division of Communications
Governor of Nebraska
Lewis & Clark Natural Resource District
Lower Niobrara Natural Resource District
Nebraska Department of Water Resources
Nebraska Department of Natural Resources
Nebraska Department of Economic Develop
Nebraska Game and Parks Commission
Nebraska Natural Resources Commission
Rural Development Commission
State Recreation Trails Commission

State Historical Society
State Office of Policy Research

South Dakota Agencies

Department of Transportation
Department of Environmental & Natural Resources
Governor of South Dakota
Department of Game, Fish & Parks
State Historical Society

Nebraska U.S. Congressional Delegation

Senator Charles Hagle
Senator Robert Kerrey
Representative Douglas Bereuter
Representative William Barrett

South Dakota U.S. Congressional Delegation

Senator Thomas A. Daschle
Senator Tim Johnson
Representative John Thune

Nebraska State Legislative Delegation

Senator Merton L. Dierks
Senator Gene Tyson

South Dakota State Legislative Delegation

Senator Frank J. Kloucek
Senator James K. Hutmacher
Representative Bill L. Van Gerpen
Representative Jim Putnam
Representative Bill Cerny
Representative Kenneth E. Kredit

Tribal

Cheyenne River Sioux
MNI Sose Tribal Water Rights Coalition
Nebraska Indian Intertribal Development Corporation
Ogalla Sioux Tribal Council
Omaha Tribal Council
Pawnee Indian Tribe of Oklahoma
Ponca of Nebraska
Rosebud Sioux
Santee Sioux
Standing Rock Sioux
Winnebago Tribe of Nebraska
Yankton Sioux

County and Local Agencies

Andes Central High School
Bon Homme County Commissioners
Boyd County Superintendent of Schools
Boyd Historical Society
Boyd County Commissioners
Burke Public Schools
City of Burke
City of Crofton
City of Lake Andes
City of Pickstown
City of Springfield
City of Verdigre
City of Wagner
Charles Mix County Conservation District
Charles Mix County Commissioners
Gregory County Commissioners
Gregory County Conservation District
Knox County Commissioners
Planning & Development District III
Springfield Finance and Community Center
Village of Niobrara

Organizations and Businesses

American Rivers
Crofton Area Chamber of Commerce
Highway 12 Association
Lewis & Clark Trail Heritage Foundation
Loess Hills Audubon Society
Missouri River Anglers Association
Missouri River Bank Stabilization Association
Missouri River Basin Association
National Highway 20 Association

National Parks & Conservation Association
Nebraska Audubon Society
Nebraska Highway 14 Association
Nebraska Recreation & Park Association
Nebraska Wildlife Society
Nebraska Wildlife Federation
North Central Nebraska Resource Conservation & Development
Northeast Nebraska Resource Conservation & Development
Randall Resource Conservation & Development
Sierra Club – Nebraska Chapter
South Dakota State University Cooperative F&W Research Unit
The Nature Conservancy – Nebraska
University of Minnesota CPSU
University of Nebraska State Museum
Wachiska Audubon Society
Yankton Chamber of Commerce

Libraries

Ainsworth Public Library
Atkinson Township Library
Brunswick Public Library
Creighton Public Library
Eastern Township Library
Grattan Township Library
Gregory Public Library
Lynch Public Library
Mount Marty College Library
Niobrara Public Library
Norfolk Public Library
Northeast Community College Library
Rock County Nebraska Public Library
South Dakota State University Library
Spencer Township Library
Stuart Township Nebraska Library
Tyndall Library & Community Center
University of Nebraska Library
University of South Dakota Library
Valentine Nebraska Public Library
Verdigre Public Library
Wagner Public Library
Wayne State College Library
Yankton Community Library

Magazines and Newspapers

Norfolk Daily News
Omaha World Herald
Yankton Press and Dakotan

Individuals

The list of individuals is available from the O'Neill office of the National Park Service.

PUBLIC REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

SUMMARY OF PUBLIC MEETINGS

The National Park Service held nine public meetings in two states regarding the *Missouri/Niobrara/Verdigre Creek General Management Plan and Environmental Impact Statement.* Meetings in South Dakota were in Yankton (8/13/96), Pickstown (8/19/96), Springfield (8/19/96), and Wagner (8/19/96). Meetings in Nebraska were held in Norfolk (8/14/96), Niobrara (8/15/96), Verdigre (8/17/96), Verdel (8/17/96), and Spencer (8/21/96).

A total of 83 people attended the meetings. Many landowners along the rivers wanted to know how the plan will affect them, and they were told that the plan will have little or no affect on their residences and their pursuit of agriculture. Other individuals objected to the plan and stated that the rivers ought to be deauthorized. Others expressed concerns regarding the placement of the boundaries and what it meant to own land within the boundaries. In addition, some individuals noted their concerns about the sedimentation problem at the mouth of the Niobrara River and others commented on what types of recreation were appropriate along the rivers. Written comments were accepted at the meetings and the National Park Service gave the attendees blank forms, with a mailing address for written comments.

SUMMARY OF THE WRITTEN COMMENTS

During the public comment period, which lasted from July 19 until September 14, 1996, the National Park Service received letters and written comments from 75 individuals, organizations, and agencies. Sixteen of these letters were from agencies and organizations and 59 were from individuals. Thirty-three letters were received from individuals which gave a viewpoint or selected an alternative, but asked no questions or made no comments requiring a response under the National Environmental Policy Act. Of the 33, two favored alternative 2 and two favored alternative 4. One writer favored the quarter-mile boundary and adequate environmental safeguards proposed under alternative 1.

The balance of the letters received suggested the river designation: was not needed, was too expensive to the federal government, was too intrusive to local landowners, was illegal, does not fulfill the purposes of the designation, or encouraged trespass. Most of these also suggested the designation should be altered or removed and that the National Park Service, as another government layer, was not needed.

Six additional letters were received after the end of the public comment period, including letters from the Environmental Protection Agency, Niobrara State Park, and the Missouri River National Recreational River advisory group. These letters are also included in the "Comments and Responses" section of the plan.

RESPONSE TO GENERAL COMMENTS FROM INDIVIDUALS

The National Park Service is required to implement the law, and thus many of the recommendations from individuals and organizations cannot occur. The Wild and Scenic Rivers Act established a national policy that certain select rivers of the nation which, with their

immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved and protected for the benefit and enjoyment of present and future generations. Congress has designated these recreational rivers to be managed in accordance with the Wild and Scenic Rivers Act. Please refer to the purpose and significance statements on page 10 of the plan and to appendix A, the enabling legislation.

Congress has authorized the secretary of the interior, through the National Park Service, to administer the rivers, and the National Park Service has the delegated authority for overseeing the recreational rivers and for ensuring that local, state, and federal actions remain consistent with the legislation and the Wild and Scenic Rivers Act. The National Park Service must prepare a general management plan, establish boundaries, and manage the river according to the law.

The National Park Service cannot legally propose an alternative that is based on no NPS management at all. Congress did not instruct the National Park Service, nor is it the purpose of this plan, to evaluate the legislative action to designate the rivers.

WRITTEN COMMENTS AND RESPONSES

Of the 81 written letters and comments received during and after the public comment period, a total of 44 letters and comments contain substantive comments requiring a response under the National Environmental Policy Act. In addition, all letters from agencies and organizations are included in this section of the document. The following government agencies, organizations, and individuals commented on the draft document, which are reprinted, along with the responses, on the following pages.

U.S. Environmental Protection Agency
U.S. Army Corps of Engineers
U.S. Department of the Interior
Fish and Wildlife Service
Western Area Power Administration
Nebraska Governor
Niobrara State Park
Missouri National Recreational
River Advisory Group
National Parks and Conservation Association
National Audubon Society
The Sierra Club
South Dakota B.A.S.S. State Federation
South Dakota Cattlemen's Association
Randall Resource Conservation
and Development
Southern Missouri Water
Development District
Bon Homme B.A.S.S. Association
Spring-Bull Creek Watershed District
Jim Farnik
Dale Ferwerda
Robert and Gwen Ganz
Richard Hermanek
V.S. Hinds
Mary E. Hurd
Lois Hyde
Jan Jorgensen
David W. Jundt
Gregory G. Krupicka
Keith and Eva McGill
Robert P. Monfore
Mrs. Robert P. Monfore
Patrick F. Murphy
Dennis and Maxine Namminga
Kelly Namminga
Maxine Namminga
Mr. and Mrs. Norman Peters
Mr. and Mrs. Don Pittack
Donald L. Randa
Virginia Reigle
David L. Reinschmidt
Dale Riesberg
Philip Schreier
Stephen J. Schreier
Rayder Swanson
Georgia Talsma
Sandy Weaver

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
726 MINNESOTA AVENUE
KANSAS CITY, KANSAS 66101

JAN 2 2 '97
O'Neill, NE

JAN 1 6 1997

Warren H. Hill
Superintendent
Niobrara/Missouri National Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763-0591

RE: Draft General Management Plan, Environmental Impact Statement, Missouri/Niobrara/Verdigre Creek, National Recreational Rivers

In accordance with Section 309 of the Clean Air Act and the National Environmental Policy Act, we have reviewed the above referenced Draft Environmental Impact Statement (DEIS). Based on this review, we have rated the document EC-2 (Environmental Concerns, Insufficient Information). This rating means that we have identified environmental impacts that should be avoided in order to fully protect the environment. In particular, we are concerned that not all potential actions have been disclosed or will be taken to preserve biological resources as part of the preferred alternative, including wetlands.

1 The DEIS references the loss of wetland and floodplain habitats as well as "habitats lost to development" (page 46) and the proposal under Alternatives 1 through 5 to protect or restore wetlands and floodplains in the recreational river area. However, the DEIS lacks concise information regarding what loss or degradation of wetlands, floodplain and other habitats has occurred. Although mention is made of certain options, e.g., "opening up side channels ... and other improvements" (page 67), no real explanation is provided.

2 The document also needs to fully document the scientific basis for selecting a "minimum setback of 200 feet from the riverbank" as the boundary for the project (page 85). In the case of the Missouri River, which has traditionally had a floodplain extending for miles on either side of the riverbank, a 200 foot boundary may not be sufficient to accommodate the proposed type or amount of restoration of wetland and floodplain areas. The final EIS should be expanded to provide a full explanation of impacts to wetland and floodplain areas caused by implementation of the preferred alternative and a more detailed description/analysis of what would be involved in the proposed protection, restoration and "re-creation" options.

3 We believe two additional steps could be taken which will enhance and preserve the aquatic ecosystem within the National Park. The following resource protection approaches should be included in the final EIS. First, the Corps of Engineers has the authority to suspend or revoke Nationwide Permits and Regional General Permits (i.e., permits authorizing construction

RECYCLE

1. On page 46 of the draft plan, one of the interpretive themes that is identified for the Missouri and Niobrara Rivers and Verdigre Creek is that "The designated rivers provide a wide variety of habitats that form an ecosystem for the benefit of fish, wildlife, and plants. Most of these habitats have not been lost to development, due in part to local management."

   Regarding the statement that the draft plan lacks concise information on the loss or degradation of wetlands, floodplain, and other habitats, pages 116 and 117 describe existing wetlands and floodplains. For example, on page 116, the Draft GMP states that "The river has downcut (degradation) immediately downstream of the dam to the extent that the tailwater surface elevations for typical discharges have declined about 6 feet from the time of dam closure to the mid-1980s. This effect gradually declines downstream to slightly below Greenwood, where the reverse effect (aggradation) occurs downstream to the mouth of the Niobrara. The manifestation of this effect is reduced flooding frequency above Greenwood and increased flooding frequency downstream." In response to public comments from Mr. Jim Farnik, we have added two additional pages on aggradation and degradation in the final plan.

   Regarding options to improve wetlands and floodplain habitats in the various alternatives, descriptions such as "opening up side channels" are made, without giving specific locations, because this is a general management plan/environmental impact statement. The specific details of wetland restoration will be discussed in a future resource management plan for the designated rivers.

2. Boundary descriptions have been revised at several locations in the draft plan. The boundary description for the preferred alternative has been rewritten for the final plan, in response to a letter submitted during the public comment period by the Southern Missouri Water Development District. The new boundary description states: "The National Park Service recognizes the importance of the wetlands and fish and wildlife habitat next to the river. Because of this importance, the boundary for the preferred alternative includes not only the rivers and an adjacent strip of land but other lands that may be periodically flooded by the COE releases from Ft. Randall Dam."

COMMENTS

3 activities with minimal impacts) within a geographic area if the aquatic/wetland resources warrant such protection. This means simply that all 404 activities would require an Individual Permit which includes a public notice and 30 day comment period, and more structured impact avoidance, minimization, and mitigation requirements. This could result in increased protection of wetlands within the National Park boundary.

4 Further, the Corps could initiate a Special Area Management Plan which is a comprehensive planning process that is defined in the 1980 amendments to the Coastal Zone Management Act. The EPA has authority (40 CFR 230.80) to initiate wetlands Advance Identification which is also a planning process that enables EPA to focus our efforts on wetlands where resource values and scarcity converge with development and conversion pressure. Both planning processes attempt to protect water resources that are threatened by development and conversion activities. The planning processes basically include identification of all wetlands resources within a geographic area, evaluation of wetland functions and values, and follow up planning activities to effectively protect these resources.

Moreover, these planning processes could result in the identification of wetland restoration opportunities where wetlands have been lost due to conversion to upland and/or loss of hydrology. We believe identifying valuable wetland resources and potential wetland restoration sites through planning efforts will better achieve the goals and objectives of the management plan.

5 We would also like to identify a number of areas in your DEIS requiring further clarification. In your Purpose Statements on page 10 of the document, the words "preserve" and "protect" need to be reconsidered as they are used given that many natural resources (forested floodplain, wetlands, side channels and chutes) associated with the rivers have been degraded to some degree and could be managed in ways beyond simple preservation or protection. For example, in the alternatives discussion, words such as restore, "enhancing" (page 81) and re-create were used. The Purpose Statements do not clearly suggest that improving natural resources could occur through restoration or enhancement measures. Also, we are unfamiliar with the term "re-creation." We recommend that the final EIS provide definitions of the terms that will be used in the document and be very clear about which approaches will be considered as part of the recreational river management.

6 In terms of streambank erosion (pages 39-40), we support the approach to limiting erosion control to those stream reaches where protection of structures is essential. However, that approach should be clarified to distinguish between essential and non-essential structures particularly if the river management philosophy is moving toward one of favoring "a natural hydrograph alternative" (i.e., under the Missouri River Master Water Control Manual) and encouraging river restoration. Further clarification also would be helpful regarding what constitutes a "significant biological" resource unless it should be inferred from the glossary at "significant resources.". It seems reasonable that a change in the protection and management of the recreational rivers (e.g., more out of bank flooding and channel meandering) may require a change in the protection of other biological resources.

RESPONSES

The minimum boundary of 200 feet was selected for several reasons: 1) such a width would include most of the significant bottomland cottonwood forest; 2) this width generally provides a visual buffer for recreationists on the rivers; and 3) this width allows for the incorporation within the boundary of expanded significant remaining cottonwood stands, periodically flooded wetland, and the Karl Mundt National Wildlife Refuge. Some of these resources can be found up to a mile from the river, and they can be placed within the boundary without exceeding the maximum acreage permitted by the Wild and Scenic Rivers Act.

We do not see that any negative impacts to wetlands and floodplains would result from implementing the preferred alternative. No wetlands are proposed for visitor use or development. As stated on page 177 of the draft plan, "Wetlands and floodplains would be improved through enhancement, restoration, and re-creation of natural riverine ecosystems." Because this is a programmatic GMP/EIS, the specific locations and details of wetland restoration are not included. Such details will be provided in project statements within a future resource management plan for the rivers.

3. We have referred your comments to the Corps of Engineers.

4. We have referred your comments to the Corps of Engineers. The Corps has told us that their special area management plan would be similar to the NPS general management plan. A resource management plan is the NPS document that would specifically identify wetlands for restoration.

5. The purpose statements were developed with public input in 1993, and it is our belief that they are a part of the GMP that should not be tampered with.

6. The Wild and Scenic Rivers Act, section 6 (c), provides for the protection of riverbanks. The Niobrara Scenic River Designation Act of 1991 (Public Law 102-50) states in section 6 (c) that "Within the Missouri River segment . . . the Secretary shall permit the use of erosion control techniques, including the use of rocks from the area for streambank stabilization purposes, subject to such conditions as the Secretary may prescribe . . . to protect the resource values for which such river segment was designated."

7 On page 41, there is reference to the Missouri River Master Water Control Manual and a suggestion of the benefits derived from it for the preferred alternative. It would be very helpful for the public to understand the alternatives for management of the recreational rivers as they relate to the scenarios proposed under the Missouri River Master Water Control Manual. We recommend that the final EIS expand the treatment of this relationship, especially as it relates to the implementation of a more natural hydrograph.

Listed below for your consideration are some additional comments specific to alternatives other than the preferred alternative.

Alternative 2: Rural Landscape Integrity and Character

8 1. Management (page 47) -- We recommend that general permits issued by the Corps of Engineers under the Clean Water Act Section 404 program be added as tools that would be available to local officials for managing, for example, streambank stabilization activities.

Alternative 3: Riverine Biological Management

1. Managing for Biological Diversity (page 62) -- See Introduction comment 1 above regarding definitions. We suggest that "conserving" be added to the list of definitions if the word will be retained in the document.

9 2. Page 62, paragraph 5 -- The text referencing "activities in the broader watershed" needs to be clarified. What activities would have a bearing upon the restoration and protection of the recreational rivers?

10 3. Page 62, paragraph 6 -- The reference to protecting "floodways and retention basins" is presented also in summary form for Alternatives 3-5 (Table 8), but is not noted in the narrative under Alternatives 4 and 5. Was this omission by design or unintentional?

11 4. Interpretation and Visitor Services, paragraph 2 (page 67) -- The focus of the services, as presented here, were not identified in the narrative under Alternatives 4 and 5, except possibly in Table 8 for Alternative 4. Was this omission by design or unintentional?

Impacts of Alternative 1

12 1. Wetlands and Floodplains, Analysis (page 144) -- I recommend that the last sentence read, "Wetlands ... but are regulated by the U.S. Army Corps of Engineers under the Clean ... process." The Clean Water Act was not written to ensure protection.

On page 40 of the draft plan, after the end of the 4th line, the following sentence should be added: "Significant biological features include old growth cottonwood forest and habitat that is or has recently been utilized by threatened and endangered species."

7. The Missouri River Master Water Control Manual is slated to be completed in 2000. We have referred your comments to the Corps of Engineers.

8. We do not believe it is appropriate to include 404 permitting by the Corps in the section on page 47 which describes local means of management. We have included the Corps of Engineers in the section on natural resources management on page 52 of the draft plan.

9. We have added the following at the end of this paragraph: "The National Park Service would consult with the states of Nebraska and South Dakota to stay abreast of point source and nonpoint source pollution, not only within the river boundaries, but on tributary streams, to the extent that they affect water quality within the recreational river segments. Restoration of biological communities would occur only in those areas that have a good chance for success." This statement also has been added to the preferred alternative in the first full paragraph on page 87 of the draft plan.

10. We have repeated the paragraph above in alternative 5 (the preferred alternative) on page 87, between the second and third full paragraphs. The paragraph is not included in alternative 4 because this alternative emphasizes recreation and public use and not resource management.

We do not see any reference to "floodways and retention basins" in table 8. The table is intended only to provide a brief summary of the alternatives.

11. The description of interpretation and visitor services found in alternative 3 (biological emphasis) on page 67 emphasizes the interpretation of natural resources. The interpretive emphasis in alternatives 4 and 5 is different. Alternative 5 (the preferred alternative) states that interpretation "would emphasize protection of natural and cultural resources," and thus does not exclude any interpretation that is described in alternative 3.

COMMENTS

Impacts of Alternative 2

13 1. Cumulative Impacts, example paragraph 1 (page 159) – We recommend that the final EIS clarify (e.g., possibly under a "Historic Perspective" section; see comment 3 above under Features Common to All Action Alternatives) what is meant by "more natural water flow regime" and "more natural situation." The scenario for "natural" probably lies in the eye of the beholder.

Impacts of Alternative 4

14 1. Wetlands and Floodplains, Analysis (page 169) – Any reference in the document to a "404 permit" should be clarified. We suggest the following: "... a Clean Water Action Section 404 permit for the placement of fill into waters of the United States, including wetlands would require ....." The other option would be to define "permit" or "404 permit" in the Glossary. Also, we recommend that "to the extent possible" be changed to "to the extent practicable" as defined in the Section 404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material (40 CFR Part 230.10(a)(2).

Thank you for the opportunity to comment and your persistence in asking for our response. We would be happy to meet with you to answer any questions you have regarding these comments. Please call me at 913/551-7435 if you have any questions or would like to arrange a meeting.

Sincerely,

Ms. Cathryn E. Tortorici
Project Manager

RESPONSES

12. We have made the requested change.

13. The reference to "natural situation" refers to the situation that existed before Missouri River dam construction. We have added "simulating pre-dam conditions" after "natural hydrograph" to the first full paragraph on page 41 of the draft plan.

14. We have changed "possible" to "practicable." We have added the following definition for "404 permit" to the glossary: "refers to a permit issued by the Corps of Engineers, as described in section 404 of the Clean Water Act, for any public or private action that proposes to discharge any dredged or fill material in waters of the United States, including rivers and wetlands."

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
215 NORTH 17TH STREET
OMAHA, NEBRASKA 68102-4978

September 6, 1996

SEP 12 '96

REPLY TO ATTENTION OF
Planning Division

Warren Hill, Superintendent
Niobrara/Missouri National Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763-0591

Dear Mr. Hill:

Enclosed are Corps' comments on the Draft General Management Plan/Environmental Impact Statement for the Missouri/Niobrara/Verdigre Creek National Recreational Rivers. Thank you for the opportunity to comment. Please call Becky Latka (402) 221-4602 if you have any questions regarding our comments.

Sincerely,

Candace Thomas

Candace M. Thomas
Chief, Environmental Analysis Branch
Planning Division

Enclosure

Printed on Recycled Paper

COMMENTS

CORPS' COMMENTS ON DRAFT
GENERAL MANAGEMENT PLAN / ENVIRONMENTAL IMPACT STATEMENT
MISSOURI / NIOBRARA / VERDIGRE CREEK NATIONAL RECREATIONAL RIVERS

1. **Page 16, first full paragraph, last line.** Delete "and easement land" since that is not leased to state agencies, but held by the landowner.

2. **Pages 96-97, Table 9.** The conclusions in the table aren't always supported by the material in the Environmental Consequences section. For example, under "threatened and endangered species" in the table, beneficial effects are claimed due to "increased efforts" to conserve species, yet that rationale is not included in the discussions in the Environmental Consequences section. Increased efforts by whom? We don't expect substantially more endangered species efforts as a result of this plan unless the National Park Service or the U.S. Fish and Wildlife Service have some plans that we are not aware of.

3. **Page 112, third paragraph.** Either reference where this information is coming from or delete it. Add a section on Corps' tern and plover efforts in the Fort Randall - to - Lewis and Clark Lake section of the Missouri River. We have sent you information on these efforts before, but you can contact Casey Kruse or Greg Pavelka for an updated version (402) 667-7873, ext. 3333.

4. **Page 113, first full paragraph.** The second sentence states that "organized tours are not perceived to be a problem." Who does not perceive them as a problem? The USFWS? Who is being referenced here? Either reference or delete.

5. **Page 142, prime and unique farmland.** Reference where the 24% figure came from in the first sentence, then move it into the "Affected Environment" section, along with a map showing where the prime and unique farmland occurs within the boundary, so future plans and development could avoid those areas.

6. **Page 146, future demand for recreation.** There should be visitation data available which could be analyzed to determine a visitation trend for the area.

RESPONSES

1. We have revised the last sentence of the first full paragraph to: "Some COE fee land is leased to state agencies for wildlife and recreation. The Corps has purchased the right to flood some lands (flood easement), but the underlying fee ownership is retained by the landowner."

2. We recognize the current COE work. In addition, through partnerships and cooperative agreements with landowners and others, the Park Service could protect and possibly create more habitat than is currently available. This is seen as an increased effort in conserving species which may benefit species. The plan has been revised to state that "This plan could result in increased efforts to conserve species."

3. The information has been referenced. Casey Kruse, a COE biologist at Gavins Point Dam, has reviewed pages 112 and 113 of the draft plan, and his revisions have been incorporated into the final plan. The text also references his endangered species work with terns and plovers along the Missouri and Niobrara Rivers.

4. The Park Service does not believe the existing organized tours would negatively affect threatened and endangered species. Tour operators and guides would be informed as to where threatened and endangered species, such as the terns and plovers, were nesting and what precautions should be taken to avoid disturbing them. For example, tour operators could stay away from islands where the terns and plovers were known to nest.

   This paragraph was reviewed by Casey Kruse, COE endangered species biologist. He asked that the word "substantial" be deleted from the last sentence. The text will reflect this deletion.

5. The NPS Denver Service Center prepared the calculations for prime and unique farmland. They first identified and outlined in red the prime and unique farmland soils within each individually published South Dakota and Nebraska county soil survey in the project area. The prime and unique soils within the project area were then digitized individually. Through the use of geographic information system (GIS) analysis, they were overlaid on each boundary alternative to determine the prime and unique acreage totals for each boundary alternative. The prime and unique soil acreage for each boundary alternative was then divided by the total acreage for each alternative to determine the percent of prime and unique farmland in each alternative.

The effort to create one or more prime and unique farmland maps would be substantial and expensive, and the scale of map needed would create numerous smaller area maps. The soil type areas would be too small to visually show on our large-scale alternative maps. The reader may, however, consult the individual soil surveys for each county to determine where the prime and unique soils lie adjacent to the Missouri, Niobrara, and Verdigre Creek National Recreational Rivers.

Page 108 of the draft plan has been revised to state how the percentage of prime and unique farmland in each alternative was determined.

6. In the past seven years, estimates of park visitors at Niobrara State Park have fluctuated from 113,445 in 1993 to 132,595 in 1996. The Corps of Engineers uses counters to determine the number of visitors on its lands around Lewis and Clark Lake (including lands that are a part of Lewis and Clark State Recreation Areas in Nebraska and South Dakota). On the Corps lands around Lewis and Clark Lake, total visits in the past four years have steadily increased from 1,566,073 in fiscal year 1993 (October 1992 through September 1993) to 1,663,259 in fiscal year 1996. This represents an average annual visitation increase of 6%. At the Lewis and Clark visitor center, visitation has fluctuated over the past 20 years, varying from 20,000 to 45,000 annually. In 1996 visitation at the center was 35,420.

   Visitation numbers along the recreational river segments of the Niobrara River and Verdigre Creek have not been kept, but they are believed to be very low, because the shallow water limits the use of most types of watercraft.

COMMENTS

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
420 South Garfield Avenue, Suite 400
Pierre, South Dakota 57501-5408

SEP 09 '96

September 6, 1996

MEMORANDUM

To: Warren H. Hill, Superintendent, National Park Service
Niobrara/Missouri National Scenic Riverways; O'Neill, Nebraska

From: Field Supervisor, Ecological Services
South Dakota Field Office; Pierre, South Dakota

Subject: Draft General Management Plan and Environmental Impact Statement for the Missouri, Niobrara, and Verdigre Creek National Recreational Rivers

This memorandum is in reference to your July 12, 1996, letter requesting our review and comments on the subject document and is a follow-up to our April 23, 1996, memorandum. Also, please refer to our previous memorandum of May 2, 1996, to the Regional Director of the National Park Service, Midwest Region, Omaha, Nebraska, concerning informal consultation for the 1991 Designated Missouri/Niobrara/Verdigre Creek National Recreational River Management Plan.

The final draft of the subject document appears to be well written and well organized in its content. In particular, the sections dealing with "Environmental Consequences of the Alternatives" beginning on page 141 adequately discuss expected impacts on natural resources, given the uncertainties regarding the degree or extent of implementation of the management plan in future years. We concur with your assessment that implementation of management plan strategies which would limit development in areas of known least tern and piping plover use, as this documents recommends, will significantly reduce the potential for adverse effects. We also concur with the determination of the National Park Service that no adverse impacts to listed species will occur as a result of implementing Alternatives 2-5 as they are presently described. If adverse impacts to listed species are anticipated or should occur in the future as a result of the implementation of specific management plan strategies, formal consultation with the National Park Service and other managing entities will be required.

1

In the first paragraph discussing threatened and endangered species on page 110 (Affected Environment), it is stated that the Fish and Wildlife Service determined (our emphasis) that eight species protected under the Endangered Species Act could be affected by the proposed action. This is not stated

2

RESPONSES

1. During implementation of this plan, the National Park Service will continue to consult informally with the Fish and Wildlife Service to ensure that no adverse effects on listed species occur.

2. Page 110 of the draft plan has been revised. The determination of "no effect" has been added to the conclusion on page 176 of the draft.

correctly. The Fish and Wildlife Service, during informal consultation, made a determination of the presence or likely occurrence of listed species within the project area. The lead Federal agency (the National Park Service) is responsible for making either a "may affect" or a "no affect" determination on listed species. The Fish and Wildlife Service, after studying the proposed action(s), will then either "concur" or "not concur" with the lead agency's determination. The first sentence in this paragraph should be revised accordingly.

3

It is the understanding of the Fish and Wildlife Service that the National Park Service will automatically review the effectiveness of the management plan for the recreational rivers every five to seven years. One of our specific concerns in future years may be the potential cumulative impact of increased visitor use resulting from a number of activities on least tern and piping plover nesting success on the lower Niobrara River and Missouri River. We recognize that many details involving implementation of specific strategies to meet the general management goals discussed in the draft Environmental Impact Statement have not been finalized. Accordingly, the Fish and Wildlife Service does not envision the need to enter into formal consultation with the National Park Service at this time. However, should the National Park Service determine at any time during implementation of management strategies that adverse impacts to listed species have occurred or may occur, recommendations on reasonable and prudent actions to avoid further conflicts must be developed with the Fish and Wildlife Service through the formal consultation process.

This concludes our comments on the subject document. Thank you for the opportunity to provide additional comments. If you have further questions or need additional technical assistance, please contact Dave Allardyce of this office at (605) 224-8693, Extension 29.

DGT

cc: ARD, ND/SD; Denver, CO (60130)
FS, ES; Grand Island, NE
RD, NPS, Midwest Region; Omaha, NE

3. The National Park Service will continually assess the effectiveness of the plan. The National Park Service, through cooperative agreements and partnerships, will manage the rivers so that there are no effects on listed species. Through cooperative efforts, species and habitat will be monitored. Visitation will also be monitored to ensure protection of listed species. If it is determined that species are being impacted, the National Park Service will consult with the Fish and Wildlife Service to determine reasonable and prudent measures within the NPS's authority to mitigate impacts.

COMMENTS

Department of Energy
Western Area Power Administration
Upper Great Plains Region
P.O. Box 35800
Billings, MT 59107-5800

NOV 29 '96
O'Neill, NE

United States Department of Interior
National Park Service
Warren H. Hill, Superintendent
P.O. Box 591
O'Neill, NE 68763

Dear Mr. Hill:

Western Area Power Administration (Western) submits the following comments on the Draft General Management Plan and Environmental Impact Statement for the Missouri, Niobrara, and Verdigre Creek National Recreational Rivers.

In the introduction section (relationship to other projects) pages 15-21, please identify Western as having facilities within the affected areas (i.e., transmission lines, communication site). Western currently conducts routine maintenance on the transmission system. Western does not have plans for new transmission lines or facilities in the affected area, although in the future facility changes or upgrades may be needed. Western will abide by 16 USC 1271-1287 Section 13 (g), granting easements and rights-of-way for any new projects.

The following Western facilities are in the affected Area:

1

- Fort Thompson to Grand Island 354 kV transmission line that crosses the Missouri River at Section 8, T34N, R63W (SD-NE border) and the Niobrara River at Section 1, T32N, R63N, Holt County, Nebraska,
- Fort Randall to O'Neill 115 kV transmission line crosses the Niobrara River at the Boyd/Holt county line in Nebraska at T 33N, R11W, and
- At the Fort Randall dam Western's microwave site is at NE 1/4 section 8, T95N, R65W.

Thank you for the opportunity to comment, we look forward to working with the National Park Service in the future. If you have any questions please contact Theodore R. Anderson at (406) 247-7385.

Sincerely,

Nick Stas

Nicholas J. Stas
Environmental Manager

RESPONSES

1. We will include the information noted on WAPA facilities that are found within the area covered by this GMP.

STATE OF NEBRASKA

EXECUTIVE SUITE
P.O. Box 94848
Lincoln, Nebraska 68509-4848
Phone (402) 471-2244





E. Benjamin Nelson
Governor

August 21, 1996

Congressman Douglas Bereuter
2348 Rayburn House Office Building
Washington, DC 20515

SUBJECT: ***Draft General Management Plan and Environmental Impact Statement for the Missouri, Niobrara, and Verdigre Creek National Recreational Rivers***

Dear Congressman Bereuter:

1 In the last week, my office has been contacted by several Nebraskans who live in the area of this proposed project. I have heard a number of concerns about the proposed plan including the fact that there have been only 45 days set aside for public comment. Last year, more the 1200 interested people signed documents urging that this project be deauthorized. I want to be assured that there is adequate time for these people to review the draft plan and how it addresses their concerns.

Would you join with me in seeking an extension to allow all those interested sufficient time to review the proposed plan and comment on it.

It is my understanding that the Advisory Commission for this study is meeting on August 22 in Wagner, S.D. It is my hope that the Park Service will support an extension.

Dayle Williamson, the Director of the Nebraska Department of Natural Resources, is available to discuss this issue with your staff if you need more information.

Sincerely,

E. BENJAMIN NELSON
Governor

EBN:lt

cc: Senator J. James Exon
Warren Hill
Rader Swanson

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1. As a result of requests such as yours, the public comment period was extended until September 14, 1996. The total time for public review was 58 days.

STATE OF NEBRASKA



DEPARTMENT OF ENVIRONMENTAL QUALITY
[illegible] Wood
Director
Suite 400, The Atrium
1200 'N' Street
P.O. Box 98922
Lincoln, Nebraska 68509-8922
Phone (402) 471-2186

E. Benjamin Nelson
Governor

August 26, 1996

Mr. Warren Hill, Superintendent
Niobrara/Missouri River National Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763-0591

Dear Mr. Hill:

We have reviewed the draft General Management Plan and Environmental Impact Statement for the Missouri/Niobrara/Verdigre Creek National Recreational Rivers. We have no concerns regarding the alternatives discussed. Because these streams are Class A State Resource Waters (Title 117, Chap. 3, NAC), we are obligated to use all of our authorities to maintain and protect the existing water quality. The preferred alternative appears to be the most favorable with regards to water quality.

Sincerely,

John F. Bender
Water Quality Standards Coordinator

An Equal Opportunity/Affirmative Action Employer
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NIOBRARA STATE PARK
PO BOX 226
NIOBRARA, NE 68760

October 24, 1996

Kent Schwarzkopf
National Park Service
PO Box 591
O'Neill, NE 68763

Dear Kent:

In regards to our telephone conversation about visitation at Niobrara State Park and the Missouri and Niobrara River Scenic designations. In the National Park Service recent draft (General Management Plan, Environmental Impact Statement) alternative #1 is acceptable with me in general. I have personal reservation about some of the items mentioned which I will not submit at this time.

In regards to visitor activities we discussed, I feel there is room for more activities on the Missouri River and surrounding areas. With the sediment of the Niobrara River hampering access to the Missouri River below the Niobrara River, should be handled on a year to year basis as far as improvements on existing boat ramps, in accordance with water levels of the Missouri River. These ramps are vital to the activities at Niobrara State Park. 1

I also feel the Missouri River bridge between Niobrara, NE and Running Water, SD will increase tourism in the area, at Niobrara State Park we are looking forward to increasing our visitation with respect to activities we offer and day usage.

At NSP we are making a great effort to promote more interpretation of the history, culture and the other resources in the area.

As a personal observation of the Missouri and Niobrara Rivers over the last forty years, I have lived here, there has been great changes, such as increased numbers of fisherman, duck and goose hunters and boaters.

I also have a few numbers on visitations from Niobrara State Park. Our files show that visitation was around the 100,000 mark in the late 80's. Visitation to the new park has in general increased every year. Our best year has been 1996 with approximately 133,000 (verses 3 months June, July and August 80,000). The numbers will vary from year to year because of weather conditions. By the way, raft tour numbers were 915 people for four months.

Sincerely,

Thomas W Motacek

Tom Motacek, Supt.
Niobrara State Park

ck

1. The effect of sedimentation on recreational access is discussed in additional text added to the Draft GMP/EIS. The preferred alternative (Alternative 5) now states (on page 88 of the draft plan), "Access to and facilities on the recreational rivers could be improved but not expanded." The following statement has been added to the preferred alternative description on pages 84 and 88 of the Draft GMP: "If one or more boat ramps were lost to siltation, this alternative would allow for ramp replacement, if feasible and environmentally suitable." The following statement has been added to the "Visitor Activities" section on page 179 of the Draft GMP/EIS: "If an existing boat ramp was lost to siltation, this alternative would allow for a replacement at another location, if feasible and environmentally suitable. Environmental compliance for such replacement will occur at the time that a replacement is proposed."

COMMENTS

RESPONSES

Visitation Comparison for 1994 - 96
Compiled 12/96

1994	Pool	Trail Ride	Cabins	Camping	Raft Rides	Cookout	Est. Visit
Jan.							1,050
Febr.							1,100
March							1,850
April			614	343			1,900
May	289	112	1,207	1,630			15,500
June	1,135	538	3,142	1,885			24,275
July	1,193	593	3,083	2,743			23,675
Aug.	712	813	3,279	2,623			22,850
Sept.	58	93	1,367	1,426			16,075
Oct.			1,430	298			8,810
Nov.			963	78			4,855
Dec.				15			1,355
TOTALS:	3,387	2,149	15,085	11,041			123,305

1995	Pool	Trail Ride	Cabins	Camping	Raft Rides	Cookout	Est. Visit
Jan.							1,100
Febr.							950
March				50			1,800
April			357	148			1,585
May	23	3	875	703			9,230
June	1,202	375	2,952	2,220			24,550
July	1,457	513	3,039	2,956			22,475
Aug.	1,030	358	2,067	1,483			22,915
Sept.	260	77	1,488	1,600			15,785
Oct.			1,141	232			8,930
Nov.			1,010	29			4,930
Dec.				9			1,440
TOTALS:	3,972	1,326	12,929	9,430			115,690

1996	Pool	Trail Ride	Cabins	Camping	Raft Rides	Cookout	Est. Visit
Jan.							1,170
Febr.							1,050
March							1,800
April			334	119			1,700
May	21		1,527	795			13,000
June	1,146	469	3,063	2,744	267	269	28,350
July	1,200	478	3,109	3,742	284	266	25,000
Aug.	913	406	3,378	4,239	297	249	27,550
Sept.	79	55	1,249	749	67	66	17,350
Oct. *							
Nov. *							
Dec. *							
TOTALS:	3,359	1,408	12,660	12,388	915	850	116,970

* Monthly Totals for the year not in at this time.

SOUTH DAKOTA STATE HISTORICAL SOCIETY
CULTURAL HERITAGE CENTER
900 Governors Drive
Pierre, SD 57501-2217
(605) 773-3458 Fax (605) 773-6041

September 13, 1996

SUPERINTENDENT
NIOBRARA/MISSOURI
NATIONAL SCENIC RIVERWAYS
PO BOX 591
ONEILL NE 68763

SEP 14 '96
O'Neill, NE

RE: Draft General Management Plan: Missouri/Niobrara/Verdigre Creek National Recreational Rivers, Nebraska & South Dakota

Dear Mr. Hill:

Thank you for past consultation with our office and the opportunity to respond to the above referenced draft management plan. As you know, our office's primary concern relates to South Dakota's cultural resources. In this respect, our office concurs with your "DESIRED FUTURE CONDITIONS" (as noted on pages 13-14) and the plan's statement that a coordinated and comprehensive management effort (a feature designated as common to all action plans) would contribute to historic preservation efforts.

Of particular note was the lack of public interest or concern expressed over cultural resource issues identified during the scoping process. While many property owners were concerned about restrictions and/or various changes to private lands, few appeared concerned about cultural resources. While it is acknowledged that cultural resources may have taken a "back seat" to property issues, there is an implication that cultural resources may not be considered important by the local public. Whether this apparent lack of concern is just over-shadowed by other issues, or due in part to a lack of education about cultural resources, it can be inferred that Alternate 1 (No Action) would not necessarily benefit historic properties on private land.

Alternates (3-5) which train local volunteers would be a more pro-active approach to educating the public on the importance of cultural resources, and would provide a greater level of site protection on private and public land. Limiting a majority of site data (as noted) and some type of screening for volunteers could also prevent an adverse effect from this sharing of site location data. The public scoping seems to indicate the need for this type of site interpretation and education.

In conclusion, it is our office's opinion that alternates (3 & 5) which involve a coordinated and comprehensive management effort, include provisions for positive local involvement, and limit new construction, would be beneficial to South Dakota's cultural resources. It is uncertain at this point on the actual effects of Alternate 4 without knowing the resources that may be affected. Interpretive efforts through new construction, however, can be useful educational tools.

Department of Education and Cultural Affairs
Office of History

COMMENTS	RESPONSES
Thank you again for the opportunity to comment. I apologize for the late response, but another draft copy of the plan was only recently acquired (yesterday), the original being misplaced during the office's re-organization. Please feel free to contact Dana R. Vaillancourt, Review & Compliance Coordinator, at 773-6004 if you have any further questions. Sincerely, Dana R. Vaillancourt for Jay D. Vogt State Historic Preservation Officer	

MISSOURI NATIONAL RECREATION
RIVER ADVISORY GROUP

TO: United State Department of Interior
National Park Service
Missouri National Scenic Riverways

In 1991, Congress added 39 miles of the Missouri River, 20 miles of the Niobrara River, and 8 miles of Verdigre Creek to the National Wild & Scenic River system. Initially, no studies were done to determine that this river section complied with the 1968 Wild & Scenic Rivers Act.

The National Park Service (NPS) was charged with developing a general management plan (GMP) that would preserve the river in its free-flowing condition and protect its immediate environments. The plan must fulfill its purposes in order to be a viable plan.

Early in the planning process, purpose statements were developed "to help focus direction and set priorities" (GMP, page 10) for the GMP. Those purposes are as follows:

- Within the recreation river segments, preserve the free-flowing condition and protect the immediate environments for the enjoyment of present and future generations.

- Preserve the significant scenic, recreational, biological, geological, prehistoric, and historic resources of the recreational river corridors. (NOTE: The original statement included protection of agricultural activities. However, this statement was dropped when the NPS revised the plan **without landowner input.**)

- Prevent impacts to the rivers' significant natural and cultural resources by ensuring appropriate recreational use and access.

Each component of the National Wild & Scenic River system shall be administered in such manner as to protect and enhance the values. These values are constantly deteriorating. From the date of designation the immediate environments are no longer outstanding, remarkable resources. There is no chance to restore these values.

According to the 1994 Corps of Engineers Sedimentation Reconnaissance Report, these purposes are unachievable because of unpredictable and uncontrollable sedimentation and buildup. The study says: "unless the problems are relived, they will continue to

COMMENTS

Page 2

worsen." Environmental habitats for threatened and endangered species will deteriorate, public recreation will become useless, and overbank flooding will increase, resulting in further destruction of usable land, and negatively impacting the county tax base and local economies.

1 Ironically, Section 7a of the Wild & Scenic Rivers Actrenders it impossible to take future measures to correct these situations.

2 In addition, the act specifically states in Section 2b that in order to be eligible for this designation, a river area is a free-flowing stream or can be restored to this condition. Neither of these conditions exist in this area, at this time. If proper procedures had been followed, a preliminary study would have exposed this fact and this river section would not have been eligible for inclusion in the Wild & Scenic River system.

At the beginning of the planning process, the NPS assured participating landowners that this plan would be one of consensus prior to approval. Even though the planning team was headed in that direction, the final draft was not one of agreement. It was finalized by the NPS and consequently includes many objectionable issues to landowners and local and state governments. Some of these issues are as follows:

3 1. *Flowage easements are legal documents which remain unchanged.* Any intervention by a third party renders them illegal and interferes with taxable real estate which will negatively impact local governments and school districts.

4 2. Public Law 566, the Watershed Act, makes no provision for third party intervention in management responsibilities.

5 3. There is no comment on the impact of this designation on socio-economic resources.

6 4. No comment on the effect of this designation on the Springfield water supply.

7 5. NPS can override their own no-condemnation policy without public review.

8 6. There is a non-management policy concerning potential increased visitor use.

9 7. There is reference to limited cattle access to the river.

RESPONSES

1. Section 7a of the Wild and Scenic Rivers Act clearly states that: "No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration."

   The National Park Service, on behalf of the secretary of interior, has been charged with the administration of the recreational rivers. The National Park Service had previously agreed with the advisory group and implemented changes to the general management plan (page 121), that would not preclude cooperative efforts with the Corps of Engineers to mitigate and reverse siltation damage when the technology becomes available.

2. Section 7a of the Wild and Scenic Rivers Act states that: ". . . shall not preclude licensing of, or assistance to, developments (water resource projects) below or above a wild, scenic or recreational river area or on any stream tributary thereto which will not invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area on the date of designation."

   Congress has shown by designating these rivers, that the impoundments above and below are acceptable alterations to the river system and does not preclude additional protection provided by this act for the remaining segments of these rivers.

3. Flowage easements are legal documents and will continue unchanged under the general management plan. Page 16 of the plan says, ". . . easement land acquired by the Corps of Engineers would continue to be managed by them directly . . ." There would be no third party in the flowage easements and payment in lieu of taxes will continue under the easements current program.

4. The only project that falls under Public Law 566 is the Spring-Bull Creek Watershed District. It is recognized as a political subdivision and would be treated as such under sec. 6 (a) (1) of the Wild and Scenic Rivers Act, which states: "Lands owned by an Indian tribe or political subdivision of a State may not be acquired without the consent of the appropriate governing body thereof as long as the Indian tribe or political subdivision is following a plan for management and protection of

Page 3

10 8. There is no protection for private-, local-, or state-owned economic development.

11 9. Because the GMP draft is so vague, it is prone to differing interpretation that will drift further and further from the intent of the planning team.

12 10. Screening guidelines for the developed property are too restrictive.

13 11. Streambank protection funding is the responsibility of the landowners, however they have no control over stopping the source of erosion.

14 12. Several topics were added to the draft after the landowners no longer had input. (For example: resource conservation land and its comments, and the budget proposals including the monies to acquire land and the incorrect real estate values.)

15 13. Several statements within the plan are open-ended and leave the development of the important specific details only in the hands of the NPS.

16 14. Too many of the statements concerning land uses and recreational uses are too vague to be acceptable and could lead to dangerous interpretation and precedence.

17 15. NPS did not comply with the three year time limit of the plan completion.

16. NPS did not complete the boundary lines selection in the time frame allowed.

18 There are many other issues of concern. However, the preceding statements indicate, without a doubt, that neither the General Management Plan nor the designation meet the letter and intent of the act. Because of these facts, we recommend de-authorization of this river section until such time as these purposes can be met.

the lands which the Secretary finds protects the land and assures its use for purposes consistent with this Act."

Page 36 of the draft plan states: "Some of the riverfront is also included in the Spring-Bull Creek Watershed District, which tends to ensure that this land will remain agricultural." The plan identifies agricultural land as compatible with the recreational river and the Park Service agrees that such land is important in protecting the resources of this designated section of the Missouri River.

5. As required by the National Environmental Policy Act (NEPA), the plan states the socioeconomic impacts of each of the alternatives in the environmental impact statement. Socioeconomic impacts for the preferred alternative are listed on pages 180 and 181 of the draft plan.

6. The Springfield water supply intake is not inside the boundary. Therefore, there is no effect of this plan on the Springfield water supply.

7. By law, the National Park Service cannot abrogate its responsibility to protect the important resources for which the river was designated. The GMP states that "the plan would have to be revisited if the objectives of the legislation were not being accomplished." Changes in the document such as condemnation policy would require another public process, following the guidelines laid out by NEPA, before it could be implemented.

8. Visitor management is described on pages 43 and 44 in the "Features Common to All Action Alternatives" section and on pages 87 and 88 in the preferred alternative. For example, the following statement appears on page 43: "The National Park Service and its partners would monitor the impacts of visitor use and would redirect or otherwise limit use so as to avoid unacceptable visitor experience or resource conditions."

9. The statement referred to is on page 38 of the draft plan. The National Park Service has eliminated that statement from the final plan after concerns were stated during the public review period. See also response 4 to the South Dakota Cattlemen's Association.

COMMENTS	RESPONSES
	10. By law, the Park Service must protect the values for which the river was designated. This requires that there be limits placed on certain types of development within the recreational river boundaries.
	11. The"Purpose Statements, Significance Statements, Desired Future Conditions, General Concept and Philosophy, and Management" sections of the draft plan all set guidelines for management and are not vague. By nature, a general management plan is not specific, but general. It is designed to set clear directions and policy guidelines for present and future managers of the river.
	12. The final plan has added the following statement to the guidelines for residential and other private development: "Foundation plantings at the base of one's residence are an acceptable means of vegetation screening." Landscaping diagrams are provided in appendix F.
	13. We agree.
	14. The statement is not true. Landowners had an opportunity for public review, which included an official public review period of 58 days. Nine public review meetings were held in towns close to the designated area during that time. There were over 1,000 copies of the plan distributed to the public for review. Additionally, there have been four Missouri Recreational River Advisory Group meetings (8/22/96 in Wagner, S.D.; 9/26/96 in Spencer, NE; 11/20/96 in Springfield, S.D.; and 1/29/97 at Niobrara, NE). A period for public comments is scheduled into all advisory group meetings.
	15. General management plans set management directions, goals, and guidelines. Many specific points must be set later in interpretive plans, resource management plans, visitor management plans, etc. The GMP sets the tone and direction for these more specific plans.
	16. See responses 11 and 15.
	17. Section 9 of the Niobrara Scenic River Designation Act of 1991 contains an authorization of appropriations. Funds were not appropriated to carry out the act until the 1993 fiscal year beginning October 1992. No preauthorization studies were conducted for any of the designated

rivers, so when funds were finally authorized, several resource studies and inventories were needed to complete the plans.

An NPS newsletter circulated in August 1992 offered this explanation for the time needed to develop boundary proposals: "The law requires that boundaries be established within one year from passage of the act. However, the law presumes that a study was completed before the act was passed. There was no such study before the act, and people want to know how the boundaries will affect them. We will delay the establishment of boundaries until they can be included in a draft plan."

More than 1,200 copies of the newsletter were mailed. No one objected to the proposed deferral of the boundary decision.

18. The National Park Service does not agree with the deauthorization recommendation presented to it by the Missouri Recreational River Advisory Group. Further, the National Park Service is lawfully obligated to complete and implement this final plan for the recreational rivers. The advisory group will continue to function in its role to consult and advise the secretary of the interior on implementation of the plan.

COMMENTS



National Parks
and Conservation Association

HEARTLAND REGIONAL OFFICE

September 1, 1996

Superintendent Warren Hill
National Park Service
Niobrara/ Missouri National Scenic Riverways
P.O. Box 591
O'Neill, NE 68763-0591

Dear Superintendent Hill:

On behalf of the National Parks and Conservation Association (NPCA), I would like to thank you for the opportunity to review the Draft GMP/EIS for the Missouri/ Niobrara/ Verdigre Creek National Recreational Rivers, and submit the following comments for your review.

The National Parks and Conservation Association has several key concerns regarding the preferred alternative (Alternative 5) that we believe the National Park Service (NPS) must address before final approval of the plan. Although the Missouri/ Niobrara/ Verdigre Creek Plan ("the plan") does not establish the creation of a local management council as envisioned by the Draft GMP/EIS for the Niobrara National Scenic River, we find some of the same concerns we addressed in our May 1996 comments on that particular plan apply here as well.

Although it is entirely appropriate for the National Park Service to take into consideration the perceived needs of the local communities during the planning process for national park management, any proposed partnering arrangement must protect the resource and ultimately must meet the standards established by the park's enabling legislation and the Wild and Scenic Rivers Act. The plan's vision for partnering falls short in several respects.

1 First, the plan appears to place an enormous and disproportionate emphasis on protection of the agricultural landscape and preservation of the farming and ranching culture of the area. Certainly, this was part of what was envisioned in the park's enabling legislation. However, this should not be the main point of reference for the plan's structure. The NPS must consider the protection of the river and the surrounding natural resources, and creating appropriate recreational and interpretive opportunities as being the primary objectives of the plan. Although state and local governments, individuals, and other federal agencies may be and possibly should be actively involved with ensuring resource

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RESPONSES

1. Please see response 2 to the National Audubon Society.

1

protection and recreational use of the river, the NPS must ensure standards established by the Wild and Scenic Rivers Act, the park's enabling legislation, and the National Environmental Policy Act (NEPA) are met and that the purpose for park establishment is observed and advanced in the final plan.

NPCA has identified three main issues that the NPS must address before a final plan is approved:

1) The vision for partnering is vague.

2) The language used in the plan creates the impression that the NPS and its partners will establish mandatory guidelines that must be considered for resource protection, visitor use and management, protection of cultural resources, and land use within park boundaries, but it is discretionary for the park partners to follow these guidelines and enforcement mechanisms are unclear; and

3) The plan appears to create an unwarranted distinction between management of public lands and private lands within park boundaries.

Addressing these issues in turn, first, the vision for partnering in the plan is unclear. Although some of the details could undoubtedly be clarified at later stages through cooperative agreements, division of responsibilities among partners should be further detailed and clarified in the final plan.

2

Many references to partnering in the Draft Plan contain language that is very weak regarding how partners will work together. For example, the Draft Plan states, on page 33, that "[s]uch partnership agreements *could* ... describe the specific roles of the agencies and government." Later, the plan states: "An interagency agreement between the National Park Service and the Corps of Engineers *could* be negotiated to facilitate management of this land in a manner consistent with the recreational river designation;" (page 82). Use of these and other phrases indicating how the NPS and its partners "could" work together in establishing management guidelines and the use of various management techniques should be tightened. It is imperative not only that the roles of the various partners be well-defined, but that *all* partnerships, whether governmental or private, be so defined.

3

Second, and most importantly, the management alternative finally adopted must recognize the need for mandatory adoption and enforcement of guidelines to meet the standards of the Wild and Scenic Rivers Act. The language used in the plan creates the impression that the NPS and its partners will establish mandatory guidelines that must be considered for resource protection, visitor use and management, protection of cultural resources and land use within park boundaries, but that it is discretionary for the park partners to follow these guidelines. Enforcement mechanisms are also unclear. The following are some examples illustrative of this point:

2. Please see response 1 to the Southern Missouri Water Development District.

3. Please see responses 1 and 2 to the National Audubon Society.

COMMENTS

"*Such partnership agreements could ... facilitate management of the land within the* boundary so that it would be consistent with this plan," (page 33);

(Relating to land use management): "The National Park Service *would try to preclude* industrial activities, feedlots, and animal confinement facilities, and cabin and recreational development ...;" (page 35);

(Relating to land use management classes, and identification of compatible and *incompatible uses*): "*The National Park Service and its partners would use these standards* and guidelines in making decisions, and the standards *could* be adopted as part of county zoning. Property owners *could* adopt them for buildings and landscaping;" (page 36);

(*Relating to management*): "*Local plans incorporating voluntary practices that* preserve the landscape and river values *could* be developed in cooperation with the National Park Service. These plans *could* be consistent with the recreational river legislation and the goals of this general management plan;" (page 81);

(Relating to visitor activities): "The alternatives all recommend actions that *could* influence the numbers of visitors and locations of visitor use areas;" (page 43); and

(Relating to land use management): "*.../s/uggested* general design guidelines would create standards for maintenance of the visual quality of residences along the river;" (page 81).

4 In order to meet the mandates of NEPA, the Wild and Scenic Rivers Act, and the enabling legislation, a mechanism must be established to ensure guidelines for resource management, visitor use management, and other planning objectives are monitored and enforced. Meeting the mandates of these various laws is not discretionary and must not be looked upon as discretionary in the plan.

Third, the plan appears to create an unwarranted distinction between management of public lands and private lands within park boundaries. The following excerpts illustrate this point:

(Relating to cultural resource inventory, evaluation, and monitoring): "National Register-eligible sites on *public land* would have the highest priority for monitoring and protection. Resources on *private* land *could* be monitored and evaluated at the invitation of the property owner ...;" (page 42);

(Relating to natural resources): "Under all the action alternatives wetlands would be protected and enhanced on *public* land and their protection would be *encouraged* on *private* land;" (page 40). Note that this can be seen as conflicting with language in the same paragraph where that plan recognizes that "floodplains and adjacent wetlands are significant ... and are a priority for protection;" and that the distinction between public and private lands could potentially inhibit attainment of two of the NPS's stated desired future

RESPONSES

4. Refer to response 1 to the National Audubon Society. It would be difficult to predict what enforcement measures would be established within the differing cooperative agreements and partnerships.

conditions for natural resources -- protecting and enhancing biological diversity and protection of wildlife habitat; (page 13); and

(Relating to land use -- residential and other private development): "In addition to the guidelines noted previously ('new development *should* be compatible with objectives and goals of this plan ...'), and *subject to property owner agreement*, the suggested guidelines for ... development are ...," (page 83).

5

The NPS must monitor and ensure compliance with the standards of the Wild and Scenic Rives Act and the park's enabling legislation. Since resources on both public and private lands within the park boundaries are nationally significant resources, they must be managed in tandem to ensure national park standards are met. On addition, it is sometimes necessary to impose restrictions on both compatible and incompatible uses when necessary to protect park resources. Although private property rights must be respected, private individuals should not and must not have a veto power over NPS decisions within park boundaries in order to frustrate protection of park resources and compliance with federal laws.

In conclusion, NPCA believes that establishment of a park management structure, management standards, and enforcement mechanisms must be strengthened and clarified before approval and adoption of a final plan. We would prefer to see a management alternative similar to Alternative 3, where emphasis is placed upon biological diversity and management is conducted through a partnership approach among federal agencies. We believe such an approach more fully meets the intent of the Wild and Scenic Rives Act and the park's enabling legislation.

Thank you for your consideration of these comments. Please feel free to contact me if you have any questions.

Sincerely,

Lori M. Nelson
Regional Director

5. We agree that resources on both public and private land are nationally significant and must be managed to be consistent with the legislation and the Wild and Scenic Rivers Act. See also response 1 to the National Audubon Society.

COMMENTS

Ron Kistaske, REGIONAL VICE PRESIDENT
Janice Fink, REGIONAL SECRETARY

National Audubon Society

WEST CENTRAL REGIONAL OFFICE
200 SOUTHWIND PLACE, MANHATTAN, KANSAS 66503

Arkansas
Iowa
Kansas
Missouri
Nebraska
North Dakota
Oklahoma
South Dakota

SEP 13 '96

September 11, 1996

Warren Hill
Niobrara/Missouri National Scenic Riverways
PO Box 591
O'Neill, NE 68763

Dear Mr. *Hill*:

We have reviewed your draft management plan for the Missouri/Niobrara/Verdigre Creek National Recreational Rivers. Following are our comments on the plan and some suggestions to improve the document.

Overall we see the plan as relying too much on cooperative methods, with few actual enforcement mechanisms in place that would ensure protection of the river. The closest we find to it is the statement on page 34 where the plan states:

"The plan would have to be revisited if the objectives of the legislation were not being accomplished."

1 Our concern is based on the length of time it might take to "revisit" the plan. In the case of river threatening development, a few months or a few years can make a big difference. If you mean that an entirely new planning process would occur, we feel that you have not maintained enough authority to manage negatively impacting changes to the river in a timely manner. We would like to see a statement on how negative changes would be managed in the interim while the management plan is being reassessed.

The National Audubon Society believes that a National Park Service presence in the area is important. On page 33 the draft plan states:

"The National Park Service role would be very active in the day-to-day management of the rivers in the initial stages but would decrease with time . . ."

2 This statement implies that the National Park Service (NPS) may withdraw from its legal responsibility to protect the recreational river area. River threatening developments may be detected after the damage is done if a reduction in NPS staff occurs. We recommend the level of NPS presence be directly tied to that needed to protect the values for which the river was established.

3 The area of the Missouri River at the confluence of the Niobrara River is changing dramatically. The changes represent an increase in the biological significance of the area for some threatened or endangered species. The increased wetlands and tern and plover habitat should be incentive for an increase in voluntary fee or easement purchases in the area. This may be pursued by the Corps of Engineers, but the National Park Service

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RESPONSES

1. The National Park Service is the agency charged with administering the rivers. The National Park Service cannot and will not abrogate its responsibility to protect the recreational rivers as designated under the Wild and Scenic Rivers Act. However, due to the majority of land being in private ownership, cooperative actions with local landowners are essential. It is the intent of this plan to achieve the goals of the legislation and the Wild and Scenic Rivers Act through cooperative efforts with full consideration of private property rights and issues.

   If partners cannot be found and agreements reached, and threats to the important river resources exist, stronger protective measures would be needed as you suggest. The river designation under the Wild and Scenic Rivers Act provides for the administering agency to take appropriate actions to protect recreational river resources. Congress has authorized the secretary of the interior, through the Park Service, to administer the rivers and to ensure that local, state, and federal actions remain consistent with the Wild and Scenic Rivers Act. If the values for which the rivers were designated were being derogated, the Park Service would have to take stronger resource protection measures, which could include amendments to the GMP and the use of condemnation as a management tool.

2. The Park Service would use whatever presence is necessary to protect recreational river values, but at this time the Park Service believes the river can be effectively managed through cooperative methods. The Corps of Engineers and Fish and Wildlife Service already have land, easements, bank stabilization projects, and other activities in the area. The NPS role of recreational river administrator is complementary to their legal roles. Seeking cooperation with existing and new partners for the work as described in each alternative will take staff and time. As agreements are reached, renewal should be easier and require less staff time if present levels of use and development continue.

3. We recognize the increased importance of the lower Niobrara River as tern and plover habitat. For instance, because of high waters in 1996, more than 300 pairs of birds were displaced from the Missouri River to the Niobrara River (Berry, 1996).[1] However, the Corps is already

1. *South Dakota Cooperative Fish and Wildlife Research Unit, Annual Report*, 1996. Dr. Charles Berry, Unit Leader.

3

should also have funds devoted to that purpose. On page 84, the Preferred Alternative lists an estimate of only $100,000/year for land or easement acquisition. Conservation easements can often be designed to be mutually beneficial -- preserving the interests of landowners and the public in complimentary ways. However, since easements can cost up to 80% or 90% of the fee simple value of the land, we believe this amount is insufficient.

In summary, we recognize that the Recreational River designation calls for local assistance in the development of this plan. We also endorse the high measure of importance placed on protecting the rights of private landowners along the rivers. We trust that they will increasingly recognize that the objectives of this plan are largely complimentary with their interests. However, we believe the National Park Service has weighted this plan too heavily toward "local interests", at the expense of resource protection and public access. The rivers are nationally significant resources with great biological, scenic, and recreational values that warrant greater protection.

We can accept the Preferred Alternative (Alternative 5), but would like to see more resource protection and greater public access included.

Sincerely,

Ron Klataske

engaged in flood easement purchase in this area, which will accomplish the same purposes. The NPS land purchase estimates are in addition to this.

COMMENTS



Sierra Club
NEBRASKA CHAPTER



October 1, 1996

Warren H. Hill, Superintendent
Niobrara/Missouri National Scenic Riverways
P.O. Box 591
O'Neill, NE 68763-0591

Re: Missouri National Recreational River; Niobrara National Recreational River; Verdigree Creek National Recreational River - Draft Plan

Dear Mr. Hill:

At the fall meeting on September 21, 1996, of the Executive Committee of the Nebraska Chapter of the Sierra Club (ExCom) held at Niobrara State Park, the ExCom voted to endorse the intent contained in Alternative 3 of the NPS proposal for the Missouri National Recreational Rivers. This alternative emphasizes the protection and restoration of the biodiversity of the three recreational areas, particularly improving the quality of aquatic habitat, backwater areas, instream snag habitat, forest areas and the meandering and braided flow of the streams. However, we do not endorse Alternative 3 as necessarily the "exclusive" alternative that might be enacted. We would hope that the goals of Alternative 3 could be made compatible with visitor use, the pastoral landscape and current levels of agricultural use as outlined in Alternative 5. 1

In addition the ExCom believes that the National Park Service must play a supervising role in ensuring that the implementation of management processes conform with the national Wild and Scenic River legislation. This perspective does not exclude the role of local government in developing management mechanisms and in implementing them, but we feel direct monitoring of whatever process is implemented must be maintained. It is specifically noted that in your draft that the "intent" of the Wild and Scenic Rivers Act must be met in the setting of boundaries and in the establishment of a management process. One fear we have is the "shutting-the-barn-door-after-the-horses-have-fled" phenomenon - that powerful local individuals who have inside political clout and who oppose river protection will gain control of management and reverse the intent of 2

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RESPONSES

1. The preferred alternative (alternative 5) incorporates most of the resource management provisions and boundary from the riverine biological management alternative (alternative 3). Compare pages 86-87 from the preferred alternative with pages 62-67 from alternative 3.

2. We agree that the National Park Service should play a supervising role in seeing that the management of the recreational rivers conforms to the Wild and Scenic Rivers Act. As stated on page 34, the "National Park Service has the ultimate authority for overseeing the recreational rivers and for ensuring that local, state, and federal actions remain consistent with the Wild and Scenic Rivers Act. . . . The National Park Service cannot abrogate its responsibilities to Congress to implement the act. The plan would have to be revisited if the objectives of the legislation were not being accomplished. The resulting new plan would probably involve additional methods to achieve the purposes of the designation or a much stronger federal management role."

the scenic/recreational designation. Thus we believe our position originally taken for the Niobrara Scenic River on November 11, 1994, is one we think should be a basis for management of the recreational areas as well. In that letter to you I reported the ExCom's position to be the following:

> The Executive Committee voted to endorse Boundary Alternative 2 and to endorse a management plan that clearly specifies that the National Park Service has the authority and responsibility to administer or oversee administration of the Niobrara Scenic River. We endorse cooperative relationships with local and state agencies, but the Niobrara is a "national" river and should be under the appropriate national organization that has been designated for this purpose and that has the management skills and resources. This seems to be the National Park Service.

Also, on behalf of the Executive Committee of the Nebraska Chapter of the Sierra Club, I wish once again to express my appreciation for a job well done. You and your staff are to be commended for developing a proposal that addresses the intent of the 1991 legislation establishing the Missouri National Recreational Rivers. Clearly working with many of the individuals in the area and in Nebraska, especially those angry at or suspicious of the federal government, was not always easy. You carefully and deliberately addressed their concerns in helping to defuse an explosive political situation.

Sincerely,

James K. Cole, Chair
Nebraska Sierra Club

COMMENTS



South Dakota B.A.S.S. State Federation
AFFILIATE NATIONAL B.A.S.S. FEDERATION





Warren H Hill
Superintendent
Niobrara/Missouri National Scenic Riverways\

Dear Mr. Hill

It took a while but I finally read the full 134 page Draft, Management plan you compiled for the Missouri,Niobrara and Verdigre National Recreational rivers.

This project was brought to my attention by some local residents of Springfield at a cafe while I was having breakfast. I had come to practice for the State Championship Bass tournament on August 23rd. which was held at the Springfield boat ramp and park area. This is a 2 or 3 day event for most of us. This year there were 83 contestants entered and makes a highly significant impact on the local economy.

1 The comment was made to me "What are we going to do when the Park Service will no longer let us run our boats on the river?" Of course this led to further discussions and some meetings were scheduled and held and a lot of phone calls were made. Just from the short time I've had to gather this information I've learned that people that are normally content to let things go on around them will finally get involved if their recreational opportunities are about to be taken away or changed significantly and this is apparently what's happening now.

I am including copys of information I've gathered this week. Some of these are news clippings local and national, a report on the Social and Economic value of Bass tournaments and letters and comments from others.

2 When I first read the introduction I was fully in agreement with the Draft Mgnt. plan, but as I read further into common to all alternatives section I began to have doubts as to the genuine concern that was being placed on the ecosystem. It became apparent that the objective is just to restrict the use of the river itself and to restrict the way the landowner and homeowners along the river decorate or landscape their property. I think the Draft would work well on the Niobrara and Verdigre but not on the Missouri as it is written. There are too many contradictory statements.

3 Speaking from the Bass anglers point of view the section from down river of Springfield where Lewis and Clark Lake starts to Pickstown has some of the best habitat and the best bass fishing in both Nebraska and South Dakota. There was a reference made to BASS tournaments held on Lewis and Clark Lake out of Yankton which was true but didn't explain the fact most all of the 50 or so boats went up river 20 or 30 miles to fish the area between Springfield and Running Water and beyond. For the last 20 or so years that the Bass federation has held tournaments and the local

RESPONSES

1. The draft plan does not state that fishing along the Missouri River would be curtailed or reduced. On page 87, the draft plan states that fishing and other present recreation uses would continue and could be expanded in ways that do not add significant numbers of new visitors to the river. The National Park Service does not seek to reduce the number of fishing opportunities along the recreational rivers. To avoid misunderstanding on this issue, and because of a recommendation of the advisory group, we will delete from page 43 the sentence that states: "Low-impact primitive recreation would be emphasized over new development for intensive recreation such as motor boating and jet skiing."

   We deleted the sentences in the impacts analysis of the draft plan (pages 152, 163, 170, and 177) that state that motorboat use would be redistributed. Also, we deleted the following phrase from page 43: "Quiet contemplative uses of the river would be emphasized."

2. The National Park Service does not seek to reduce the use of the river but to protect the existing resources in and along the rivers and to prevent overcrowding. The following sentence was added to the visitor use discussion under the "Features Common to All Action Alternatives" section: "All action alternatives seek to stabilize visitor use at a level that does not harm the resource or cause overcrowding." Another goal of the plan is to improve visual quality along the river by providing guidelines for residential development.

   We agree that there are some contradictions in the visitor use sections of the draft plan and deleted some of the phrases that caused misunderstanding. The "Visitor Activities" and "Visitor Use Management" sections on pages 43 and 44 of the draft plan have been revised to eliminate contradictions and misunderstandings.

3. The text has been revised on page 137 to indicate that the B.A.S.S. tournaments have used the 39-mile stretch of the Missouri River.

3

Bass clubs of both states have fished the river between Springfield and Running Water their has been no damage done to the river system by the fisherman or their boats. All the changes have been made by the river itself. We have learned to adapt to these changes in the river every year. This is a big part of the fishing experience that we all enjoy. As a matter of fact the river has changed most of the changes that the Core of Engineers have made to it. The sand bar project to try and lure the Plovers and Least Terns to nest on that was washed away by the river itself is a prime example.

I am also enclosing the copy of the Memorandum of understanding that BASS and the Core of Engineers recently signed and the list of the 11 others that have signed a similar agreement. Also a list of 32 partners that participated in the first ever Natural Resource Summit of America. From the message that Bruce Babbitt U.S. Secretary of the Interior gave us with his speech and the strong desire that all of these partners have to work together on this common ground, there should be available to you through these organizations and especially BASS, enough insight to develop a management plan that would be acceptable to most all of the 11 million members associated with this partnership.The contributions that BASS and other organizations make to the economy and the resource are immense/Let us be included in this plan.

Sincerely,

Phil Kisher
State Conservation Director BASS



SUBJECT: Comments on Management Alternatives
Missouri/Niobrara/Verdigre Creek
Draft General Management Plan
Environmental Impact Statement

DATE: August 24, 1996

SUBMITTED TO: Superintendent
Niobrara/Missouri National
Scenic Riverways
P. O. Box 591
O'Neill, Nebraska 68763

SUBMITTED FOR: South Dakota Cattlemen's Association
PO Box 314
Kennebec, South Dakota 57544-0314

WRITTEN BY: Michael L. Schmidt
SDCA Secretary
RR 1 Box 18
Dell Rapids, So. Dak. 57022

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

The South Dakota Cattlemen's Association (SDCA) has accepted your invitation to comment on the Missouri/Niobrara/Verdigre Creek Draft General Management Plan Environmental Impact Statement. At the direction of our President, John Haverhals, I have been asked to consult with some of our membership that could be affected by the proposed plan and write comment consistent with the direction set forth by our membership as stated by our inforce resolutions manual. I would like to stress that this comment reflects the position of SDCA and not necessarily the personal position of the SDCA Secretary.

Our grassroots membership has passed several resolutions that will be the basis for the comment and interpretation of the Environmental Impact Statement (EIS). The first and most relevant is:

Resolution No. 95-24
Wild and Scenic Rivers Bills

Whereas, National Wild and Scenic Rivers bills are being proposed in several states that will include private as well as federal lands within their areas;

Whereas, livestock relies in some degree on federal as well as private lands for grazing and water for livestock;

Whereas, the bills will contain condemnation provisions for the private lands as well as condemnation of scenic access and other easements which provisions may be used to jeopardize previously vested water rights and require management of adjacent lands;

Whereas, the bills have the potential of requiring new water pollution controls throughout the watershed including prohibition of the use of pesticide within the National Wild and Scenic River System; and

Whereas, the bills historically contain no specific language to assure that grazing and agricultural practices may continue unregulated; therefore, be it

Resolved, that because such bills carry with them the potential of fatal disruptions of ranching units the SDCA will strongly oppose them.

Upon reviewing a copy of the EIS Draft I find a number of statements such as one found on page iv in the summary; "The National Park Service has agreed not to condemn any land; any acquisition would be from willing sellers only." I am also told by members of SDCA that at their first meeting concerning this project they were presented condemnation and relocation papers to sign. Such actions would destroy any trust in further discussions and negotiations from that time forward from the perspective of the private landowner.

1

On pages 9-11 of the EIS Draft concerns of private property owners are listed; such as development restrictions, diminishing tax base, irrigation, and livestock watering. But on pages 12-14 much more attention is given to "visitor use" than to the people most affected by the proposed plan - the private landowner/resident. This is especially inconsistent when one considers the statement on page 137, "Tourism makes a minor contribution to the regional economy." and the statements on pages 147, 156, 166, 173, and 180 which indicate no expected increase for the regional economy from visitors from any of the five proposed alternative plans of action. Perhaps the efforts addressing "visitor use " should be redirected to the concerns of private property ownership.

This issue brings us to another SDCA resolution:

Resolution No. 03-19

Private Property Rights

Whereas, Private property rights are increasingly being restricted and threatened by federal, state, and local regulations; therefore, be it

Resolved, That SDCA work to insure the protection of private property rights at all levels of government as provided in the Bill of Rights.

The founders of this great country recognized that the ownership of private property and the rights thereby incurred must be protected. This issue weighed so heavily on some signers of the Constitution that they would not sign until the Bill of Rights was added including the Fifth Amendment protecting private property rights. John Adams wrote in his DEFENSE OF THE CONSTITUTION OF GOVERNMENT, "The moment the idea is admitted into society that property is not as sacred as the laws of God, and that there is not force of law and public justice to protect it, anarchy and tyranny commence." It appears that some persons charged with moving this project forward on behalf of

1. Both visitor use/tourism and private property ownership are important considerations in this general management plan. The "Desired Future Conditions" found on pages 12-14 of the draft plan were discussed and consented to by the planning team early in the planning process. The importance of private property owners to this plan is illustrated by their incorporation into the planning and management constraints on page 14 of the draft plan. The partnership between the managing agency and the local landowners is a key component of the preferred alternative.

   While tourism's contribution to the regional economy is relatively small when compared with agriculture, it is a growing contribution, and it may be a major contribution in such areas as Niobrara. In a survey of expenditures of area cabin owners/lessors along the 39-mile segment of the Missouri River, the University of Nebraska Bureau of Business Research determined that this group spends approximately $571,000 annually while occupying their Missouri River homes. Of this total, approximately $27,000 goes toward property taxes.

COMMENTS

government have lost sight of this all important principle of the Constitution of the United States. The Supreme Court also backs up this principle. Justice William Patterson wrote, "The right of acquiring and possessing property, and having it protected, is one of the natural, inherent, and inalienable rights of man." Those in government are charged with protecting private property rights rather than running roughshod over them.

2 The EIS Draft addresses the issue of "Prime and Unique Farmland" on page 184, "Federal agencies are required to analyze the impacts of federal actions on agricultural land. This policy was developed to minimize the effect of federal programs in converting prime, unique, or locally important farmland to nonagricultural use. According to the Soil Conservation Service (1971), prime and unique farmlands are located all along the three recreational rivers." Apparently the "federal agencies" have yet to complete this mandate.

3 On pages 157, 166, 173, and 180 the draft states, "Under this alternative, there would be an unknown, but potentially significant, impact on land use, property owners and regional population." To even make such a statement the federal agencies must know whether the "potentially significant" impact would be positive or negative. This would suggest that the federal agencies know whether the impact is positive or negative but do not choose to make the results available to the public. Couple this with the statement on page 38 stating, "This could include limiting cattle access" and the reader of this draft can only conclude that the "Potentially significant impact" would be negative for the livestock sector.

4 It is the opinion of number of our membership impacted by this project that none of the five alternatives is palatable or acceptable. Many of the proposals set forth in the EIS Draft are vague at best and not in the best interests of the present private landowners. Some proposed actions may even be in violation of their rights as citizens of the United States and as private property owners.

SDCA Resolution No.93-20 states in part, "Resolved, That the SDCA also believes that the best stewards of natural resources are those with vested interest in the continued productiveness of those resources." With that in mind SDCA strongly urges any and all federal agencies to recognize the rights of property owners and their ongoing care and concern for the land from which they derive their livelihood. As previously stated in Resolution No. 95-24 SDCA cannot support the proposed EIS Draft and consistent with that resolution I have tried to explain much of the basis for our opposition. The apparent disregard by personnel from various federal agencies for the concerns of citizens has resulted in a breakdown of trust among those involved. It is exactly this type of behavior that, in many instances, has made "government" a four letter word among landowners.

Thank you for allowing us to comment on the proposed EIS Draft.

Michael L. Schmidt
SDCA Secretary



RESPONSES

2. The impacts on prime and unique farmland were addressed in each alternative on pages 142, 150, 161, 168, and 175 of the draft plan.

3. The draft plan will be modified to indicate whether the impact is positive or negative. We will delete the phrase "limiting cattle access" from the list of potential resource conservation actions on page 38 of the draft plan.

4. The purpose of a general management plan is to establish long-term management objectives, identify issues, and establish courses of action, including areas of further study, necessary to address these issues. The GMP will guide management of the rivers for the next 10-15 years and needs to be flexible to accommodate changing conditions, issues, and a variety of partners. A GMP is meant to be general, allowing for flexibility while at the same time providing overall direction for management.

LOWER NIOBRARA
NATURAL RESOURCES DISTRICT

418 Walnut Street
P.O. Box 350

Butte, Nebraska 68722 - 0
Phone (402)775-2

September 13, 1996

Warren H. Hill, Superintendent
Niobrara/Missouri National Scenic Riverways
P.O. Box 591
O'Neill, NE 68763-0591

Dear Mr. Hill:

The Lower Niobrara NRD Board of Directors passed the following motion concerning the Missouri/Niobrara/Verdigre Creek National Recreational Rivers:

> that Uhlir use his discretion regarding the alternatives to the Recreational River Designations and the LNNRD will back the Advisory Committee if they see that none of the alternatives address the problems of the river.

I urge the Missouri National Recreational River Advisory Group to provide a recommendation for management of the rivers and a supporting boundary proposal. If the Advisory Group agrees that none of the current alternatives adequately address the issues, the Group should modify an existing alternative or develop a sixth alternative for management of the rivers. It is imperative that the alternative chosen addresses all the river issues identified by the Group.

The Lower Niobrara NRD supports Arden Uhlir and the efforts of the Advisory Group.

Thank you for working to conserve our state's precious natural resources.

Sincerely,

James A. Neneman
District Manager

Randall Resource Conservation and Development
ASSOCIATION, INCORPORATED
BOX 247 • LAKE ANDES, SOUTH DAKOTA 57356 • PHONE (605)487-7077
Sponsores include: County Commissions, Conservation Districts, Irrigation Districts, Tribal Agencies, Non-Profit Organizations, and Communities located in Bon Homme, Brule, Buffalo, Charles Mix, Douglas, and Gregory Counties

SEP 13 '96
O'Neill, NE

September 11, 1996

Kent Schwartzkopf
National Park Service
P.O. Box 591
O'Neil, NE 68763

Dear Kent:

The Randall Resource Conservation and Development Council has discussed the Missouri National Recreation River designation and consequent planning activities frequently. They have monitored reaction and input from local land owners and others.

As you are aware the Randall Resource Conservation and Development Association, Inc., is a non-profit, non-partisan, organization whose members come from various local units of government and non-profit organizations located in Bon Homme, Brule, Buffalo, Charles Mix, Douglas, and Gregory Counties in South Dakota. Our Mission is "To provide leadership and assistance to communities, local units of government, and individuals to conserve the natural resources, improve the environment, and develop economic opportunities"

I have made only a quick review of the Draft General Management Plan/Environmental Impact Statement and only a few of the Council members have had time to do more than skim through the document. It appears to cover the natural resources very well.

Riverbank Protection is a concern of the Council. The Corps of Engineers and National Park Service apparently have determined that it is more desirable to buy the eroding riverbank than to stabilize it. Keeping sediment out of Lewis and Clark Lake and the long term loss of valuable farmland, wildlifelands, etc., to riverbank erosion seems to be of little concern to the National Park Service and the US Army Corps of Engineers.

1

This sediment is coming from streambank erosion on the Niobrara River, riverbank erosion on the Missouri River, streambank erosion in smaller streams and shoreline erosion on the lake. Lewis and Clark Lake is fast becoming a large

1. The Corps of Engineers has determined that it may be more cost-effective to buy land; the National Park Service accepts the Corps' determination. The draft plan has been revised to include more information on floodplain management and the issue of sedimentation. See the "Affected Environment" and "No Action Alternative, Environmental Consequences" sections.

2

swamp. What happens in 20, 30, 40, 50 years when the present recreation, flood control, power generation and other benefits are greatly reduced by loss of lake capacity due to sedimentation? Do we just leave this to future generations to deal with?

Congress and the Executive branch of the federal government responded vigorously to public concern about erosion, loss of valuable farmlands, and the mis-management of riparian areas, wetlands, and flood plains in the 1970s and 1980s when several pieces of legislation and Executive Orders were put into effect. Most of these federal edicts affected privately owned lands but federal agencies strengthened their efforts to conserve and protect federally owned lands also. We find it ironic that the National Park Service has shown so much concern for control of erosion and pollution from privately owned lands adjoining the Missouri Recreation River and yet will allow thousands of tons of riverbank erosion to occur on the river itself which is federally controlled.

I am aware of only 2 Riverbank Protection projects that have ever been completed on the South Dakota side of this 39 mile stretch of the Missouri River. One is the demonstration project completed in the 1970s by the Corps of Engineers with Charles Mix Conservation District as the local sponsor. This project protects the former William "Bud" Hyde farmstead. The second project is about 1 mile west of Greenwood and protects the county road. Charles Mix County is the local sponsor.

The Yankton Sioux Tribe made unsuccessful attempts several years ago to obtain federal funding for a riverbank stabilization project near the Chalk Rock Colony west of Marty, SD, to protect valuable farm ground.

I am aware of at least 5 sites that have major riverbank erosion problems in addition to those identified by the Yankton Sioux Tribe. One is on land owned by Harold Reinschmidt in Sections 8 and 9, Township 93, Range 63. A second site is on land owned by Harry Walters in Section 1, Township 93, Range 64. A third is about 1/2 mile west of Greenwood in Section 27, Township 94, Range 64, on land owned by Yankton Sioux Tribe. The fourth site is on land owned by Curtis Kaberna and others in Section 6 Township 93, Range 63. The fifth site is in Bon Homme County and I only became aware of it on September 10 in a conversation with Maxine Schurmanns and Richard Hermanek of Running Water, SD. There apparently is the remains of a buffalo cooking site showing in the riverbank and will soon be lost due to erosion. The site is accessible only by boat.

Private landowners have a very difficult time justifying spending thousands of dollars on Riverbank Protection to

2. Please see response 1 to this letter.

COMMENTS

protect their land which maybe worth $300-400 per acre. Amortizing the high cost of Riverbank Protection over the 10-30 years they will use the land helps ease the burden. It would appear that the public benefits would more than justify a federal cost share of at least 80% of the cost of installing and maintaining a Riverbank Protection project on critical sites. Local boards such as County Commissioners, Conservation Districts, Watershed Districts, Water Development Districts, etc., should determine what sites are critical and what is fair and equitable cost sharing. 3

The high releases from Lake Francis Case in 1995 and 1996 have seriously aggravated the riverbank erosion problem. These events will occur again in the future and we will continue to lose valuable land unless some strategically placed riverbank protection is completed.

Randall RC&D recommends that the National Park Service and Corps of Engineers re-evaluate policy concerning Riverbank Protection on the 39 mile section of the Missouri River between Pickstown and Springfield, SD. The problem of riverbank erosion should be addressed at a public meeting with the affected landowners and local government officials. Critical sites should be defined and identified with affected landowner and local government officials input. Plans to properly protect the critical sites should be developed and implemented. Prioritizing and time schedule for implementing projects would depend on landowner interest and funding levels. 4

Les Labahn, Coordinator

CC: Bob Slade, Chairman, Randall RC&D Council, Tyndall, SD
Lyle Laberee, Manager, Southern Missouri Water Development District, Armour, SD

RESPONSES

3. Please refer to pages 34 and 35, Cooperating Agencies/ Partnerships. Cost-share agreements would be available, subject to congressional appropriations. The National Park Service, through partnerships and cooperative agreements, would work with county commissioners, conservation districts, watershed districts, water development districts, and others to determine appropriate actions for managing the rivers. As described on page 35 of the draft plan, conservation easements could be developed to provide bank stabilization.

4. Please see response 3 to this letter.



Southern Missouri Water Development District

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P.O. BOX 43
DOUGLAS COUNTY COURTHOUSE
ARMOUR, SOUTH DAKOTA 57313

(605) 724-2624



August 14, 1996

Warren H. Hill, Supt.
National Park Service
P.O.Box 591
O'Neill, Nebraska 68763

Dear Mr. Hill

Congratulations in finally getting a Draft General Management Plan and EIS completed for the Missouri/Niobrara/ Verdigre Creek Recreational Rivers.

I did not take time to review all sections of the plan. I did check the summary, preferred alternative and the section on Consultation and Coordination.

I found an errror on page 196; Senator James K. Hutmacher, HC 69 Box 201A, Chamberlain, SD 57325, replaced Eleanor Saukerson and Representative Kenneth Kredit , P.O. Box 175, Platte, SD 57369, replaced Albert Kocer. On page 198; I am not aware of a Southern Missouri Irrigation District. There is the Lake Andes-Wagner Water System Inc., P.O. Box 818 Wagner, SD 57380. LAWWSI has been authorized for 45,000 acres irrigation research project and also 3,000 acres of Yankton Sioux land in the Marty area. 1

In the introduction you refer to the National Park Service and its partners. On iv you refer to partnerships and partners and in additional places throughout the plan. I may have missed it, but the term "Partners" should be clarified. 2

On page iv, fifth line from the bottom you have COE land. I think it should be COE Fee Land. 3

On the map after page 88 for Alternative 5, you show all of Charles Mix County, south of SD highway 46, as Yankton Sioux Reservation. I thought we had agreed that this would be left off. This decision upgrading Indian boundaries is in the hands of the court now. In the lower end of Charles Mix County you show the boundary going around COE Flowage Easement land; I thought the boundary was to be around COE Fee Land. 4

1. The Nebraska and South Dakota elected officials lists for receipt of a final plan have been revised to reflect the results of the November 1996 election.

2. The partners of the National Park Service referred to on page iv include any or all of the government or tribal agencies that are noted in the third paragraph on page iii. Other partners of the National Park Service could be private organizations or landowners that might develop cooperative agreements. Because of the broad nature of the GMP, specific details regarding partnerships cannot be defined. Page 33 of the draft plan generally describes the purposes of partnership agreements: 1) to facilitate management of the land within the boundary so that it would be consistent with this plan, and 2) to describe the specific roles of agencies and governments. Page 34 further describes cooperative agreements and partnerships. Partnerships based on cooperative agreements would take different forms with different landowners, agencies, or organizations.

3. For clarification, the draft plan will be modified, changing "COE land" to "COE fee land" at this location and other locations described in the general management plan.

4. On all alternative maps, the notation "Yankton Sioux Reservation" will be moved so that it is adjacent to tribal lands in the vicinity of Marty and Greenwood.

COMMENTS

On page 82 you state that an interagency agreement between the National Park Service and the Corp of Engineers could be negotiated. I do not like the word "could". I think it should be "will be" or "should be".

5 On page 88--I do not like the word "promote" in the second paragraph under Interpretation and Visitor Service. Use of the word "promote' makes me think you will attract additional visitors. I thought it was the Planning Team and Advisory Board members desire not to encourage additional visitors.

6 On the errata sheet that you sent out you changed Local Property Owners and Official to NPS administers through cooperative relationships. I think that with Charles Mix zoning regulations, management would be up to the Charles Mix Zoning Board and County Commissioners.

7 On pages 96, 97 and 98 under "Alternative 5" you use the word "possibly" eleven times. Does this mean you are not sure.

Finally, on page 101, I think you should add one more line to show costs of the five alternatives. I think $301,500 per year (not counting inflation) is a lot of money, when the government is trying to cut costs.

Sincerely,

Lyle Laberee, Manager

LWL:tjm

RESPONSES

5. The second and third sentences of the second paragraph under the "Interpretation and Visitor Services" section on page 88 will be revised to state: "The National Park Service and its cooperating partners would provide interpretive programs based on the primary interpretive themes and resources of the recreational rivers. Interpretive media and programs could include brochures, interpretive signs, technical assistance to ethnic communities for interpretive activities, and heritage education in schools."

6. Zoning can be a primary county tool used to protect land in cooperation with the Missouri/Niobrara/Verdigre Creek National Recreational Rivers. We are pleased that the zoning ordinance recently prepared for Charles Mix County is consistent with recreational river planning. Regretfully, the zoning ordinance was turned down by voters in Charles Mix County during the November 1996 election. The Park Service ultimately has the responsibility under the Wild and Scenic Rivers Act to ensure that the land within the recreational river boundaries is being protected through zoning or other means.

7. The frequent use of the word "possibly" results from the circumstance that riverflows, amount of land in agriculture, and amount of wildlife habitat that can be restored cannot be stated with complete accuracy. Also, it should be noted that this is a general management plan used to set policy for river management; some specific actions will need to be identified in the future.



September 6, 1996

Warren Hill, Superintendent
Niobrara/Missouri National Scenic Riverways
PO Box 591
O'Neill, Ne. 68763

Dear Mr. Hill

We the members of the Bon Homme BASS Association would like to voice our displeasure with the proposed Niobrara/ missouri management plan.

1 It is our understanding that this plan has clauses that could seriously curtail fisherman on one of South Dakota's and Nebraska's greatest fisheries. The clauses are vague and could be open to different interpretations once the plan is enacted.

There is a clause in the plan that would limit noise on the river and states that motorboats would be restricted.

Our club has been fishing the river system since 1988 and many of our members have been fishing it all of their lives.

1. Please see response 1 to the South Dakota B.A.S.S. Federation.

COMMENTS

No longer could our club or the people of the area enjoy the river as we have in the past.

Our club has recieved two state environmental awards and national recognition for our efforts in keeping the river environment clean and in a natural state.

We are NOT in favor of the Management Plan for the Missouri / Niobrara / Verdigree creek.

Sincerely,
Bon Homme BASS Assoc.
Tim Stehlyan
[redacted]

RESPONSES

MISSOUR/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

Comments on Management Alternatives: 19 Aug 96

1 As Chairman of the Spring-Bull Creek Watershed District, I informed the NPS that no intervention is allowed in our district since we comply with PL566 by our management, protection, and maintenance. This fact seems to have been completely ignored. (See p.85, Boundaries)

Robert P. Monfore

Name: Robert P. Monfore, Chairman
Address: Spring-Bull Creek Watershed Dist.
31223 401st Ave.
Wagner, SD 57380

Turn your comments in a this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

1. The watershed district is acknowledged as a protection method on page 36 of the draft plan. The National Park Service does not intend to intervene in the management of the Spring-Bull Creek Watershed District. As stated in the draft plan, farming and ranching are considered appropriate activities in the recreational river boundaries and their continued use for these purposes is encouraged.

COMMENTS

RESPONSES

MISSOUR/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

SEP 05 '96

Comments on Management Alternatives:

Springfield, S.D. 57062

August 30, 1996

Mr. Warren Hill, Supt.
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

Supt. Hill:-

We should like to record our opposition to the Draft--National Recreational River (Missouri R.)

The Scenic River legislation was introduced to the U.S. Congress in 1985 with very little knowledge of the public or affected landowners. When presented to residents ~~co-residents~~ by the Advisory Committee at Springfield and Wagner, S.D. recently nearly 100% of the people were opposed.

We are recommending that provisions for the South Dakota side of the Missouri be removed from the GENERAL MANAGEMENT PLAN.

Respectfully,

Name: Merle Joyce for

Address: BON HOMME COUNTY FARM BUREAU
Springfield, S.Dak. 57062

Turn your comments in at this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

[illegible] ALTERNATIVE A[illegible] DESIGNATION
OF THE MISSOURI, NIOBRARA VERDIGRE CREEK NATURAL RECREATIONAL RIVER
DESIGNATION.

Alternative A is an alternative to the prefered alternative and should not be eliminated but rather be equally considered.

1 This alternative is offered because many of the outstandingly remarkable values and their immediate enviornments and the rivers free flowing conditions declared in section 1 (b) of the wild and scenic river act, can no longer be protected or preserved for the benifit and enjoyment of present and future generations in ½ of this designated segment, of these 5 townships in Knox County.

3 miles of the Verdigre Creek and all 20 miles of the Niobrara River and 9⅔ miles of the Missouri River display the devastation of a mounting siltation problem. (total 31½ miles out of a total of 67 miles).

The mouth of the Verdigre Creek sprawls out over many acres because there are no banks left to hold a channel in place. The silt continues to mount and take with it pasture, meadows, fields and many species of trees, natural sod banks, and the ability to maintain good fences. A century plus old homestead in its grasp.

The mouth of the Niobrara is a disgrace. The members of the Lewis and Clark expedition would not be proud today. The old channel is a mass of islands. The Norman Canal is lost. Most of the natural banks no longer exist. Easy access to the rivers edge 40 years ago are almost non-existant today. Fence lines, good producing bottom ag land, roads, bridges, and approaches to these bridges will need much attention in the future.

Large groves of trees will not survive as water levels rise and winter flooding [illegible] the Niobrara River. [illegible] in Dec. Jan. and Feb. due to channel backup because of all the islands in the river that do not allow this river to flow freely during the winter months. Trees trunks and roots are submerged in water for weeks. The natural sod banks of the Niobrara River offered the Blue and Yellow Catfish places to spawn. This natural process will no longer exist because of ~~sod bank~~ inundation due to silt.

The Missouri River has already encompased several thousands of acres in Raymond and Niobrara townships. Access to the rivers edge does not exist from Niobrara to Lazy River acres. The river is a mass of cattails and swamps. Permanent and recreational homes along the river have no future, because channel capacity has dwindled to less than half capacity and will continue to decrease in the years ahead.

Recreation quality and capacity will decrease as the result of existing conditions getting worse.

Many groves and fo rests will be eliminated. The mouth of the Ponca is a disgrace and will grow shut in dry years, then it will need to create a new channel when water flows began to imerge as they have the past 4 seasons.

2 Section 3 (b) Wild Scenic River act states within a year from the date of designation of subh component under subsection (a) (accept where a different date is provided in subsection (a) establishe[illegible] detailed boundaries.

The [illegible]1 year time limit has been exceeded and no explanation offered.

Section 3(d)(1) state a comprehensive management plan be prepared to provide for protection of the river values that allowed it to be eligible to be included into the N.P.S. system. ■ It further states the plan SHALL be prepared within three fiscal years after the date of designation.

This time period has been exceeded and no explanation offered.

Many resources of historic value are lost. Rec'd 4/6/92

1. The Norman Canal
2. A century old town
3. The site and road to the Ferry.
4. Old Niobrara State Park

PS-1

1. The general management plan cannot consider deauthorization of the rivers as an alternative. See also "Response to General Comments from Individuals."

2. A newsletter to the public dated August 1992 offered this explanation: "The law requires that boundaries be established within one year from passage of the act. However, the law presumes that a study was completed before the act was passed. There was no such study before the act, and people want to know how the boundaries will affect them. We will delay the establishment of boundaries until they can be included in a draft plan." More than 1,200 copies of the newsletter were mailed. No one objected to the proposed deferral of the boundary decision.

COMMENTS

The destruction of many natural resources have already been addressed.

The purpose statements are not compatible and do not realistically deal with the true reality of what this segment is actually like in these 5 townships.

The first purpose statement Sec 1 (b)cannot be complied with.

The Historic, prehistoric ,recreational, and much of the scenic, biological,and geological resources listed in the second purpose statement will become an irreversible commitment of resources. The preservation of these remaining resources have little significance or value left.

3

The third purpose statement focuses on preventing impacts to the rivers significant natural and cultural resources by ensuring appropriate recreational use and access. The lower 8½ miles of the Missouri River in this segment is a prime example why this purpose is not achievible. Compliance with the Wild and ScenicRiver act should include all of a segment or none of it.

A preliminary study of this area was not done, had it been done it would have exposed the seriousness that exits in these 5 townships, within this segment.

Everything is required. of the human resource: in this designation and plan, and nothing is written in this plan on how to minimize the negative impact upon the people.

All other resources are focused on with great significance, the only significance the human element has placed on it, is compliance physically and financially.

The bulk of the public does not accept this designation

All of the alternatives along with the prefered alternative #5 that are presented in this draft General Management Plan of the Missouri, Niobrara, Verdigre Creek,National Recreational River segment are not accentable.

Pg -2

RESPONSES

3. The National Park Service has been charged with developing a GMP/EIS to manage and protect the resources that were designated by Congress as part of the wild and scenic rivers system. The GMP has been revised to include more information on the issue of sedimentation and how it affects local residents and others pursuing recreation. See the "Affected Environment" section on sedimentation and the "Environmental Consequences" section for alternative 1.

In the 5 townships that are in Knox county and within this segment we have an irreversible commitment of our resources. The mouths of 4 tributaries to the Missour River are almost destroyed. They are the mouth of the Niobrara, the Verdigre,Ponca, and Bazil Creeks (Bazil is not within the segment). Three miles of the lower Verdigre Creek, 20 Miles of the Niobrara River, and 8½ miles of the Missouri River, once a National treasure that are turning slowly into a National disgrace. 4

These 5 townships that are in this segment where these rivers and creeks run thru have not been the benificiaries of this master water control project in the Missouri River basin. We have been the dumping ground for this mountain of silt.

42 miles of Missouri River bordered Knox County, which includes 5 miles of Bluffs. Of this 37 miles of natural sod bank that were prevelent at the time of closer of the Dam,only 3½ miles of natural bank remains. Of that 3½ miles, 1 mile is undeveloped (pasture) the other 2½ is homes and Recreational development.

I predict that in 20 years this remaining area will be overtaken by this mountain of silt. At present no good access point is available to the Missouri River from Santee to Lazy River Acres. That loss and devestation of these 2 rivers and 3 creeks in this segment in Knox County along with many of the rsources will affect Community stability as well as the county as a whole in the years ahead. The loss of these Natural resources that have been a benifit to our communities an county will create an economic loss that will need to be retrieved by other means and resources. These negative inpacts on these five township are not addressed anywhere in the Management Plan. 5

Many problems exist with land use Management and visitor use proposals written in this plan as well as all of the unknown's

The lower 6½ miles of this segment remain under public ownership, and Federal Management. Current problems are-

A. At present no good access points are available.

B. Tens of thousands of trees are dead, dying, or threatened.

C. No natural sod bank exist on the Nebraska side and only 1½ miles of that 6½ miles on the South Dakota side remains in a relatively natural state and yet much of that appears to be threatened.

D. There is no bank stabilization.

E. Channel capacity ranges from Bluff to Bluff above Running Water,S.D.

F. Recreational quality and activity that existed at the time of desirnation will erode to the point that the only users within the lower 6½ miles will be Plovers and Terns.

G. There is no future ever in these 3½ miles for recreational expansions other then possibly hunting.

H. All those private recreational projects and facilities that were in place for decades in Raymond township cannot even be reached by land, and remain unoccupied, all facilities are below Lazy River Acres.

I. Lewis and Clark would be hard pressed to find the mouth of the Ponca today.

P3-3

4. The damming of the Missouri River has contributed to the sedimentation problem of which you speak. This general management plan has been revised to discuss the issue of sedimentation and its impacts. See the "Affected Environment" section on sedimentation and the "Environmental Consequences" section for alternative 1.

5. Economic impacts were broadly addressed in the draft plan. The National Park Service has made some revisions to the draft plan to indicate whether economic and landowner impacts are positive or negative. The National Park Service asked the University of Nebraska to provide an economic analysis of the importance of recreation to the economies of Knox and Boyd Counties. In a survey undertaken by the university's Bureau of Business Research, it was found that Missouri River cabin owners and lessors in Knox and Boyd Counties spent approximately $571,000 annually while occupying their homes. It should be emphasized, however, that the potential economic losses you describe are not the result of the actions called for in this plan, but rather the result of Missouri River dam construction.

COMMENTS

RESPONSES

7. Resource protection for species and habitat protection is not achievable, because this lower 3½ miles is the worst of the worst in this segment. With the Delta farming and creating problems far into the future it will continue to lead management around by the nose; instead of management being able to produce results.

Contrary to all of those problems associated with the lower 3½ miles, Lazy River Acres and above for 2½ miles can display their proud achieverents of land use management and recreational use.
(They consist of)

1. Several well kept access roads and ramps.

2. The only trees dead, dying, or threatened are way beyond the control of their care takers.

3. 2½ miles of stabilized natural bank remain out of the total 17 miles of the river segment in Knox County.

4. Caretakers and property owners maintain excellent bank stabilization and erosion control.

5. Channel capacity at present still remains between the natural banks with this 2½ miles of recreational area.

6. Recreational quality and quantity still remains consistant with which was present at the time of designation.

7. Taxes and recreational revenue are generated in this 2½ miles of development.

8. How-ever future recreation expansion and resource protection is in jeopardy as the result of proposed land use plans, and future deterioration which will cause an irreversible commitment of our resources.

It would be a wiser decission if Congress all agencies involved and the Dept. of Interior really took a better look at the present mess and the real future of it, before they begin proposing land use and visitor use management, that will have little impact upon the resources intended for protection.
With all due respect to all of the resources and to the people, agencies, and representatives involved in this whole process.

I as a Tax payer in two of the townships involved, and an avid recreational environmentilist, and one small member of the forgotten resource (the human resource) will not take a back seat, or play second fiddle to any scenic, species endangered or not, habitat, historic pre-historic or bones that have or have not yet been found." these were our rivers too and how dare any one take them away.

I at this time cannot comply or associate myself with a management plan and designation that does not address or deal with many of the real problems that will affect us in these 5 townships in the years ahead. This is a management plan for a recreational river that has no future in Knox County.

Pg-4

this management plan is not land owner friendly and does not have the support of communities and particularly the land owners along this 39 mile river segment.

There has been much talk about how the plan is only a guide line, and that problems and issues can be discussed and solved later.

A South Dakota community 10 miles below Niobrara display a scene that will be prevalent in the lower reach of the segment in the years to come. The problems involved there will be the same problems involved here. There were promises and excuses there and I believe there will be promises and excuses here. This designation and this plan takes, and gives nothing in writing back to the communities, the property owners, and the county.

I ask that the advisory board, planning comm., and administrating agency take a good look at the two rivers and 1 creek plus the Ponca creek and Bazil creek in this segment. (The Bazil is not in this segment tho) and ask yourselves will all of this get better with a desirnation and management plan and boundaries, or will it get worse despite the best management plan that can be written for this area?

Virtually everything these rivers ever offered in our 5 townships in Knox county will be taken away from us, as well as adjacent resources.

Nothing but talk has been given in return. With all due respect, and anyone who knows me knows I mean that if all we get is talk and the prefered alternative #5 of this management plan then frankly, we don't need anyone here.

I make the same request that I made at the advisory board meeting in Springfield on July 12,1995.

I request the advisory board recommend to the administrating agency that this designation be de-authorized, and request the managing agency take the appropriate procedure necessary and recommend that Congress rescind the designation of the Missouri, Niobrara, Verdigre Creek National Recreational Rivers.

Jim Farnik

P2-5

Mr. Farnik submitted approximately 60 pages of additional comments and material to the National Park Service. These comments provided greater detail to those written in the comment letter printed in this document. Much of the material that Mr. Farnik submitted discussed the issue of sedimentation and the impacts that have resulted and which may not in the future result from this problem. As previously noted, the sedimentation problem is not a result of actions recommended in this plan, but is due in part to the damming of the Missouri River several decades ago. The National Park Service will cooperate with the Corps of Engineers to seek solutions to the problem of sedimentation.

COMMENTS

MISSOUR/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

AUG 26 '96

Mr Bell; Neat meeting in Springfield [illegible] a real fiasco in my books."

Comments on Management Alternatives:

Reminded me of my years in the Military Police. 1st - take those 3 alternatives and throw them in the waste basket. Now get in your boat and go up river approaches the scene from a boater or fisherman view. Now tie your boat to a weed (tree - Musk thistle - ??) and climb up on the banks and look at it from the land-owners view. Forget what has been drilled into your by some empty-head from the east or some of our congress-men who are busy going on junkets, rather than tending to business.

1 And forget the 200 foot minimum. (that tells me there are no boundaries) Instead re-open some of the old roads to the river. Fence off little places to [illegible] and have a [illegible] or have a picnic. If the road runs through property install cattle guards and put a road to the river. If between two properties put in a fence to the river and show maintain them. Don't do like the Corps. Let it go to hell.

2 3rd This river is for the public also for the landowner.

Throw out the regulations those empty-no-minds made up. Use your head, that the Good Lord gave you. Do like I did in the M.P.'s.

Name: Dale Terwedda

Address: [redacted]

Turn your comments in at this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

See back of page.

RESPONSES

1. The use of the word minimum was intended to mean "never less than." The maximum size of the boundaries is described in the text and shown on the maps in all cases. The acreages of land within the boundaries are also provided.

2. The National Park Service would have the authority to undertake road improvements and erect fences on its own land. However, little, if any, land acquisition is anticipated under the preferred alternative in this plan. In addition, the preferred alternative does not recommend new access points to the rivers.

I was on the riot squad. (We had regulations). I done what I see fit at the time (hell with the rega). The army took over the trains. The M.P.'s were over the train crew. They weren't getting along. Period. Col. Marshall come to headquarters. What to do. Sgt Hopkins said. Send Peterson he does just as he see fit. So the first thing I did was go to the conductor and said. "I'll do what I can to help you (Line up tickets & orders, get those on orders fed ahead of the rest). But keep my nose out of your business. If we have to hold up the train. We'll discuss it. Only once did I do that. But we felt 32 minutes was all + then we were head south. I called the boss. Gave them the word and called the city Police for an escort. One time I threw a major off. For interfering in the train crews business. From then on it went good + Col Marshall called my headquarters ordering them to make me a Sgt.

Try something like this with the rankhead and tell your Superior to go get a beer, while you attend to a little business.

That River is For all of us.

COMMENTS

MISSOUR/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

SEP 13 '96
O'Neill, NE

Comments on Management Alternatives:

Sir We own a trailer house located on a lot rented from Mrs L. Svatos west of Lazy River Acres. We have been on the river for over four years and enjoy both the peace and quiet of the area and the recreational opportunities available there. We hope that the NPS and the alternative chosen will allow each of these to coexist and allow all of the people involved to enjoy both the serenity of the river and recreation including the use of boats and jet skis and also allow use to continue the use of existing boat ramps, and personal docks + goods. We really wish you had no management plan + leave things ~~the~~ as they are.

1

While we understand why the NPS would like to see all of the housing to fit into the original look of the river we would like to point out that most people spend what they can afford. For many of us this means mobile homes and while they are perhaps not as attractive as some permanent homes most of us make great efforts to keep them as attractive as possible. Where the housing is already developed with lots, wells & sewage systems it would be a great problem to set back 300 ft as some lots & roads are not back 300 ft and so we would hope that if replacement on a developed area is necessary that we could use the existing site with another mobile home.

2

Thank You

Name: Robert & Steven Bray

Address: [redacted]

Turn your comments in at this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

RESPONSES

1. See response 2 to Ferwerda above. We agree on the goals to protect the existing serenity of the area while providing for existing recreational opportunities. We do not intend to limit the use of powerboats and personal watercraft along the recreational rivers unless their use causes significant resource damage or causes visitor conflict and overcrowding to occur. The preferred alternative in this general management plan allows existing recreation improvements to remain; however, it encourages the sharing of boat docks and ramps.

2. Replacement of residential structures, including mobile homes, is permitted in the preferred alternative. Please see the recommendations on page 83 of the draft plan.

Running Water S. Dak.
August 19, 1996

Comments on The
Missouri/Niobrara / Verdigre Creek Draft statement

This plan contains 5 alternatives for managment which in my view are no ALTernatives AT ALL, AS none provide A option for The people THAT Live And own property in The Area.

1 A Bank To Bank ALTernative was rejected which possibly would have been Acceptable in some Areas. You state it was rejected but fail To name by who and when. This wording "immediate environment" is very vague As is The rest of this poorly written Act.

2 Your boundary description is Also very vague And meaningless. As The only positive boundary you describe is The Corps of Engineers Take Line in Bon Homme And Knox Co. The other description is A mimum of 200' which could be Anything from 200' To infinity.

3 Also none of The Yankton Sioux Exemption is described, but just in general Terms As Tribal Land or Trust Land which could be Anywhere in Chas. Mix Co.

4 The Corps of Engineers flowage easements Agreements Are Also included within your boundary which Are not only illegal, but discriminatory As The people who did not sign flowage easements Are not included. Any student in law school can Tell you That when Any Agreement is ALTered or entered into by A Third party The Agreement has To be renegoTiated or voided.

In goverment dealings we hear of $200.00 Hammers and $10,000 Toilet seats, but your draft statement Takes The cake. — MilLions? — Only you people know for sure!

Richard Hermanek
land owner
[redacted]

1. The bank-to-bank boundary was considered, evaluated, and ultimately rejected. The decision was not arbitrary. A bank-to-bank boundary would protect none of the outstandingly remarkable values listed in the draft plan. There is a full explanation of the decision in the draft.

2. See response 1 to Dale Ferwerda.

3. Indian trust lands are not included in the boundary. The Yankton Sioux lands are clearly shown on maps in the plan. According to our legal counsel, there are no specific delegations of authority in either the Niobrara Act (105) Stat. 254, 16 U.S.C., S1274) or the Wild and Scenic Rivers Act (16 U.S.C. S1271 et. seq.) that authorize the National Park Service to include tribal lands within the recreational river boundary. Without such a delegation of authority, the recreational river boundary cannot be placed over tribal lands. However, federal laws and a presidential executive order on government-to-government relations do permit us to work cooperatively with Indian tribes, and such cooperation is included in the plan. We recognize there is current litigation regarding the Yankton Sioux Reservation boundary. The National Park Service will comply as needed with any court decision that results.

4. Including flowage easements within the boundaries of the recreational rivers is legal and does not disturb or amend the private landowner's agreement with the Corps of Engineers. Including such lands makes sense biologically, because these lands have a great capacity to contribute plant and animal materials (biomass) to the rivers. It is also possible that during dry years, some economic productivity can be made of these lands by ranchers.

COMMENTS



V. S. Hinds
[redacted]

September 10, 1996

Superintendent
Niabrara/Missouri Natl. Scenic Riverways
P. O. Box 591
O'Neill, NE. 68763-0591

Dear Sir:

Thank you for supplying me with a draft copy of the General Management Plan for the Missouri/Niobrara/Verdigre Creek National Recreation River Project.

The ideas listed in Alternative Plan 5 would seem to offer the most satisfactory management with a minimum of direct governmental intervention. The Wild and Scenic River approach is certainly a necessity in this area. There is very little Missouri River mileage left in the midwest portion of the River to compare to this area.. In the coming years, the Lewis and Clark Expedition Bicentennial will generate interest and tourism with a increased need for areas of "original " river for visitation. I hope this area can be maintained and used for public education and recreation. At this time, the general public and many quite interested people are limited in on-site experiences. 1

Again, Alternative 5 seems best to me to involve local people with help and direction available.

Sincerely yours,

V. S. Hinds

RESPONSES

1. The preferred alternative provides for recreational activities to the extent that they currently exist and do not damage the rivers' natural and historic resources. This alternative also provides for increased interpretation and public education to inform the visiting public about the rivers' natural and historic resources, among other purposes. For example, the National Park Service is cooperating with the South Dakota Department of Transportation to provide interpretive exhibits near the north end of the Niobrara-Running Water bridge.

MISSOUR/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

Comments on Management Alternatives:

1 This plan was drawn up without the advisory team coming to a consensus. The only alternative that any landowner I know is interested in is a plan to

2 REMOVE THE NATIONAL SCENIC RIVER DESIGNATION ACT. PERIOD.

Mary E. Hurd

Name: MARY E. HURD

Addr[redacted]

Turn your comments in at this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

1. The advisory group has been involved throughout the planning process. The purpose of the advisory group is to consult with the secretary of the interior on the management of the 39-mile segment of the Missouri River from the headwaters of Lewis and Clark Lake to Fort Randall Dam. They decide if and when to make recommendations.

2. Please see "Response to General Comments from Individuals."

Mrs. Lois F. Hyde
[redacted]

Wagner, S.D.
Sept. 10, 1996



Mr. Warren Hill, Supt.
National Park Service
P.O. Box 591
O'Neill, Ne. 68763

Sir:

The following are my written comments for documentation and review, concerning the Missouri/Niobrara Rivers and Verdigree Creek.

The NPS's claim of protecting the rural pristine/natural beauty of the Missouri River is not possible. You cannot preserve something already lost. Last years ago (and I read-fathered, by the way) by the development of homes, etc. on the Ne. side of the Missouri River in this area where I live. Our S.D. farm is an Original Homestead.

The private landowners both in S.D. and Nebr. who have kept their lands in the natural state are being penalized because of what some landowners have done by development along the Missouri River on the Nebraska side. That's Discrimination!

Any comments that you receive or have recieved from the private landowners or anyone in opposition of

your (NPS) plan to grab control of privately owned lands have never even gotten to Washington DC.

The copies of your plan of management that you sent to public libraries and city halls in the affected areas are all falsehoods and at a terrific cost to the taxpayers.

We private landowners have never really been given any consideration by the NPS. We are all in opposition of your taking our lands. Our U.S. Constitution and the Bill of Rights guarantees us the right to our land. This same Bill of Rights give us the right to happiness and we are not happy with what the NPS is doing to 'steal' private owned land.

1

It is asinine to claim you are preserving the natural beauty of the Missouri River. The high water release from the dams are what is destroying this river. The devastation to the natural habitat, loss of the cottonwood trees is caused by erosion of land on both side of the Missouri River.

We want to be left alone! We have the right to say who we allow on our property. We Do Not Want Public Access given on our lands.

2

Everywhere Mon Does - he litters!! And we have picked up litter after many of these - and they are the very ones we have denied the privilege of ever coming on our land again.

Thank You.

Sincerely,

Mrs. Lois F. Hyde

1. The general management plan does not propose acquisition of lands against the will of the owner.

2. The National Park Service will not give public access to private lands.

COMMENTS

9/12/96

Kent Schwarzkopf
NPS
PoB 591
O'Neill NE 68763



Dear Kent,

In reviewing the draft general management plan for the Missouri, Niobrara and Verdigre Creek National Recreational Rivers I found it to be more open ended and non-committal, than I expected. There is very little that is extreme in nature as far as the alternatives go. It looks like the door is wide open for local groups to take action.

1

There is not enough emphasis on tourism promotion to suit me. I think the Niobrara portion of the river has a lot of potential for development that would not be detrimental. Alternative 4 offers the greatest amount of improved visitor activity.

The document looks quite lengthy and complex from the outside. This was definitely a deterrent for me and prevented my reading it sooner. As I got into it though I found some excellent information that

RESPONSES

1. Please see response 4 to the South Dakota Cattlemen's Association.

I will use for future reference in several areas. The summary of impacts was very helpful in comparing alternatives.

Based on the hours spent in developing the document, I would like to have seen more specifics that partners would have identified as definite goals. Hopefully those ideas and activities will come as more local people and partners get involved. 2

Sincerely,
Jan Jorgensen
[redacted]

2. Partnerships based on cooperative agreements would take different forms. The draft plan, page 88, suggests several appropriate activities.

COMMENTS

DWIGHT W. JUNDT

[redacted]

September 12, 1996 By U.S. Mail and Facsimile to 402-336-3981



Mr. Warren Hill
Superintendent
Niobrara/Missouri National Scenic Riverways
PO Box 591
O'Neill, Nebraska 68763-0591

Re: National Park Service Draft, General Management Plan, Environmental Impact Statement, on the Missouri/Niobrara/Verdigre Creek National Recreational Rivers, authorization by amendment to Public Law 90-542, and the Niobrara Scenic River Designation Act (Public Law 102-50, 16 U.S.C. 1271 et seq.) signed by the president on May 24, 1991.

Dear Mr. Hill:

With my brother Bruce P. Jundt, I am a Knox County landowner of some 500 acres bordering the south side of the Niobrara River. I was born in Creighton (Knox County), Nebraska, and six (6) generations of my family have called Knox County home. While my legal home is in Florida, my heart is in Nebraska.

I have read most of the 234 page National Park Service Draft, and followed the past five years of studies and reports within the National Park Service study.

In this draft, five "alternatives" are offered for comment by the public. At the risk of not having my opinion counted if I do not select one of the five choices outlined, under protest I will then opt for "ALTERNATIVE 1: NO ACTION".

1 In bureaucratic doublespeak, however, the so-called "No Action Alternative" contains numerous actions, none of them of free will. For example, putting a quarter mile of our property within the planning boundary, the "legal interim boundary" is not "No Action". This approaches a taking of private property rights without compensation.

Utilizing a full-time National Park Service Employee is not "No Action". Having an annual budget as small as you are projecting may seem like "No Action" to you, but it represents about three annual family incomes. On the other hand, the cost of your "recommended" Alternative 5, would exceed $300,000 per year, and considering how budgets are underestimated, this would accelerate rapidly. Even the $300,000 per year probably exceeds the payroll of almost all privately owned businesses in the entire study area.

The report seems silent on what the past five years of National Park Service activity on this project has cost the public. While the report describes what has been done by your offices as "scoping",

RESPONSES

1. Please see "Response to General Comments from Individuals."

has your office not had five to ten employees for a full five years? Would it be unfair to guess that the National Park Service has spent over $5,000,000 on this study?

Only briefly is the population density of the area analyzed. On Page 137 of the study, it is stated that the five-county 1990 census was 34,000 people. A quick review indicates that about half reside in towns. The rural population of the study area thus would appear to be under one family per square mile. Your study goes on to say that "....the population of the area has been steadily decreasing for 65 years and is likely to continue...." Even your office is located outside the study area. To locate in a town of over 4,000 population, you went out of the study area to O'Neill, population 4,048!) Many prudent observers find the millions of dollars spent on this study to be overkill and wasteful.

This area has maintained its beauty and integrity for decades because of the stewardship of the people who have occupied it. It is not overrun with tourists. It isn't polluted, unless you count the excessive siltation occurring because of questionable water management practices dictated by another government agency, the U.S. Corps Of Engineers. Wildlife is still abundant, again because of the husbandry of landowners. How ironic that this area of beauty and tranquillity, relatively safe from overuse, is one selected by the government to regulate. Why not find an ugly area to rehabilitate? Leave this one alone. The vast majority of landowners and residents are opposed to the draft recommendations. In no way can this expenditure be construed to be in the public interest.

2 The initial authorization for including the Niobrara and Verdigre Rivers in this study was ill-advised, done hastily and without public input.

In your words on page 25 of the study:.. "the no-action alternative would not mean deauthorization of the river - that would require another act by Congress." And that, in my opinion, is exactly what should occur. The National Park Service has restricted public activity in many intensively used parks this year because of insufficient funding available. In the face of other budget cuts, it is shameful to have spent millions of dollars for this "scoping."

While perhaps well-intentioned, and likely conducted by dedicated employees, if ever a government activity qualified for NBC's Tom Brokaw's "Fleecing Of America", this one does.

Sincerely,

Dwight W. Jundt

cc: U.S. Rep. E. Clay Shaw, FL
U.S. Rep. Bill Barrett, NE
U.S. Rep. Doug Bereuter, NE

2. Congress passed legislation that included the Niobrara River and Verdigre Creek. Please see appendix A of the plan. It is beyond the scope of this GMP to analyze legislative actions.

COMMENTS



Gregory G. Krupicka
[redacted]

National Park Service
P.O. Box 591
O'Neill, Nebraska 68763

August 1996

Dear Sir:

I have read the general management plan for the five alternatives you purpose for the Missouri/ Niobrara/ Verdigre Creek National Recreational Rivers, and my suggestion is that you leave the land as it is with no further federal controls.

My preferred alternative is hands off permanently. For people denied the right to use their land as they see fit, is against my freedom as a United States Citizen. What you are purposing is the out right taking of land and that is being a thief!

You are saying that my right to own land is a enemy of responsible environmentalism. The truth is quite the opposite: Americans are more environmentally conscious--especially with regard to their own property--than ever before. It is only when the government threatens to devaluate their land, that property owners rebel. For example by owning the 200 foot boundary from the high water mark.

1

I vote NO! NO! NO!

Thank you for your time,

Gregory G. Krupicka

Gregory G. Krupicka

RESPONSES

1. Land within the river boundary would be retained by its current owner and not by the National Park Service under the recommendations of this plan. The land within a boundary is a geographical delineation of resources. We can cite instances where land adjacent to park boundaries has increased in value.

MISSOURI/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

Comments on Management Alternatives:

To Whom it may concern:

First - as you already know we were not informed before the law was enacted and feel this is wrong, unfair to those of us living there. It should be repealed and let us continue to be stewards of the land and the Missouri river embankments. The government already has too much control over us?

Second - if this is not a possibility, Alternative 5, would be our choice, as it is the compromise we could live with, not necessarily like, but work with.

Third - We would also like to address the lady who is considering a law suit because not enough is being done to conserve the natural forests etc. If she wanted to preserve it the way it was, there would be no trees, lot, of riverbank erosion. The trees there were 90% planted by local farmers since 1940. We were some of those people. If we had not rip-rapped the banks there would be nothing to preserve, as it was we have donated 300 plus acres to the erosion.

Fourth - The idea was protection of property. The publicity in the papers local, regional and national has brought a lot of undesireable activity to the area. (over)

Name: Keith & Eva McHill

Address: HC 76 Box 83

Lynch, NE 68746

Turn your comments in at this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

COMMENTS

More bank erosion due to jet skis and boats commuting less than 40 ft from the shore. More trash discarded in the river and along the banks, much of this comes from the South Dakota side. Our property is no longer safe - breakins, vandalism and disrespect of the long time tenants

1 Fifth - We are very concerned about law enforcement and Rescue Squads - There is not enough available to service this large an area, nor the funds to pay for such.

2 Sixth - We also are concerned about the valuation of our property. This has and will not be a benefit to the area.

Seventh - We feel our government, federal and local, can not afford any of this. Not even the study.
The NPS doesn't take care of the parks they already have so why should there be more?

We are not in favor of this whole bill.

It has caused undue stress on the property owners and all involved.

Thank you for reading this, although we doubt it will be of any affect.

RESPONSES

1. On page 220 of the draft plan, the preferred alternative recommends using two to four NPS seasonal park rangers, at an annual cost of $21,000. This should help to meet the rivers' law enforcement and search-and-rescue needs.

2. The value of private land can be affected by zoning or by the private land's location adjacent to a national wild, scenic, or recreational river. In some cases, the presence of national river protections has been shown to increase the value of private land.

MISSOUR/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

Comments on Management Alternatives:

I have been aware of the National Parks plan to assume control of lands adjoining the Missouri River in this area for some time, and no one has sought my input as a Landowner for a preferred alternative. Additionally, no discussion ever took place concerning your placing a setback boundary of 200-ft. from the river bank. According to the law, any land acquired must be given voluntarily, and I have not given my approval of your plan. My private park and a flowage easement are within the 200 ft., and thus not available for taking in any case. This has been confirmed by the Deputy Secretary of Defense for Public Works, in person, on 15 August 1996.

1

Martin Lancaster

Name: ROBERT P MOUFORE

[redacted]

Turn your comments in a this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

1. The plan proposes to acquire land only from willing sellers. It is important to note that little, if any, land acquisition is anticipated under the preferred alternative. Please also see response 4 to Hermanek.

COMMENTS

MISSOUR/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

Comments on Management Alternatives:

19 August 1996

Your letter dated 12 July 1996 implies that the local authorities and landowners concurred with your various alternatives simply because they cooperated with your guidelines for Planning Team Members, meetings, etc. Citizen Cooperation with your Study should in no way be construed as concurrence.

After a meeting or two, most landowners realized that their objections were not being taken seriously, that the National Parks plan was already cut and dried, and that the public meetings were just a sham.

Now we are told that only written suggestions will be recorded at the public meetings!

2 In view of all the objections to intervention by the National Parks Department, why are we not offered a "No Action Necessary" alternative?

Name: Robert P Montford

[redacted]

Turn your comments in a this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

RESPONSES

2. Please see "Response to General Comments from Individuals."

MISSOUR/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

Comments on Management Alternatives:

3 For generations our Counties have actively participated in Government programs such as Soil and Water Conservation, Watersheds, and Great Plains Conservation, to name a few. Additionally, Charles Mix County has a Planning and Zoning Ordinance.* Involvement by another Government Agency would be a duplication and a waste of taxes. Because of such preclusions, conflicts, as well as landowner objections, your study should include a "No Action" alternative.

* Your draft refers to this Ordinance as "tentative," (p.18&195). However, it will become official on or about 1 September 1996.

Robert P. Montfort

Name: ROBERT P. MONTFORT

[redacted]

Turn your comments in a this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

3. Please see response 6 to the Southern Missouri Water Development District. We have revised the general management plan to reflect the November 1996 election results regarding the Charles Mix zoning ordinance.

COMMENTS

MISSOUR/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

19 Aug. '96

Comments on Management Alternatives:

1 U.S. Dept. of Interior letter of 12 July 1996 is addressed to "Friend of the Recreational River." However, the premise that this 39-mile segment of the Missouri River has ever been suitable for the designation "Recreational River" is totally false. In actuality it is a fragile strip with shifting sandbars, unpredictable levels and badly erroded banks. Since the Corps of Engineers would not, or could not afford to revet the banks, most of what has been accomplished has been done by private landowners. The National Park Service has admitted that it could not afford to stabilize the river banks. For the NPS to try and "manage" or "administer" this section of river without funds or authorization to do the only thing that is needed would be ludicrous and wasteful. Therefore, only a "No Action" alternative is acceptable.

Mary Jo Monfore

Name: Mrs. Robert P. Monfore

Ad [redacted]

Turn your comments in a this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

RESPONSES

1. Rivers that are designated in the national wild and scenic rivers system are classified in one of three categories, depending on the extent of development and accessibility along each section at the time of designation. Recreational river areas are defined as areas that may be readily accessible by road or railroad, may have some development along the shoreline, and may have had some impoundment or diversion in the past. Classification as a "recreational river" does not imply that the segment must be managed or developed for recreational activities.

MISSOUR/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

Comments on Management Alternatives:

I consider the designation of boundaries setback from the riverbank, of any distance, a "Taking" without compensation. If the plan were implemented with an irrevocable bank to bank boundary, I believe it could be more palatable to the landowners.

1 On page 14 of the plan, it states that "The National Park Service will not condemn any land; acquisitions will be from willing sellers only". At the landowner meeting on 8-19-96, paragraph #3 on page 34 was pointed out to me,where it states that "The National Park Service would also have to reassess the decision never to use condemnation authority". I do not believe condemnation was the intent of the bill's sponsor, Representative Bereuter, as in a letter to me dated 6-27-1995. He offers guidance to the National Park Service personnel, and I quote, "contemplate no use of condemnation powers to acquire land". This is typical of the doubletalk and misinformation that has been used to try and sell this plan to the landowners.

Due to the problems that this designation faces; river siltation, landowners' resistance, lack of money, and many others, I would like to urge our representatives to introduce and pass a bill to decommission it.

2 If this designation is not decommissioned, I do not believe the trailer parks immediately along the river bank should be grandfathered into the plan. I believe this defeats the purpose of preserving the significant scenic value of the river, rewards those landowners who have destroyed the scenic value, and penalizes the landowner who has left his property in its natural state and protected it from development.

In regard to the landowner meetings, there was no recording of statements made, feelings expressed, or a poll of those in favor or against, at the two meetings I attended in Springfield, S.D., and Wagner, S.D., on 8-19-1996. The recording was suggested by the landowners so that it could be given to our Congressional Representatives, but the moderator, Warren Hill, indicated that this was not his responsibility. He stated that he was only to complete the plan and implement it. The majority, if not all, were clearly against the entire plan and the designation of the 39 mile stretch of the Missouri River as a recreation river.

Name: Patrick F. Murphy

[redacted]

Turn your comments in at this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

1. Condemnation authority exists under the Wild and Scenic Rivers Act, whether it is written in the plan or not. The National Park Service and the planning team decided at this time that the rivers could be successfully managed through cooperative agreements and partnerships, and that the use of condemnation as a management tool would not be necessary. This GMP is written with the assumption that condemnation authorities would not need to be exercised to manage these rivers.

2. The law provides that development existing at the time of designation must be "grandfathered" in the plan. To more clearly reflect this, we included the following sentence at the beginning of the first indented paragraph on page 83: "All structures and subdivisions could remain and could be replaced with larger structures."

   To improve the visual appearance of some of the trailer areas, the National Park Service has provided guidelines for residential development, including positive and negative landscaping and screening guidelines; see appendix F. The Park Service could help fund the cost of such landscaping for existing or new development.

COMMENTS

DATE: August 19, 1996
TO: National Park Service
FROM: Dennis & Maxine Namminga
SUBJ: NPS Alternative Options to the Missouri River as it effects South Dakota Landowners

The following are our comments to "Alternative Plan #5"

1
- Flowage easement - we feel we have a legal contract with the Corp of Engineers on the flowage easement and that cannot be taken over by the National Parks Service.
- Private Property Rights - (Page 38) The paragraph details the type of control that infringes on land owners private property rights.

2
- Verbiage in the book published by NPS. The verbiage of the entire book is vague and leaves statements open-ended. The examples are "appropriate activities", "could be", "would be", "should be" etc.

3
- National Parks Service and Corp of Engineers are infringing on each others authority. This sends mixed messages to the landowners as to who is in charge and to what extent is their legal authority.
- You talk about Resource Conservation Practices in your NPS book of alternatives. Resources such as beautiful native grass pastures, wildlife habitat, water quality to name just a few. Conservation practices have been followed for generations by the very landowners who wake up to the land day after day, after day. Practices such as pasture rotation, cross fencing, annual aerial weed spraying and erosion control have all been used to manage the resources to avoid conditions you elude to that are not present. Management practices have proved that coexistence between cattle, wildlife and man is very beneficial to everyone.
-

RESPONSES

1. Please see response 4 to Hermanek comment.

2. Please see response 4 to the South Dakota Cattlemen's Association.

3. The National Park Service will not affect any flowage easement agreements with the Corps of Engineers. On page 16 the draft plan states: "Fee and easement land acquired by the Corps of Engineers would continue to be managed by them directly in cooperation with state and federal agencies." Though portions of easements may lie within the recreational river boundary, this would not affect the flood easement that the COE has purchased from a private landowner. The placement of land within the recreational river boundary does not imply any ownership by the National Park Service. See also response 4 to Hermanek.

MISSOUR/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

Comments on Management Alternatives:

1 1) Would like to have more specific information on why the Missouri was included in this act. What is significant about it and what is it that is threatening this river so much that we need another govt agency here to control it.

2 2) What is the NPS intentions to manage this river? If landowners and current agencies are doing an acceptable job of managing the river now, why does another agency need to manage what is already being managed?

3) All plans list what NPS could, should and would not do. NPS needs to be more specific about what they can and will do to the river land and people.

3 4) What direct benefits do the people directly affected receive? In order for effective cooperation of all parties involved, direct benefits must be guaranteed to sell the plan.

5) landowners must be involved in the planning process - (All landowners)

Name: Kelly Nammingo

Address: [redacted]

Turn your comments in a this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

1. The Missouri River was included in the 1991 act by Congress after hearings and deliberations. During those debates, issues important to the Congress were addressed and are summarized in the purpose and significance statements on pages 10 and 11 of the draft plan.

2. The need for this plan is discussed in the second paragraph of the "Summary" on page iii of the draft plan.

3. Among the benefits that people receive from the designation of the national recreational rivers are: 1) a river that is free from increased development along its banks, 2) greater monitoring of the water resource to ensure good water quality, 3) greater habitat protection for fish and wildlife for people to fish, hunt, or observe, 4) greater interpretation of resources for both local people and recreationists visiting from outside the area, 5) greater tourism opportunities, 6) opportunities for the National Park Service to provide technical or financial assistance for projects proposed by local groups, both within and outside the boundaries, and 7) funding could be provided to improve environmental conditions such as landscaping for trailers and other residences along the rivers.

COMMENTS	RESPONSES
6) Setting boundaries to manage, designating biologically significant areas, and developing recommendations for appropriate activities, and discouraging inappropriate activities within NPS designated boundaries has the potential to limit economic development for private landowners, lower property values, and infringes upon the rights of private property owners to have the freedom to do as they wish on land that they have to pay taxes for. 7) If success of this plan is dependant upon cooperation of all parties involved, then NPS needs to do a better job of working with the landowners and better PR work in general to get better cooperation.	

MISSOURI/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

Comments on Management Alternatives:

1 National Parks Service is not needed or wanted here in South Dakota. The book fails to spell out the need for their presence. Public concerns does not want NPS here as it would only take control out of local management and place it with bureaucrats miles away who do not relate with community concerns, county concerns and plans.
I'm sure local feedback is telling you the general public does not want NPS here.

Name: [redacted]

Turn your comments in at this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

1. Please see "Response to General Comments from Individuals."

COMMENTS

MISSOUR/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

AUG 19 '96

Comments on Management Alternatives:

At this time I (or we) feel that the property owners should be able to maintain their lands without government intervention. We seem to be getting way too much government thus losing the freedom we should have. Also with our government debt, Cameras must be cut some place. Even though this would be a "drop in the bucket", if everyone could follow this needless spending, we may someday lessen our national debt. So, I guess what we are saying is, leave well enough alone.

In regard to jet ski's — we don't really appreciate their interrupting our peace & quiet on the river but if we must tolerate them, we feel there should be some regulations on their use. Merely, the age of the drivers. We've seen very small children out on them which we feel is very dangerous.

We are also very unhappy the way the Corp of Engineers are destroying all of the trees by their water levels. They are so ecology minded (supposedly) but their actions don't show it!

Name: Mr. & Mrs. Norman Peters

Add [redacted]

Turn your comments in at this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

We are property owners at Lazy Run Acres also.

RESPONSES

1. There is a wide range of opinion regarding whether jet skis are an appropriate activity on these recreational rivers. Safety, noise, and bank erosion concerns have been expressed regarding the use of jet skis. Some state and federal agencies are currently considering regulations regarding the use of jet skis in waters under their jurisdiction. The National Park Service, in cooperation with the two states, will review actions taken by other agencies regarding the use of jet skis, will observe the usage of jet skis along the Missouri, Niobrara, and Verdigre Creek National Recreational Rivers, and will determine what safety and enforcement actions are needed here.

MISSOUR/NIOBRARA/VERDIGRE CREEK
DRAFT GENERAL MANAGEMENT PLAN
ENVIRONMENTAL IMPACT STATEMENT

No Alternatives!!!

Comments on Management Alternatives:

We have had a cabin along the river for years. Have put in a lot of hard work + expense to save the bank and keep it looking neat. Everyone else has done the same along the river. Now of this is costing the government anything, much different when you plan to take over – the thousands of dollars that it will cost to – as you say. manage the river. Un necessary expenses, when the country is so in debt already

The silly ideas; for example, several families to use one dock (boat) have you ever thought of leaving your car in some parking lot, several blocks away + walk to your houses? It would be the same thing.

1

We are not in favor of planting grass + weeds on the rock along the bank. Higher water would wash that away real soon. Not in favor of planting trees or shrubs along the bank either. That is why we have a place there to enjoy the river + boaters, etc. Also proud of our place for other people to see.

If the government + the corp think they can do such a good job of managing the river, then lets take a look at the mess down around the town of Niobrara. (over)

Name: Mr + Mrs Don Pittack

Addre[redacted]

Turn your comments in at this time or mail to:

Superintendent
Niobrara/Missouri National
Scenic Riverways
P.O. Box 591
O'Neill, Nebraska 68763

THANK YOU FOR YOUR COMMENTS

1. We see no complications resulting from the plan's suggestion that docks and ramps should be shared. See pages 37 and 83 in the draft plan. The preferred alternative recommends stabilizing visitor use, and one way to do this is to share boat ramps and docks so that there will not be a proliferation of docks and ramps extending out into the rivers.

COMMENTS

A sand bar under an expensive bridge and water going everyplace but where it should. A filthy mess, I would say, and not very healthy either.

I would say the residents along the river and the land owners have done a much better job than the corp in their areas. Seems that you are just trying to make us look like a bunch of dummies.

The people in Washington don't know or have any idea what it is like around here. All they go by is maps. Why don't they come + tour the country — get there fast dirty once. This whole project is costing a terrific amount of money in salary's etc. for you people, which is all unnecessary. There is not one person from Valentine on down that is happy with the project. That should tell you guys + the government something.

Definitely — No alternatives!!!

RESPONSES

National Park Service;

I am a landowner between Verdigre and Niobrara Nebraska and I am very upset with the current plan for a Recreational system.

1 The 200 feet from the high water line that has been designated for recreational area will take up to 50 rows in some of my row crops. This 200 feet will be very hard to establish as the high water last year took over 200 feet in some of my bottom fields and this varies from year to year.

2 The plan that is proposed for recreational use of the abandoned railroad track between Verdigre and Niobrara will not work because the tracks have been sold and the land deeded back to the landowner.

In my opinion this recreational river project is not need with the Missouri River recreational area only 10 - 50 miles from Niobrara.

A few years ago the Devils Nest area located along the river did not make a go of it, so why is this needed?

3 I do believe that a 1/2 mile ban of all Herbacides and insectacides would be beneficial to our water and wildlife. A 200 foot ban on cutting line trees from the river would also be beneficial and help preserve our water and wildlife.

A tax payer

Donald L. Randa

Donald L. Randa



1. We agree that the ordinary high water mark varies from year to year. The 200-foot boundary noted in the preferred alternative is measured from the 1991 ordinary high water mark (32,000 cfs), the year during which these rivers were designated as national recreational rivers. This ordinary high water mark was determined from aerial photographs taken at that time. The location of the 1991 ordinary high water mark is shown on the maps appearing throughout the draft plan.

2. The proposed public use areas described in table 5 on page 72 of the draft plan include the potential development of a trail along Verdigre Creek. These public use areas refer only to alternative 4, and not to the preferred alternative (alternative 5). The title of table 5 has been revised to make this clearer.

3. Yes. These things would benefit water and wildlife. The plan says that lands outside the boundary are adequately protected by existing state and federal regulations.

COMMENTS

Comment on the management plan for
" 39 mile Missouri Recreational River "

I think the management plan for the Missouri Recreational River is as misunderstood, and faced with as many objections by area people, as it was on the first day it was introduced -

I think Congress should not have included the " 39 - mile of the Missouri " in the Niobrara Scenic River legislation, with no previous study of eligibility or inquiry with local groups. There is still a great deal of confusion when the media and newspapers constantly refer only to the Niobrara, when we ask told, unwillingly, to all those same regulations -

1 People need to know that the legislation places this 39 miles of the Missouri in the National Rivers System, and they need to to know exactly what that designation and management entails, as described in the Federal Register, 1982; and what the long range goal really is - They need to understand that Congress is not planning to enhance their recreational use of the river, but to limit it -

2 " Alternative 5 " states that the plan has been assembled with

RESPONSES

1. The 1982 Federal Register contains regulations adopted by the Departments of Agriculture and Interior to implement the Wild and Scenic River Act. This GMP/EIS is consistent with those regulations and further defines management actions proposed for these rivers.

2. In the period that the management plan was being drafted and debated, the advisory group was kept informed and also debated some of the issues. Their discussions are recorded in minutes and on tape. We have considered the recommendations of the advisory group in developing the final GMP/EIS.

assistance from local groups (county govts.) advisory groups, and tribal leaders.

2 This is a mis representation - Most members of the advisory groups feel they have served in a "name only" capacity, and have not been regarded by the Park Service - I have a copy of a resolution submitted by the Yankton Sioux Tribal officers stating that they have no part in the plan; and this statement was received several years ago -

3 I have also the correspondence between the Park Service and the Dept of Interior concerning this, and the tribal statement that the tribal lands are not included in the boundaries -

I have attended almost every meeting presenting management plans and the area people have objected loudly and consistently - Mr. Hill has said, and he is right, that Congress must negotiate any amendment -

This being an election year, our legislators must face these questions by their voting constituency:

1- Why not an amendment? when an amendment to guarantee there will be no "takings" of land and this guarantee answers none of our problems - Lets have an amendment to de-authorize - or separate the legislation — or deny appropriations?

2- Why not put this 39 mile on "hold", as you have done with the 59-mile from Gavins Pt downstream, that remains "on hold" after twenty years?

4

3. The Yankton Sioux Tribal Council decided early in the planning process that they did not wish to participate. Federal law as it relates to the boundary is explained in response 3 to Hermanek.

4. The Missouri National Recreational River, 59-mile segment below Gavins Point Dam, is not "on hold." It is managed by the Corps of Engineers under an agreement with the National Park Service. The 1978 plan for the river has not been fully implemented and is currently being revised.

COMMENTS

RESPONSES

=> Can our legislators control the bureaucracy - he will this be a moment of truth to show that we are, indeed, controlled by "departments" and "staff", and agencies, who tell Congress what they want, and how much it will cost? The departments were put in place to implement the laws Congress passed, to bring the programs to the people — in short, to be their servants. In spite of what may have started as good intentions, the voters are concerned about the regulatory groups, who, increasingly, control our lives.

All of the concerns that I hear or read about, come from columnists, environmentalists, and vacationers from urban areas all over the country, who want to control our lives and area; to give them a sense of natural and rural entity, whenever they choose to leave their offices and city homes to bless us with their presence. We have no pollution here, no misuse of the river, its organisms, or its resources.

By the way, when we "humans" fall into our categorical place in the "eco-system" with the "other living organisms", who are these people who regulate us - what strata and what description - "Super human?"

Virginia Reigle Springfield Sd

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September 30, 1996

Warren Hill, Superintendent
National Park Service
Niobrara/Missouri National Scenic Riverways
Box 591
O'Neill, NE 68763
Tel: 402-336-3970
Fax: 402-336-3981

RE: MISSOURI/NIOBRARA RECREATIONAL RIVERS

Dear Warren:

I set forth below my comments on various elements of the plan. I have been occupied in federal district court for the last two weeks in Sioux Falls, so that is why my comments are late. Nonetheless, given my input over the last four years, I presume they will still be regarded as timely and topical. Given that we have all spent so much time on the plan, I limit my comments to what I feel to be the most glaring concerns at this point:

1. Boundaries (COE easement ground): I clearly understood that the NPS' position, as of our last meeting in September 1995 in Niobrara, Nebraska, was that the boundary would remain 200 feet on COE easement ground. At the public hearing in Wagner, South Dakota in August 1996, you advised me that this position had changed. Namely, the NPS' position now is that the boundary should expand to include this easement ground. I feel very strongly this breaches the understanding from the September meeting and it cuts against the original intention of the landowner in granting such an easement. It is highly unlikely such an extension of the boundaries would survive a court challenge.

Furthermore, it jeopardizes the NPS' position regarding NPS conservation easements as the NPS' position on COE easement ground underscores skepticism as to the slippery slope of a conservation easement. Frankly, any thought I as a landowner ever entertained regarding possibly granting the NPS a conservation easement has now been terminated.

1

2. Visitor use: The "preferred alternative" set forth in the GMP is not one which was reached following a meeting or consensus of all parties. While we have tried to make comments on it, written comments are not the same as a meeting of 1-3 days where all parties may discuss it. Landowner representatives' position is

1. See reponse 4 to Hermanek.

COMMENTS

Warren Hill
September 30, 1996
Page 2

that the visitor use component of the "preferred alternative" is overemphasized. That is, throughout the process, visitor use under the alternative which has evolved into the preferred alternative was consistently minimized. It now appears that the visitor use in the preferred alternative was bootstrapped from the alternative dubbed "Visitor use." The preferred alternative now encompasses greatly expanded visitor use. This was not the intention of the majority of the board in our last meeting.

2

In addition, I repeatedly have emphasized that this plan focuses exclusively on the riparian landowners, with absolutely little to no emphasis on limiting river-based activities. Our fear is that while we will operate under significant constraints in an effort to preserve the purity of the "immediate environs" of the river, visitors can with impunity destroy the "environ": the river. The NPS' response, to date, is that we must determine the "carrying capacity" of the river---a far cry from your legally mandated protector role. Moreover, the clear point made at the public hearing is that the NPS intends to adopt a "hands-off" policy in relation to the river, while maintaining a very hands-on policy relating to the adjacent lands. Once again, visitors' desires supersede the landowner's, who have been and will remain there.

3

The NPS envisions that it will analyze the carrying capacity of the rivers and then states that "In no alternative would the NPS ... take any action that would significantly increase visitor use." (p.44). However, two sentences later the NPS states "some [alternatives] would result in increased capacity .." (p.44). The NPS cannot have it both ways: it simultaneously says it will maintain visitor status quo under all alternatives while it then states that there may be "increased capacity." We, the Planning Board, agreed that we did not want increased capacity. It seems to me that the NPS' raison d'etre is the promotion of additional visitors; the more action, the more there is to "manage."

When it says that Alternative 5 "allows for expanded visitor services," that directly contradicts our consensus on that particular issue at the last meeting (p.81).

4

3. Land Acquisition: This is a major source of suspicion. It is no small coincidence that under each of the alternatives, a nearly identical amount of money has been budgeted for at least the first five years (ranging from $100,000 to $128,000) for land acquisition. This land acquisition budget has been presented for the first time in this final GMP. We cannot fathom, and it has never been explained to us, why the NPS needs such significant amounts of money for very disparate types of protection under these very different alternatives. It causes us to believe that a hidden

5

RESPONSES

2. We do not agree with your statement that "The preferred alternative now encompasses greatly expanded visitor use." On page 88, the draft plan states that "Access to and facilities on the recreational rivers could be improved but not expanded." We have revised the text to indicate that "improved" means "modernized." The possible replacement of existing boat ramps rendered unusable by sedimentation was added to the text at the request of the advisory group. Alternative 5 was not "bootstrapped" from alternative 4 (the visitor use alternative). The public use areas proposed in table 5 are proposed only for alternative 4, and the title of the table has been revised to reflect this fact.

   See also responses 1, 5, and 11 to Talsma.

3. We do not agree with your statement that "visitors can with impunity destroy the 'environ' of the river," nor do we agree with your statement that "the NPS intends to adopt a 'hands-off' policy in relation to the river, while maintaining a very hands-on policy relating to the adjacent lands."

   On pages 84 and 220, the draft plan states that a staff of two to four seasonal park rangers and two to four biological technicians would work on the Missouri/Niobrara/Verdigre Creek National Recreational Rivers. A primary function of this staff would be to patrol the rivers and manage recreational use and to assess the impacts of recreationists on its biological resources. Page 84 also recommends that $25,000 be set aside annually for grants and agreements with cooperators for law enforcement, interpretation, and assistance for habitat enhancement on the recreational rivers.

   The draft plan also describes other examples of NPS management of the river on pages 43 and 44.

   We have inserted the phrase "and water" after "Management actions would only affect land" in the first sentence under the "Management" section on page 33 of the draft plan.

4. The second paragraph on page 44 has been revised. See also response 2 to the South Dakota B.A.S.S. and responses 5 and 11 to Talsma.

   There is a distinction between expanded visitor access and facilities and expanded visitor services. Alternative 5 does not recommend

5 agenda of campgrounds, facilities and/or other similar activities is planned adjacent to the river.

6 4. Alternative 5, the tentative preferred alternative, states that "Visitor services and activities could be expanded" (p.87) which totally contravenes the understanding and consensus regarding the need to hold the line on increased visitor use. This statement was not one agreed upon at our last meeting in Niobrara in 1995.

These are a few of the most salient items. I trust you will consider them.

Sincerely,

David L. Reinschmidt
Charles Mix County (South Dakota) Representative

cc: Senator Thomas Daschle
Senator Larry Pressler
Congressman Tim Johnson
Georgia Talsma (Bon Homme County, South Dakota Rep.)
James Brion (Boyd County, Nebraska Rep.)

wpm\dave\park.2

expanded visitor access and facilities, but it does allow for additional visitor services, such as signs, bulletin boards, and interpretive brochures. Some of the interpretive aspects of alternative 4 were incorporated into the preferred alternative. As noted on page 45 of the draft plan, "Interpretation would help to manage visitor use by educating people about respect for local property owners and their privacy and would emphasize protection of river resources."

5. The estimated costs of land acquisition in each alternative are based on opportunity purchases of easements, as noted on page 221 of the draft plan. These costs are based on land values in the area of the recreational rivers. The purchase of 100 to 300 acres of easements a year seems reasonable. The actual purchase of such land is dependent upon appropriations from Congress for this purpose. There is no proposal to acquire land for campgrounds or other visitor facilities; such facilities could not be located on easement land.

6. See responses 3 and 4 to Reinschmidt.

COMMENTS

Law Office of
Dale P. Riesberg
P. O. BOX 287
Crofton, Nebraska 68730
(402) 388-4363

September 12, 1996



United States Dept. of Interior
National Park Service
P. O. Box 591
O'Neill, NE 68763

RE: D18(NIMI)

Dear Sirs:

In reference to the public review of the "Draft Management Plan" issued in July, 1996, I would like to offer support of the continued involvement of the National Park Service in the management of the important resources along the Niobrara, Verdigre and Missouri River corridors. I believe the current proposals to de-authorize the scenic river designation to be ill-advised and totally unresponsive to the need for integrated management of this area's natural resources.

While I, like many of the citizens who are property owners within (or near to) the plan area am opposed to unnecessary governmental intrusion through regulations and management pressures, I cannot envision any way in which local landowners and local governmental agencies can effectively or efficiently manage the activities of nonresidents who will be increasingly utilizing these areas for their leisure time pursuits. To assume that the present "predominant agricultural occasional recreational" use will continue for even the next 10 - 15 years is totally unrealistic and short-sighted at best.

Therefore, it becomes apparent that some form of integrated management tool becomes a priority. The "Draft Plan" at least addresses the competing interests of existing property owners and the in-bound property users, and I would generally support the proposed alternative as the least intrusive to existing landowners.

However, historical reality may indicate either an unwillingness or inability of local government to effectively manage or protect the very interests that presently are railing against federal involvement. Increasing constraints on local governmental spending make it even more unlikely that local governmental units will have the resources available to implement any type of comprehensive management plan, even if local consensus could be achieved as to what type of plan or control should be implemented.

1 One proposed solution is "less than county-wide zoning authority" so that the plan area could be separately controlled without overreaching into areas that presently would

RESPONSES

1. The National Park Service recommended to a committee of the Nebraska unicameral the adoption of a law that would permit less-than-countywide zoning in the state. Such zoning is available as an option in Minnesota. However, the proposal did not advance in the Nebraska unicameral. Modification of an existing "special valuation law" (sometimes referred to as the greenbelt law) stands a better chance for adoption in the unicameral. This law provides for a special valuation for agricultural land that helps to keep the land in productive agriculture. If the law is broadened to allow its use in unzoned counties, the special valuation for agricultural land could also serve as a local means of protecting a river corridor without the necessity of zoning a county. If the special valuation is expanded only to wild and scenic river corridors in unzoned counties, the impact of the special valuation on an individual county's tax base would be small.

1

not be affected by recreational use. However, I suspect that this will ultimately lead to non-uniform, piecemeal regulation that will be difficult to administer or enforce, thereby making comprehensive area-wide management virtually an impossibility.

2

Accordingly, I believe the plan should be amended to at least consider the feasibility of a regional zoning concept with established minimum standards supplemented by local control of specific use problems.

In summary, the plan, as presented, only begins to address the problems which will emerge as outside entities and recreational pressures force a change in use patterns within the plan area. The recommended plan (alternative #5) presently mitigates among competing interests but will not, in the long term, provide the level of management which will be necessary to protect the public and private interests in this area.

Thanking you in advance for your consideration, I am,

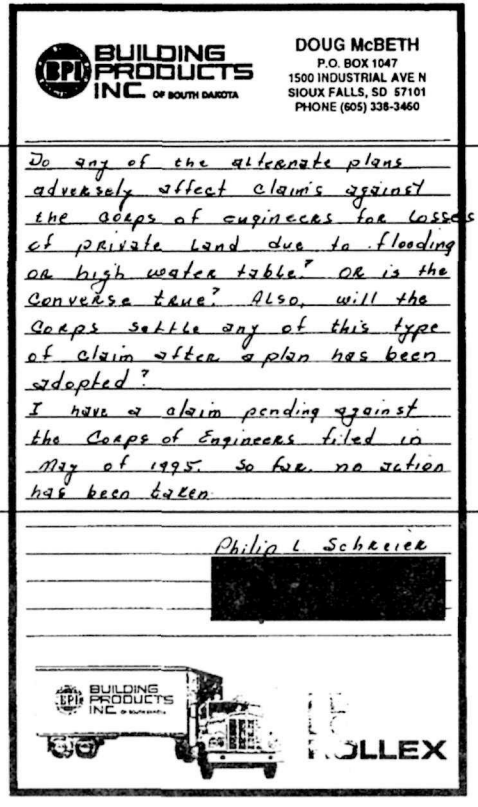
Yours truly,

Dale P. Riesberg

DPR:mh

2. The National Park Service believes that regional coordination of zoning is a good idea. Within the project area, only Charles Mix County recently has been under a zoning ordinance, which is temporary. However, in November 1996, Charles Mix County voted down a replacement zoning ordinance for the county. In South Dakota, planning district 3 in Yankton provides some coordination of planning in the counties it services and it could provide coordination of zoning if the counties approve of zoning. We would be supportive of regional coordination of zoning in Nebraska as well.

COMMENTS



BUILDING PRODUCTS INC OF SOUTH DAKOTA

DOUG McBETH
P.O. BOX 1047
1500 INDUSTRIAL AVE N
SIOUX FALLS, SD 57101
PHONE (605) 338-3460

Do any of the alternate plans adversely affect claim's against the Corps of engineers for losses of private land due to flooding on high water table? OR is the Converse true? Also, will the Corps settle any of this type of claim after a plan has been adopted?
I have a claim pending against the Corps of Engineers filed in May of 1995. So far, no action has been taken

Philip L Schreier
[redacted]

BUILDING PRODUCTS INC

OLLEX

1

RESPONSES

1. None of the alternatives proposed in the general management plan should have any affect on claims against the Corps of Engineers for losses of private land due to flooding. Your question regarding settlement of claims should be directed to the Corps of Engineers.

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8-17-96

To: The National Park Service - O'Neill

Regarding: Comments on Recreational River Plans.

I have reviewed much of the draft management Plan and have concluded I would favor either Alternative #2 or #5. I like #2 in that it would have the least amount of land listed in the designation. also it says that air boats would be prohibited. I'm certainly tired of air boat types running everyone's set lines during spring catfishing. I also feel it's important to preserve the river as it has been for the recent past. What I don't like is not helping to improve the roads. most residents in this area see a need to upgrade the roads sportsmen use them a lot at time. Our property has been subject to rising ground water levels and the usual winter and

1

CONCRETE: THE LONG-TERM SOLUTION

1. The National Park Service can only improve roads that pass through land owned by the agency. The general management plan's preferred alternative allows for improving, but not expanding, access to the recreational rivers. The preferred alternative does not recommend improving roads in the area as scenic drives.

COMMENTS

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early ~~spring~~ Spring flooding. We are working with the COE and have filed a claim for damages since the value of our land and improvements are rapidly becoming worthless. I like alternative 5 in that cooperation ~~amongst~~ amongst COE & NPS, FWS, State and local agencies is strongly encouraged I don't like the fact that #5 is costly and No mention is made of roads at all that I saw.

What I would like to see is the river areas maintained as they have been in the past, Visitor use at current levels (no air boats of course), and help with the roads that are often flooded or hard to maintain on bottom lands and surrounding areas.

In regard to our personal property I would hope to see the NPS help us

CONCRETE: THE LONG-TERM SOLUTION

2

RESPONSES

2. Airboats are currently prohibited in all areas under NPS jurisdiction. The plan recommends exceptions be made for administrative uses, particularly in areas where access by other means is not feasible.

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with the CoE when we have problems of groundwater tables rising and flooding.

In regard to the future of our rive property which ever alternative is chose probably matters little to us as long as we can reach a reasonable solution to our property loss due to rising water levels.

Please send me a copy of the final approved plan.

Respectfully,

Stephen J. Schreier

[redacted]

CONCRETE: THE LONG-TERM SOLUTION

COMMENTS

09/13/1996 16:25 14028573824 OLSONS INS AGCY PAGE 01

Copy to Warren Hill

Comments on Rec River
From Ragan Swanson



September 12, 1996

The Honorable Ben Nelson
Governor of Nebraska
State Capitol Building
1145 "K" Street
Lincoln, NE 68509

Dear Governor Nelson: Comments to the Park Service.

After reviewing the Draft Management Proposals set forth by the National Park Service, I find all to be unacceptable unless there are changes made. The Common To All Action Alternatives is where most of the problems are. Riprap restrictions, view corridors, Restrictions on quarrying, development and bank stabilization. Discriminating against air boaters and jet skiers. Promoting the Missouri as a canoe river - safety is important and this only adds danger to the ignorant enthusiast - deep, cold, open water with wind driven white caps will end many a happy vacation, maybe only a power boat rescue, but possibly a loss of life. Promotion of a free flowing river is fine, but the Corp. of Engineers fluctuates the water daily to supply peeking energy from the dams making it imperative to stabilize banks above any possible water flows. Land development restrictions will only hinder the depressed economies along the rivers. The high water and siltation of the Niobrara have taken thousands and thousands of acres out of production driving farmers off the land taking tax base and adding economic devastation to the communities. The designation was pursued as economic development and only brings hardship and more economic devastation to the people of this area.

1 1. Riprap Restrictions (Page 40, Paragraph 2): Problem - Fill materials must be placed below normal water elevation of 35,000 cfs unless covered with topsoil or vegetation. Solution - Fill material placed above the water flows should be covered with river rock or vine type vegetation or any vegetation able to withstand irregular water flow.

2 (Page 40, Paragraph 1): Problem - Only minimal and essential stream bank control would be allowed. An alternative to purchase land rather than allow stabilization. Solution - stream bank stabilization would be allowed any place a land owner would want as long as it would help with erosion and help stop siltation - the problem that is killing the ecostructure.

3 (Page 39, Paragraph 7): Problem - NPS would review 404 permits. Solution - More red tape, exclude the review.

RESPONSES

1. We accept your suggestion and the GMP has been revised.

2. The law and the plan provide for streambank stabilization. It was not the intent on pages 39, 40, and 86 of the draft plan to exclude agriculture as a purpose for which streambank stabilization may be needed. The plan has been revised. The COE section 33 program, providing for purchase in lieu of stabilization, is noted on page 40 as an optional authority.

3. Review of COE section 10/404 permits is a responsibility the National Park Service has under the law. Property owners would continue to apply to the Corps, not to the Park Service.

09/13/1996 16:25 14828573824 OLSONS INS AGCY PAGE 02

9/12/96
Page Two

4 2. (Page 43, Paragraph 5): Problem. NPS prohibits airboats and their use would be prohibited. Solution - Omit all referral to airboats due to the usage on the Niobrara. The river isn't canoeable because it is to wide and shallow. Airboats are the only suitable use of the Niobrara River.

5 3. (Page 43 - Paragraph 6): Problem - Low impact primitive recreation, over motor boating and jet skiing. Solution - omit any controls on boating and personal water craft, but do not pursue additional canoeing on the Missouri River.

6 (Page 37, Paragraph 6): Problem - Boat docks only one per 1/4 mile. Solution - Omit 1/4 mile. Everyone that wants a dock should be allowed one. It would be like denying people of a front walk. This is a Recreational Designation!

7 4. (Pate 38, Paragraph 5): Problem - Limiting cattle access to the river or areas. Solution - Omit this section it only makes more work and problems for land owners. Ranching and Agriculture are to be okay in this plan.

8 (Page 38, Paragraph 2. Page 83, Paragraph 7 & 8) Problem Screening vegetation 25 ft. view corridors. Solution - Omit any view corridors they are not to anybodies benefit. People sit on their porches, docks and enjoy the river flowing by. They don't want their view of a sun set ruined by other peoples trees and the only benefit of screening is from people passing by only momentarily. Where the people that live their enjoy the river and scenery everyday.

9 (Page 83, Paragraph 5 & 6): Problem- No replaced structure could exceed 1200 square feet on 50' lot or 2400 square feet on 100' lot with a 50' set back. Solution - Any replacement structure could be replaced on any lot that is upgraded from trailer type to foundation type and use of pastel or nature colors.

10 (Page 83, Paragraph 6): Problem - New Construction would be set back 100' solution fifty feet should be far enough back, at this time 100 x 100 lots are worth $10,000 so this plan is trying to take 1000's of dollars worth of real estate off the market when 50' farther back almost makes the lot worthless.

Sincerely,

Rayder Swanson
[redacted]

Rayder Swanson 402 857-3515 Home

4. Your comment can only be accommodated as a suggested change to existing regulations. It cannot be accomplished through a plan revision. The use of airboats is not allowed unless or until the regulation is modified.

5. The final plan does not call for regulation of any watercraft except for airboats. The plan has also been revised so that it will not emphasize canoeing over motorboating. Several individuals commented that the use of personal watercraft needs to be restricted and regulated due to safety and noise considerations. The National Park Service, along with other federal and state agencies, will observe personal watercraft use to determine if regulations or restrictions need to be implemented.

6. Please see response 1 to Pittack.

7. Please see response 3 to the South Dakota Cattlemen's Association.

8. The GMP has been revised to give better examples of vegetation screening and view corridors.

9. We believe the plan is consistent with the intent of this comment.

10. The suggested guidelines for development could be included in property owner agreements with the National Park Service or in conditions, covenants, and restrictions among property owners and lessors. The National Park Service suggests these standards as desirable goals.

COMMENTS

Comments on GMP Draft



September 13,1996
To: Director Kennedy
From: Georgia Talsma
Subject: Draft GMP for the Missouri/Niobrara/ Verdigre Creek Rec Rivers

Dear Mr. Kennedy:

I am sending my comments concerning the above subject directly to you. It is essential for you as the NPS Director to be informed on all sides of this issue. I will give general comments and then address more specific concerns about the preferred alternative. I realize you are busy and this correspondence is lengthy. I appreciate your time and thank you in advance for your objective and dedicated efforts to this issue.

1 In May of 1995, the team had agreed to a "landowner friendly" alternative. In September of that year, we were headed in that direction but NO alternative had been agreed upon. We were promised a 45 day comment period on the draft that the NPS would send the team as a result of the September meeting. We were given three weeks over Christmas. Then, we were promised another meeting in the spring of 96. It was cancelled. Next we were given another shortened comment period on the April 12 review draft. The landowners on the team could not subscribe to that plan at all. It was not the product agreed upon and we felt we had come full circle to the day Warren Hill handed out relocation pamphlets. We had been duped.

2 Next came the larger draft and EIS. Once again the 60 to 90 day public comment period you had promised me in our visit in Senator Pressler's office was shortened. Several public meetings were set up. All the members of the team were sent letters of consideration telling the dates, times, and locations for those meetings-EXCEPT for the landowners. I found out about the meetings from a neighbor who had heard about them at another meeting in his county. When I informed the other landowners, they did not know about them either. I asked Mr. Hill why some team members received letters and others did not. His response was that the newspapers had been informed. Ironically, the papers I subscribe to did not receive a news release either. I personally had been on the mailing list since 1992 for all news releases. However I stopped getting releases in the fall of 95 and started getting them again after the last public meetings were over. Hard to explain, isn't it?

That brings you up to speed on the highlights of activities concerning this issue. The following comments will be in regard to the document itself.

GENERAL COMMENTS:

RESPONSES

1. From November 1995, to January 1996, there were two government shutdowns for lack of a budget. The Park Service was also running low on money for this planning project. However, 100 copies of the draft plan were mailed internally and to our external partners on December 8. At the end of January (about 50 days) the Park Service had received some comments from partners, but people were not compelled to respond, and many chose not to respond.

   The plan was then sent to an editor. A short version of the plan without the environmental analysis was mailed to all planning team participants on April 12, 1996. A few individuals on the planning team, but not all, responded with comments. Even though the feedback was sought by mail rather than through a meeting, ample opportunity was provided to planning team members to comment, and some chose to provide helpful feedback.

2. After the printing of the final GMP/EIS on July 12, nine public meetings were set up between August 13 and August 22, 1996. A press release notifying the public of the meetings was mailed to all local media. Almost all local newspapers printed a notice of meeting schedule. The public meetings were generally well attended. At the request of the Missouri National Recreational River Advisory Group, the deadline for comments was extended until September 14, giving a total comment period of 58 days. We do not know why news releases are not received. The commentor is on our mailing list.

3

1.Please note that this draft is NOT a consensus by the team. When this process begin, we were continually reassured that only an alternative that was agreed upon by the entire team would be presented to the regional director and to you. We as landowners feared what would happen since we were so out-numbered on the team. The NPS assurance of consensus left us wary but ready to move on with the process. Our initial concern was proven accurate by the draft itself. In addition, NPS personnel are lauding this document as one agreed upon by the entire team. I find myself in a unique position. The people I represent read this draft and confront me with it. I did not agree to it at all and neither have the other landowner team members. It is a lie to say otherwise.

2.Mr. Thomas of the advisory committee is quoted as saying," the majority are beginning to understand this is going to be a hands-off approach" that wouldn't harm existing river uses but would protect the river from future develpment. Mr. Hill says the plan would result in "little if any detectable change in management." However, the draft itself refutes those claims. Please read it carefully, from the perspective of an independent landowner and note how many references are made to partnerships, NPS as a lead agency, cooperating agencies, etc. Those references indicate a change in attitude concerning who controls the management of the land to say nothing of the specifics in change of management.

4

3.The entire draft, for all its pretty words and promises, is vague and prone to differing interpretation by different individuals. This document will become the historical basis for all future decisions concerning this segment of the river. It may even be used as a reference for all other river related management activities. It cannot be so vague that the intent of the planning team is left unclear and open to any interpretation. Statements in this draft are interpreted differently by team members today. What will happen 20 years from now, when others go back to it as a point of reference?

5

4.Visitor use has been minimized in team meetings from the beginning. However, this draft emphasizes visitor use and expansion. That totally contradicts our understanding. Some individuals who attended public meetings supported this plan solely because they see it as had opportunity to advance tourism. That is clear evidence that the draft is not advancing team intent.

6

5.A question was brought up at a public meeting about which alternative would be chosen. We wanted to know what would happen if alternatives 1,2,3, or 4 would be chosen. The NPS gave no commitment for revisitation by the team if anything but the preferred alternative is chosen. In addition to

3. The statement regarding consensus is taken out-of-context from an early planning team meeting. Describing the planning team process, the chair suggested the group move towards decisions through consensus. It is the NPS experience that better planning team decisions are made in this way. General agreement among the participants for the preferred alternative was reached in the following way.

   At a meeting of the planning team in Niobrara State Park on September 29 and 30, 1995, the members undertook an exercise to identify the preferred alternative by combining the best parts of the other alternatives. The greatest number of planning team members identified alternative 2's Management and General Concept and Philosophy as acceptable, if it were modified to include the alternative 3 resource management boundary and some ideas from the "Interpretation" section under alternative 4. Though everyone did not agree on every aspect of the preferred alternative, it was agreed to by the largest number of planning team members and became alternative 5.

4. Please see response 4 to South Dakota Cattlemen's Association.

5. The possibility of increased visitor use was a concern frequently expressed by several planning team members, including those representing local counties. As a result, the preferred alternative does not recommend actions, such as the construction of visitor centers, campgrounds, and expansion of river access sites that would substantially increase the number of visitors coming to the area. On page 87, the draft GMP states that "Visitor services and activities could be expanded in ways that do not add significant numbers of new visitors to the river." On page 88, the draft plan states that "Access to and facilities on the recreational rivers could be improved but not expanded." What is meant here by "improved" is "modernized." The text has been modified to reflect this meaning.

6. Please see response 4 above. All alternatives in the plan, except alternative 1, meet the requirements of the law and could be chosen.

COMMENTS

the fact that this is NOT an alternative developed by the team. It is misleading to distinguish one alternative as
6 preferred when in reality it isn't. The preferred alternative is actually one designated by the regional director alone.

6.The focus of this draft was to preserve the river. Promoting it will not preserve its values. Instead, its unique values will be destroyed and artificial values for the sake of leisure and tourist consumption will take their place. True conservationists realize that people, at times, must be content in knowing there is a place like this; that
7 it is being cared for by those who know it best; and they cannot go there if the resources are to maintain their uniqueness.

7.Where did the idea come from that private property is a public resource and needs to be controlled by public
8 agencies? Arizona Govenor Symington said it well."Private property rights lie near the source of the liberty under which Americans are free to enjoy the God-given beauty of the Earth. It is the nature of government constantly to close in upon that liberty, to diminish it, to consume it. Indeed, one day the historians may put down our era as one
9 where gradual intrusion of the public upon the private came to deprive Americans of the liberty that was once the envy of the world." Mr. Kennedy, as NPS director, you can begin the fight to stop this intrusion, knowing that the landowners are protecting the resource already.

8.Let's focus on the intent of the law-to preserve the resource. This plan not only does not protect private property rights, it also does not protect the river itself.

9.This is not a management plan. Basically, what it says is that the people will come and when the situation becomes a crisis the NPS will do something. Logic says that something will be done with a heavy hand. Perhaps that explains the addition of the statement to the draft that allows the NPS to reassess its condemnation policy in years to come.

10.The devil is always in the details. When NPS officials were asked for specifics concerning certain management issues, we were told those details would come later and the NPS not the planning team would establish them.

SPECIFIC COMMENTS ON COMMON TO ALL AND PREFERRED ALTERNATIVE

1.Originally, the NPS said their intent was to minimize their day-do-day management activities, to literally work themselves out of a job. This draft makes several statements concerning the NPS day-to-day management of the area and goes so far as to include within its budget dollars

RESPONSES

7. The draft GMP/EIS details specific management actions in the "Features Common to All Action Alternatives" section and the preferred alternative.

8. Please see response 4 to South Dakota Cattlemen's Association.

9. Please see response 2 to National Audubon Society.

for not one but four full time employees and one half time employee.

10

2.Consider the reference to NPS's decision to reassess its condemnation authority. That one sentence negates all the talk of no condemnation and leaves landowners totally unprotected. The NPS alone can determine if the GMP goals are being met. They alone can determine if a stronger federal management role is needed. The landowners have no recourse if we believe the NPS is "failing to meet the objectives of this plan." This plan can be revisited by the NPS at any time. It's vagueness leaves it wide open to abuse.

11

3.Please note the many references to development throughout the document. Development and expansion of visitor facilities were never emphasized in team meetings but they are here. Imagine how these statements could be interpreted by and individual in favor of increases visitor use.

4.New land uses must be evaluated for their compatibility with the act. However, visitor use uses are simply expected.

5.If visitor use is not emphasized, why does the NPS need funding to acquire land for additional access to the river?

12

6.The plan is not clear on its intent to manage land strictly within the plan boundaries. References are made to outside the boundary lands and this plan has no control over that area.

13

7.It was NEVER agreed upon that COE fee and easement land would be the boundary. Mr. Hill was asked specifically about that question and responded that it was true.

14

8.There is discrimination in this plan because tribes can decide whether or not to participate but private property owners cannot.

15

9.Guidelines to design considerations for development were given as that--simply guidelines. This document emphasizes those guidelines as essential and critical. That hardly makes them suggestions or guidelines.

16

10.RESOURCE CONSERVATION LAND is a category that miraculously appeared out of thin air. The resources included go beyond the intent of this law and infringe on landowners' rights. Please note the reference to limiting cattle access. This issue has been a concern of ranchers from the beginning of this process. We have been continually reassured by NPS personnel that cattle would never be restricted from the river. Access to the river by

10. Please see response 1 to National Audubon Society.

11. We agree that some statements regarding visitor use are unclear, partly because visitor use recommendations differ by alternative. Alternative 4 allows for development of additional visitor facilities (page 75 of the draft plan and table on page 72), but alternative 5 (the preferred alternative) states that "Access to and facilities on the recreational rivers could be improved but not expanded" (page 88). For clarification, this sentence has been revised to read: "Existing access to and facilities on the recreational rivers could be improved (modernized) but not expanded." The preferred alternative thus allows for modernization of facilities such as boat ramps, but it does not recommend new ones. Due to a recommendation from the advisory group, the final plan will allow, if feasible, the replacement of boat launch ramps lost to siltation.

    The title for table 5 in the draft plan can be misinterpreted and has been modified to "Public Use Areas Recommended in Alternative 4" to eliminate confusion that these proposed developments are being recommended in alternative 5 (the preferred alternative), which they are not. In the final plan we have moved table 4, which is now table 5, to page 79 of alternative 4.

    On page 221 the estimates for land purchase in alternative 5 are for easements from willing sellers only.

12. The National Park Service only has authority to manage land within its boundaries. However, the Wild and Scenic Rivers Act does allow for technical and financial assistance to be provided on land outside river boundaries. This assistance is described on pages 38 and 39 of the draft plan.

13. Please see response 4 to Hermanek.

14. Please see response 3 to Hermanek.

15. Please see response 10 to Swanson.

16. Please see response 3 to South Dakota Cattlemen's Association.

COMMENTS

16 cattle is critical to the ranchers livelihood. This statement alone makes us wonder how many other taken-for-granted assurances have been negated by a simple phrase within this draft.

11.Using the GIS data as the primary tool for developing boundaries made a joke out of needing permission to come on private lands. In addition, there are cases where even those *boundaries are changed on the maps and were not agreed upon* by the team.

17 *12.If this plan were effective, why do more detailed plans* have to be made by the NPS at a later date? If it is not effective why are we implementing it?

18 13.There is a provision for streambank protection in order to protect biological and cultural resources but none to protect agricultural resources.

19 14.The NPS is to be consulted concerning permits. Please note that without consulting the team members, the NPS has grandfathered in a float trip concession that was created years after 1991. By doing this, the NPS could make this individual a rich man, since no other concessionaire is allowed that privilege. This act alone is not in compliance *with the intent of the plan and definately* does not go along with the American ideal of free enterprise.

20 15.Funding of streambank protection is the responsibility of the property owner however they do not have control over who can receive the permit to control the bank nor do they have control over stopping the cause of the erosion.

21 16.There are several references to adjacent wetlands. Are they located only within the boundaries of this plan or is this an attempt to control land outside the boundary?

17.Many references in the common to all section strongly emphasize biological resources. Please note references like *"improve the value of biological resources". Those* references in the common to all section would negate the purposes of some alternatives and turn them all into biological alternatives.

22 18.Why is it necessary for the NPS to become a full partner with other government agencies and even to take on leadership roles in fulfilling their obligations?

23 19.What does the reference to ground disturbing activities mean?

24 20.There are many references to willing sellers. If this plan is not to have any effective on management techniques as Mr. Hill has reassured the media why would there be

RESPONSES

17. Please see response 1 to National Audubon Society.

18. Please see response 2 to Swanson.

19. On page 87, the GMP states that "Visitor services and activities could be expanded in ways that do not add significant numbers of new visitors to the river." Two services have recently been operating along this stretch of the Missouri River: a private tour service out of Pickstown and a public tour service operated by Niobrara State Park. The GMP does not limit boat tours to these operations, but indicates that any additional activities must be evaluated as to whether they would add significant numbers of new visitors to the river. Neither of these tour operations is adding more access points to the river; they are both using existing access points.

20. Please see responses 1 and 2 to Swanson.

21. References to biological resources in the "Features Common to All Alternatives" section do not negate the purposes of the alternatives. To varying degrees, there are differences between each alternative. It is the responsibility of the National Park Service to administer the recreational rivers designated as part of the wild and scenic rivers system. The Wild and Scenic Rivers Act provides the most comprehensive legal protection available for the instream values of rivers. The act protects designated segments and their values from degradation. Therefore, it is appropriate that biological resources are emphasized in the "Features Common to All Alternatives" section.

22. Please see response 2 to Southern Missouri Water Development District.

23. On NPS-owned land, the Park Service has a responsibility not to impact archeological resources with ground-disturbing activities.

24. There could be willing sellers for any number of reasons, including economic ones. However, it should be emphasized that little or no acquisition of land is anticipated in the preferred alternative. The estimate is based on buying conservation easements. Several property owners have indicated they may want compensation for their land that is included in the boundary. If that is not the case, the money will not be spent. In any case, it needs to be appropriated first.

willing sellers? Is there going to be an attempt to coerce landowners into becoming willing sellers? Why are hundreds of thousands of dollars budgeted to buy land?

24

21.There is no management to limit visitors. Thus without limits the numbers will increase. This will result in a significant impact to the area. Where are the controls that would insure that visitors would pursue "quiet and passive recreation".

22.Note the reference to an implementation plan. If this plan did its job there would be no need for an implementation plan conceived only by the NPS without imput from the landowners or the public

23.Note the reference to resource protection criteria and trigger points and responses that WOULD be developed. When? By whom

25

24.The NPS promises to do something about visitor use when it impacts T and E's, visitor experience or resources. No provisions are made for visitor use impacts on agriculture resources.

25.How can the NPS protect river values from visitor use? How do they intent to protect current river experiences when it is obvious this plan could easily increase visitor numbers?

26.Look carefully at the primary intrepretive themes and their purposes. Can you find any significant reference to protecting agriculture and its lifestyle?

27.Since much has been made of the fact that this is a resource protection plan and not one to allow for visitor expansion why would the preferred alternative allow for expanded visitor services?

26

28.Please note the references to areas prone to flooding, oxbows, new visitor facilities and access, and scenic roads. These references were never intended to be in a preferred alternative. Sommone did not get the message or else chose to ignore it and promote his own agenda.

29.Please note the funding for labor and land acquistion costs. This budget would have created quite a debate if it had even been presented to the team.

27

30.What other partners would contribute to the funding? This could lead to a real conflict of interest issue.

28

31.I see a lot of protection for various resources mentioned. Where is the protection for private property and agriculture resources?

25. As noted on page 43, "The National Park Service and its partners would monitor the impacts of visitor use and would redirect or otherwise limit use so as to avoid unacceptable visitor experience or resource conditions." The reference to an implementation plan has been deleted. Visitor numbers to the national recreational rivers will be periodically evaluated as to whether they are causing crowded conditions, conflicts in use, impacting private land, or resulting in a decline in significant resources, such as threatened or endangered species. If an increase in the numbers of visitors is predicted to have, or is having these effects, steps will be taken to limit or manage visitation. Such management could include limiting visitor use by time or by space to avoid the undesirable effects.

26. Previous drafts referenced areas prone to flooding, oxbows, new visitor facilities, and scenic roads; however, these references were deleted in this draft, except in alternative 4 (the recreation use alternative). A reference to scenic roads in the "Features Common to All Alternatives" section refers to the National Park Service only providing advice on the subject if requested.

27. We presume the questions relate to land purchases. The Corps and state agencies occasionally purchase land and easements.

28. There are protections and assurances throughout the plan.

29

5) there are numerous references to programs that would protect resources; however, the references are vague as to whether or not they refer to lands within the boundaries only.

Director Kennedy, the above comments are only a few of the problems rampant throughout this management plan. You can see that in its present state it is seriously flawed. It is inconsistent and vague, prone to interpretation in direct conflict with the intent of the planning team. If that is the case at this time, imagine the problems with misinterpretation that would occur in years to come when present individuals are not around to clarify issues.

The plan in its present form gives virtually no thought or consideration to private property owners or the input they provided for the last few years.

As landowners, we can no longer trust in the empty platitudes of the NPS. Time and again they have challenged us to operate in good faith and when we did they changed the rules and we lost again. What is the hidden agenda concerning these rivers? I wish I could believe the agenda is to preserve the river, its resources or the activities in place as of 1991.

What is the solution? I can see resolution to this critical problem only by: 1) scraping this plan and implementing one that truly protects the resources and includes landowner rights or 2) deauthorizing this river or making sure that no private property lies within its boundaries.

Director Kennedy, look hard at this plan with an objective mind. Look discerningly at the points made by me and other landowners and then look deeply into your own heart and mind. I honestly believe you will agree with those of us who are on the land now and whose families have for generations protected America at her finest.

Sincerely,

[redacted]

29. Please see response 12 above.

Sandy Weaver
[redacted]

8-6-96

Lynn Peterson
Warren Hill
Niobrara/Missouri NSR
PO Box 591
O'Neill, NE 68763

Dear Lynn and Warren:

Thank you for providing me with a copy of the Draft GMP/EIS for the Missouri, Niobrara, and Verdigre Creek National Recreational Rivers. Generally, the document is longer and more complex than it needs to be, reflecting the confusion that seemed to plague the entire planning process. It also contains a number of errors and omissions. My formal comments and questions, which follow, reference specific pages and paragraph numbers or headings.

1 1. Page 26, Alt. 1 "Staffing Needs" assumes that 1/3 full time employee (FTE) would be devoted to "managing" the rivers under the "No Action" alternative. It seems to me that not much "managing" would be required for "No Action" and that this 1/3 FTE would be much like the Maytag repairman at taxpayers' expense. It would make much more sense to assign these minimal duties to an existing employee in the NPS Omaha office, as "other duties as assigned." This would negate the "need" to budget for office rental & supplies.

This paragraph also apparently assumes that "No Action" would be chosen for the 59-mile Missouri segment as well as for the Niobrara NSR. This is unrealistic, as there is no way to accurately predict which alternatives will be chosen for the other projects. Should one of the action alternatives be chosen for either or both of the other projects, management staff for those rivers could certainly cover the minimal staffing needs for this alternative.

2 2. For the reasons outlined above, I also take issue with the next paragraph (Costs) on page 26. Although $32,000 is peanuts for federal projects, even this amount of money smacks of bureaucratic sandbagging. Also, it's interesting that page 26 only refers to this salary as "labor" while Appendix D specifically identifies a "Park Manager." If there is no "Park" and this is truly a "no action" alternative, then it would surely be a waste of taxpayer dollars to fund at the GS-13 level.

Also, it seems strange that Appendix D only covers staffing and land acquisition costs for this and the other alternatives. It would have been much more useful to have in either Appendix D or Table 8 a comparison of all costs associated with each alt.

3 3. Page 28, "Visitor Use Management" -- the second sentence states that "there would be no new entities established to manage any increases in visitor use." Doesn't this really mean that NPS would establish no new entities? There is no law prohibiting other agencies or organizations from doing so.

4 4. Page 28, last sentence: This does not state WHO would continue to develop visitor facilities. NPS? Not under a "no action" alternative. It says that NPS won't expand interpretation beyond present levels under this alternative. Why not specifically say the same about facilities, leaving such development to other entities?

5 5. Page 33, 3rd paragraph: The last sentence specifically states that condemnation is absolutely excluded as a means of acquisition or protection.

1. It may be advisable to incorporate the management staffs of these river segments with the management staffs of the Missouri National Recreational River (59-mile segment) and the Niobrara National Scenic River (east of Valentine).

2. The text on page 219 of the draft plan, Alternative 1: No Action, has been modified to replace "Park manager (GS-13)" with "Park specialist (GS-13)" to reflect that the primary duties will be environmental compliance work.

   In Appendix D on pages 219-220, each alternative has been modified to include a line-item cost for "General office expense". Such costs may include the federal share of cooperative agreements, materials, supplies, transportation, office costs, etc. In alternative 1, $10,000 in general office expense has been added, even though, as existing expenses, these may be not easily separable. General office expense for alternatives 2-5 will be added as follows: $45,000 for alternative 2, $63,000 for alternative 3, $80,000 for alternative 4, and $63,000 for alternative 5.

3-4. The text has been revised according to your suggestions.

5. Please see response 1 to Murphy above.

COMMENTS

On the sister project, the Niobrara NSR, condemnation is permitted for resource protection and to clear title or establish price. It was a battle on
5 that project to get NPS to agree not to condemn for recreation or access sites, and NPS refused to exclude all condemnation. Please explain why NPS was easier to persuade on this project to exclude all condemnation.

6. Page 33, last paragraph: The last sentence states that the NPS role would decrease over time for all action alternatives. Is the plan to eventu-
6 ally phase out NPS altogether? If not, at what level will the NPS role eventually stabilize? How is this reflected in Appendix D?

7. Page 34: "General Administration" only seems to address habitat development/management and cultural resources. Why are these given special
7 attention here over other resources? Since all of the identified resources have their own sections in this chapter, am I missing something particularly important about these two items?

8. Page 35: The 2nd paragraph lists inappropriate activities and developments, including feedlots and animal confinement facilities. The O'Neill NPS
8 staff is aware of the challenge that county planners have faced in trying to define these items. The glossary definition of "feedlot" on page 224 does not consider size of an operation or whether it is a commercial operation, as opposed to part of a rancher's normal operation. Without a tighter definition, this issue could come back to the detriment of either the landowners or NPS. Careful attention should be paid to this definition and agreement on it should be reached by both NPS and landowners to provide protection for all parties.

9. Page 36: The first paragraph explains that land use class standards
9 and guides could be adopted as part of county zoning and property owners could adopt them for buildings and landscaping. What would the consequences be if counties and/or landowners did not adopt them?

10. Page 36, paragraph 4, Chas Mix County: Why does riverfront included
10 in the watershed district ensure that the land will remain agricultural?

11. Page 36, paragraph 5, Bon Homme County: The last sentence states:
11 "Under this alternative..." As this is the "Features Common to All Alternatives" section, it is unclear which alternative is being referenced here.

12. Page 36: The Agricultural Land section lists the number of private
12 properties (1) inside the boundary in Gregory County. What about the other counties? How many landowners are affected? Does this vary according to alt?

13. Page 37, 2nd paragraph, last sentence: NPS wants to ensure that
13 state activities are consistent with this plan. It would be considerate of NPS to recognize any existing state plans and to make an effort to make this plan compatible with them. It seems pretentious for NPS to assume that any state plans or activities should be subservient to the NPS plan. Cooperation would be a much more palatable approach.

14. Page 37, "Residential and Other Private Development Land" -- Why
14 does this only include "certain" developments? Why would such a land use class not include all residential and private recreational developments (excluding farm & ranch buildings) which lie within the boundary? Please define these "certain" types of developments and state why this applies only to them.

15. Page 38: The second paragraph refers to "visibility corridors." What
15 are these? Perhaps you could add this term to the glossary. Is this the same as the "view corridor" mentioned in the 2nd to last paragraph on page 83 (also not in glossary)? On page 83 it sounds as if you don't want more than 50% of the riverfront to be without structures, which can't possibly be what you meant to say. Don't you mean to say "a minimum of 50%" of riverfront without buildings instead of "not to exceed"? Also, how do two 25' corridors differ from one 50' corridor? Can these buildings be adjacent on 25' corridors to

RESPONSES

6. Please see response 2 to the National Audubon Society.

7. The entire paragraph and title have been removed in favor of the more detailed explanations that follow and that are in each alternative.

8. The National Park Service is aware of county difficulties in defining feedlots along the Niobrara Scenic River. Such facilities are not along these rivers, and the Park Service believes the definition in the glossary provides sufficient explanation.

9. The guidelines for buildings and landscaping vary by alternative and depend on whether a structure is existing, replaced, or new. In the preferred alternative, guidelines are more stringent for new structures than for existing structures. Please see response 1 to the National Audubon Society.

10. The plan states that the presence of a watershed district "tends to ensure that this land will remain agricultural," because one of the purposes for a watershed district is to prevent damage from flooding. We do recognize, however, that there is no requirement that the land remain agricultural.

11. The sentence has been deleted.

12. The other counties have more than one landowner within the river boundaries. The number of landowners would vary with the acreage included within each alternative. Land in South Dakota is generally in large ranches or owned by the Yankton Sioux Tribe. Nebraska landholdings are usually large farms and ranches interspersed with developed recreational land.

13. On pages 15-21 the Draft GMP recognizes and describes state, local, and other federal plans that also pertain to the area of the recreational rivers. The Park Service fully recognizes the findings, goals, and opportunities expressed in other agencies plans and programs. As an example, we are cooperating with the South Dakota Department of Transportation to provide interpretive exhibits at an overlook they are constructing at the north end of the Running Water-Niobrara bridge.

14. The word "certain" has been deleted in the final plan.

15 maximize the continuity of the other 50' which would be left natural?

16 16. Page 38, 5th paragraph: The last sentence says that "owners might agree to not [tamper with] wetlands." There is no "might" about this. Federal law specifically prohibits such activities without a permit. This document even mentions that fact on pg. 39.

17 17. Page 39, Resource Management, General: The 1st paragraph refers to the use of 1991 aerial photos in boundary determination. Mention should be made here to acknowledge the fact that the course of the river changes over time, and it should be stated how this will affect the boundaries.

18 18. Page 40: Paragraph 2 lists most of the major materials which are or are not permitted for streambank stabilization. However, tires were not mentioned. As tires are a commonly used material, this document should address their desirability for this purpose.

19 19. Page 40, "Natural Resources," "General" -- the 1st paragraph states that NPS would "cooperate" with inventory and monitoring efforts. Please identify who NPS will cooperate with -- i.e. what agencies can be expected to be responsible for these activities? USFWS? COE?

20 20. Page 42: Paragraph 3 states that "Cultural landscapes have not been identified for this plan," yet paragraph 4 addresses the role of stewardship by private landowners in "maintaining the cultural landscape." How can something which hasn't been identified be maintained?

21 21. Page 42, last paragraph, 2nd sentence: WHO will monitor visitor use and resource conditions? Also, the last sentence in this paragraph again refers to "cultural landscapes" which this plan chooses not to define.

22 22. Page 43, 2nd to last paragraph: The 1st sentence states that primitive recreation will be emphasized over intensive recreation. Will motor boating and jet skiing be prohibited, either immediately or in the future?

23 23. Page 44, 1st paragraph: The last sentence states that trigger points and responses would be similar in any alternative, but fails to define what these trigger points and responses would be.

24 24. Page 44, 2nd paragraph: The 1st sentence says that NPS will not take any actions to significantly increase visitor use, yet the 3rd sentence of this paragraph states that some alternatives would result in "increased capacity or would make the area more attractive for new users." The last sentence of that paragraph then states that NPS would not allow increased visitor use if it might result in unacceptable impacts. The first and last sentences seem to contradict the 3rd sentence. Why spend taxpayer dollars to make a place more attractive to visitors if you don't want to increase the number of visitors?

25 25. Page 47: The "Management" section fails to define the specific NPS role for alternative 2.

26 26. Page 47, 2nd to last paragraph, last sentence: Neither the glossary nor my Webster's dictionary defines the term "infill" -- what does this mean?

27 27. Page 47, last paragraph: Since NPS stated up front that it will not condemn land, why do these agreements need to provide assurance to property owners that NPS will not attempt to acquire their property? What is the incentive for a landowner to enter into such an agreement?

28 28. Page 48: The breakdown of Ag Land by county and state is a repeat of what was shown on page 16 in the "common to all" section. How does this specifically relate to alternative 2, exclusive of the other alternatives? The same question applies to the rest of this section (pp 48-50). Much of this is simply a re-hash of material found on pages 36-38. It would be helpful to emphasize how alternative 2 is different from the other alts.

29 29. General comment on land use management classes (all action

15. Visibility corridors and view corridors refer to the same thing. The following definition will be included in the glossary: "an opening in the vegetation (either natural or created by people) that allows a view to the other side of the vegetation, such as a view of the river from a cabin or trailer."

16. The correction has been made in the final plan.

17. The text under boundaries, on page 38 of the draft plan, will be amended to say that once boundaries have been established, they will not change with river erosion. They can be revised if a new study indicates a need to do so.

18. The text has been modified to indicate that the National Park Service will not recommend the use of tires for bank stabilization, even though the Corps of Engineers has permitted them with certain restrictions.

19. Please see response 2 to the Corps of Engineers and Southern Missouri Water Development District.

20. This is a general management plan that establishes long-term management objectives, identifies issues, and establishes courses of action, including areas of further study, necessary to address the issues. One such study would be the identification of cultural landscapes. Paragraph 4 has been revised to insert the word "identified".

21. The National Park Service would monitor and evaluate resource conditions to ensure that resources were not damaged. Of course, this does not limit other agencies from also monitoring resource conditions.

22. Please see response 1 to Robert and Gwen Ganz.

23. The word "primitive" has been deleted from the draft plan when it describes types of recreation. The trigger points for resource damage have not yet been determined. The responses would depend on the types of damage being inflicted.

24. Please see responses 1 and 2 to the South Dakota B.A.S.S. Federation.

25. The NPS management role is defined on page 33 of the draft plan.

COMMENTS

29 alternatives): Who will enforce? Even if counties adopt zoning, have they agreed to adopt these classes?

30 30. Pages 50, 60, 69, and 84, Maintenance: None of the alternatives specify who will be responsible for whatever maintenance there happens to be.

31 31. Pages 50, 60, and 69-70, NPS Staffing: Where will the other half of the time be spent by the 4.5 FTEs for alternatives 2 and 3 and the 4.0 FTEs for alternative 4? (and why does alternative 4 not require a half time clerk?) Would the other half of their time be split between the 59 mile segment and the Niobrara NSR? Also, since the specific NPS management role is not defined for alternative 2 (pg. 47), this leaves a large unanswered question about exactly what these 4.5 FTEs would be doing!

32 32. Page 52, Visitor Activities: "Other recreational uses would be neither encouraged nor discouraged." This conflicts with page 43, 2nd to last paragraph where it says that all action alternatives will emphasize primitive recreation.

33 33. Page 58, Alternative 3, Management: The 3rd paragraph from the bottom defines the federal role but not the role of others. Who takes over when the federal role lessens?

34 34. Page 60, 1st paragraph, last sentence, and the General Concept (page 58) state that recreation would not be encouraged. Since Congress designated these waters as "National Recreational Rivers" and under this alternative recreation will not be encouraged, this whole alternative seems to go against the grain of the intent of the law. Perhaps this should be in the "alternatives considered but rejected" category.

35 35. Page 71, table 4: Why are there no acreage estimates available for 3 developments in Knox County?

36 36. Page 72, table 5: What is the estimated acreage for item 3?

37 37. Page 81, Management: If the NPS administrative role diminishes over time, what entity will take over as coordinator?

38 38. Page 83, 2nd paragraph, re: Yankton Sioux lands. Why is this mentioned here (and on page 49 in alternative 2, but not for alternatives 3 and 4), when Yankton Sioux tribal lands are excluded from all the alternative boundaries as stated on page 36, end of 4th paragraph?

39 39. Page 84 and Appendix D, NPS staffing needs for alternative 5: The 4.5 FTEs who would work half time on this project would spend the other half of their time on the Niobrara NSR. What about the 59 mile segment? Would that require a separate staff? Are the plans to keep the office in O'Neill regardless of which alternatives are chosen for any of these projects? The Cost section for alternatives 2-5 all allocate funds for the O'Neill office.

40 40. Page 84, costs, last 2 paragraphs: This is very vague ("cannot be estimated at this time"). Without at least a ball park estimate of these costs, the estimated $301,500 listed in paragraph 7 is meaningless. This appears to leave the taxpayer wallet open for a fiscal pickpocket during this time of downsizing and budgetary crunch.

41 41. The same logic holds true with the visitor use costs mentioned at the top of page 85 -- it refers the reader back to the costs budgeted for this under alternative 4. However, when the reader turns back to the cost section for alternative 4 (page 70) there is no mention there of these extra budgeted items. They should appear (along with a dollar estimate) in the cost sections of both alternatives.

42 42. General comment on tables 2 (pg. 51), 3 (pg. 61), 6 (pg. 73), and 7 (pg. 85): These give total/public/private acreage figures for each land use/cover category, and then subtract out acreage for Yankton Sioux land. The tribal land should be subtracted from each category to reflect accurately the

RESPONSES

26. "Infill" refers to the filling in or completion of development within an area of existing development that has undeveloped tracts of land. For example, a subdivision or cluster of homes with three vacant lots could be developed through infill. The term will be defined in the glossary.

27. The National Park Service agreed that condemnation is not a needed management tool for protecting the rivers under this management plan. Please also see response 1 to Patrick F. Murphy. The Park Service could offer financial and technical assistance for conservation practices to landowners through cooperative agreements to achieve the plan purposes. Some owners will want to cooperate and may wish to know that their plans are consistent with the recreational river plan. Such agreements and assurances may be desired on the part of both parties.

28. The agricultural land class breakdown by county is the same for all alternatives and its description has been greatly abbreviated in the individual actions alternatives.

29. Through cooperative agreements and partnerships, the National Park Service will continue to work with federal, state, and local agencies and landowners to ensure consistency with this plan, the legislation, and the Wild and Scenic Rivers Act.

30. The "Features Common to All Action Alternatives" section states says that present managers would continue to manage their facilities.

31. Please see responses 1, 2, and 5 above.

32. The text on page 43 will be modified by removing the preference for "low impact primitive recreation."

33. The last sentence of the first paragraph will be modified to state: "In this alternative the National Park Service does not propose additional federal, state, or county administrative or maintenance facilities because increased recreational use is not encouraged." Please see response 2 to the National Audubon Society.

34. While this is not the preferred alternative, much of the public wanted to see an alternative that emphasized recreation and its analysis. It is a viable alternative under the law and therefore had to be considered.

42 acreage for each category. The reader has no way of knowing if the tribal lands are distributed by cover proportionally to other lands, or if they are mostly in 1 or 2 categories.

43. Page 95 (Errata sheet), table 8: General Concept, alternative 5 states "local property owners and local officials in charge" (which is also stated on page 81 under Management. Yet Appendix D shows the same NPS staffing level for alternatives 5 and 3, and a lower level for alternative 2. If the local folks were to be truly in charge, it would seem that NPS staffing levels should be much lower, at least as low as for alternative 2, and after a start-up period, should reduce to the level of alternative 1 or less. However, since there is no local council management alternative, there would then be no central coordinating agency other than NPS, thus a minimal NPS presence might be justified. But this seems to contradict the statement directly below it. If NPS administers, how can the locals be "in charge"?

44. Table 9, page 96: It would have been useful to have this table adjacent to the Impacts section.

45. Table 9, page 96, item 3, Soils: "Alternative 4 would include public development." Explain the impact! Under "Impacts of alternative 4, Soils" (page 168, 2nd paragraph from the bottom) it says "Due to river flows . . . and private development there could be some soil erosion." It does not mention public development as stated in table 9.

46. Table 9, pages 96-98: The alternative 5 column repeatedly compares with alternatives 1, 2, and 4, but never to alternative 3. How do these items compare with alternative 3? More? Less? About the same? The textual discussion in the impacts section does not compare alt. 5 with alternative 3, either.

47. Table 9, pg. 99, Prehistoric Resources: This states what would cause negative impacts in alts 1-4, but doesn't say how prehistoric resources would benefit in alternatives 3, 4, and 5. Compare to "Historic Resources" immediately above, which tells what would cause benefits as well as adverse effects.

48. The same logic applies to the following item, Ethnographic Resources: It says that benefits and adverse impacts would happen in various alternatives but doesn't say what would trigger them.

49. Table 9, page 101, item 3. Since you mention a significant impact here for all alternatives and there is plenty of room in the table it would be nice if you would give the reader a hint as to the nature of this significant impact! For instance, is it adverse? Is it the same for all alternatives?

50. Page 113, bottom, and top of page 114: This does not state whether habitat exists WITHIN the designated boundary (or nearby) for the western prairie fringed orchid. The counties referenced in both Nebraska and South Dakota are not adjacent to this project area. Although it says that habitat exists in both states, it doesn't specifically say whether or not such habitat exists in counties adjacent to this particular project.

51. Page 145, Prehistoric Resources, states that "Under the no action alternative . . . land managing agencies would continue to suffer a lack of personnel and funding . . ." In light of tight local, state, and federal budgets everywhere, there is no guarantee that even if an action alternative is chosen that it will be fully funded at all times. The advantage of choosing an action alternative is that a plan is in place for when funds are available. The advantage of the no action alternative is that it relies on private stewardship regardless of funding.

52. Page 155, paragraph 3 and page 147, 2nd paragraph: The last sentence states the Yankton Sioux tribe has proposed a recreation project, but fails to draw a conclusion from that statement. How would the proposed tribal project affect future demand for recreation within this project area?

35. These three developments are part of a larger management area called the Bazile Creek Wildlife Management Area.

36. The interpretive pullout is 1.13 acres.

37. Please see response 2 to the National Audubon Society.

38. Since this same information is in the "Features Common to All Action Alternatives" section, it will be deleted from each of the action alternatives.

39. Please see above responses 1, 2, and 5.

40. An estimate of the annual costs is $25,000 for grants, contracts, and agreements. This could change over time. It is only an estimate.

41. The figures on page 70 include costs for equipment, supplies, materials, contracts, grants, and agreements.

42. The Yankton Sioux lands are comprised of all the land use/land cover categories.

43. Your discussion is useful but relies too heavily on the table summary text rather than the expanded text in each alternative. The role of administrator, seeking cooperation and finding willing partners for the work as described in each alternative, will take staff and time. As agreements are reached, renewal should be easier and require less staff time if present levels of use and development remain static.

45. The alternative 4 soils analysis describes the impact from expanded visitor facilities.

46. The reason that the preferred alternative (alternative 5) is compared to alternatives 1, 2, and 4 is that the natural resource aspects of alternative 5 were based on alternative 3, and therefore the resource impacts of alternatives 3 and 5 are the same, which is reflected both in the text and the "Summary of Impacts" table.

47-48. The GMP/EIS has been revised. See the "Environmental Consequences" chapter and table 8.

COMMENTS

53. Page 148, paragraph 5; page 157, paragraph 5; page 166, last paragraph; page 173, paragraph 7; and page 180, 2nd to last paragraph: All conclude that there is a "significant impact" to land use, property owners, and regional population. In reading the text of the accompanying analyses it is difficult to determine whether these impacts are positive or negative, and indeed that might depend on the reader's point of view. But since the impact under all alternatives has been determined to be significant, the preparers of this document owe it to the readers, and indeed are required by NEPA to do so, to thoroughly evaluate any significant impact and state in the conclusion exactly what the impact is and why it is adverse. If it is an adverse impact, can it be mitigated? How? 53

54. Pg. 149, paragraph 4; pg. 158, paragraph 4; pg. 167, top; pg. 173, 2nd paragraph from bottom; and top of pg. 181: The conclusion on the effect on county expenses and revenue states there would be an unknown but minor net effect. Is this effect positive or negative, or could it go either way? 54

55. Pages 156, 166, 173, and 180, Payroll: The analysis states that some or all of the NPS staff "might be based outside the region" -- Cost estimates in the alternative descriptions on pages 50, 60, 70, and 84 specifically state that under all action alternatives the O'Neill office will be funded. Does this mean that another office may be located in the project area? If so, where are those cost estimates? 55

56. Page 158, bottom, Cumulative Impacts: This states that cumulative impacts would be about the same as for Alternative 1. However, turning back to alternative 1 (page 149), one finds that there is no cumulative impact discussion for alternative 1 at all!! NEPA requires cumulative impacts to be evaluated for all alternatives, including no action. 56

57. Page 169, last paragraph, last sentence: "possibly at a reduced rate" -- reduced compared to what? The same question applies to the conclusions for water quality, air quality, and noise on page 170. 57

58. Pages 9-10 discuss issues identified during scoping, but the document neglects to mention another issue that arose over the course of the planning process, and this issue was not directly addressed in any subsequent portion of this document. In October, 1994, when it became known that the Yankton Sioux tribe had decided to opt out of the process by announcing their opposition to the project and their refusal to be included in any boundary, a number of non-Indian landowners (and county governments) realized that there was a certain unfairness and inequity in the fact that federal law protects tribes by allowing them to opt out of projects like this, yet offers no such protection to non-tribal citizens. This increased feelings of animosity toward the federal government in general and toward this planning process in particular. Although NPS has no authority to change the law to force the government to treat all parties equally, it does have the obligation to identify this issue and state the facts. 58

Thank you for providing the opportunity to comment.

Sincerely,



Sandy Weaver

RESPONSES

49. The requested changes have been made in both the text and table.

50. Wet meadow habitat exists in each of the action alternative boundaries.

51-54. The impacts section has been revised to more precisely indicate whether the impacts are positive or negative. A more precise estimate of impacts will be possible when more precise plans are available.

55. We have deleted the sentence to eliminate the inference of another office.

56. Cumulative impacts for alternative 1 are included in the final plan.

57. The no-action alternative describes existing conditions and is used as a benchmark to compare the other alternatives. The impacts of the alternatives are based on a comparison of the impacts to the no-action alternative. The reduced rate is compared to the rate at which these impacts are occurring under existing conditions, without the benefit of a coordinated management effort.

58. Please see response 3 to Hermanek.



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APPENDIX A: LEGISLATION

PERTINENT SECTIONS OF THE WILD AND SCENIC RIVERS ACT
(16 USC 1271-1287, Public Law 90-542 October 2, 1968)

1(b) It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations. The Congress declares that the established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes.

SEC. 3. (b) The agency charged with the administration of each component of the national wild and scenic rivers system designated by subsection (a) of this section shall, within one year from the date of designation of such component under subsection (a) (except where a different date if [is] provided in subsection (a)), establish detailed boundaries therefor (which boundaries shall include an average of not more than 320 acres of land per mile measured from the ordinary high water mark on both sides of the river); and determine which of the classes outlined in section 2, subsection (b), of this Act best fit the river or its various segments. Notice of the availability of the boundaries and classification, and of subsequent boundary amendments shall be published in the Federal Register and shall not become effective until ninety days after they have been forwarded to the President of the Senate and the Speaker of the House of Representatives.

SEC. 4. (d) The boundaries of any river proposed in section 5(a) of this Act for potential addition to the National Wild and Scenic Rivers System shall generally comprise that area measured within one-quarter mile from the ordinary high water mark on each side of the river. In the case of any designated river, prior to publication of boundaries pursuant to section 3(b) of this Act, the boundaries also shall comprise the same area. This subsection shall not be construed to limit the possible scope of the study report to address areas which may lie more than one-quarter mile from the ordinary high water mark on each side of the river.

SEC. 6. (a)(1) The Secretary of the Interior and the Secretary of Agriculture are each authorized to acquire lands and interests in land within the authorized boundaries of any component of the national wild and scenic rivers system designated in section 3 of this Act, or hereafter designated for inclusion in the system by Act of Congress, which is administered by him, but he shall not acquire fee title to an average of more than 100 acres per mile on both sides of the river. Lands owned by a State may be acquired only by donation or by exchange in accordance with the subsection (d) of this section. Lands owned by an Indian tribe or a political subdivision of a State may not be acquired without the consent of the appropriate governing body thereof as long as the Indian tribe or political subdivision is following a plan for management and protection of the lands which the Secretary finds protects the land and assures its use for purposes consistent with this Act. Money appropriated for Federal purposes from the land and water conservation fund shall, without prejudice to the use of appropriations from other sources, be available to Federal departments and agencies for the acquisition of property for the purposes of this Act.

(b) If 50 per centum or more of the entire acreage outside the ordinary high water mark on both sides of the river within a federally administered wild, scenic or recreational river area is owned in fee title by the United States, by the State or States within which it lies, or by political subdivisions of those States, neither Secretary shall acquire fee title to any lands by condemnation under authority of this Act. Nothing

contained in this section, however, shall preclude the use of condemnation when necessary to clear title or to acquire scenic easements or such other easements as are reasonably necessary to give the public access to the river and to permit its members to traverse the length of the area or of selected segments thereof.

(c) Neither the Secretary of the Interior nor the Secretary of Agriculture may acquire lands by condemnation, for the purpose of including such lands in any national wild, scenic or recreational river area, if such lands are located within any incorporated city, village or borough which has in force and applicable to such lands a duly adopted, valid zoning ordinance that conforms with the purposes of this Act. In order to carry out the provisions of this subsection the appropriate Secretary shall issue guidelines, specifying standards for local zoning ordinances, which are consistent with the purposes of this Act. The standards specified in such guidelines shall have the object of **(A)** prohibiting new commercial or industrial uses other than commercial or industrial uses which are consistent with the purposes of this Act, and **(B)** the protection of the bank lands by means of acreage, frontage, and setback requirements on development. **(d)** The appropriate Secretary is authorized to accept title to non-Federal property within the authorized boundaries of any federally administered component of the national wild and scenic rivers system designated in section 3 of this Act or hereafter designated for inclusion in the system by Act of Congress and, in exchange therefor, convey to the grantor any federally owned property which is under his jurisdiction within the State in which the component lies and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal or, if they are not approximately equal, shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. **(e)** The head of any Federal department or agency having administrative jurisdiction over any lands or interests in land within the authorized boundaries of any federally administered component of the national wild and scenic rivers system designated in section 3 of this Act or hereafter designated for inclusion in the system by Act of Congress is authorized to transfer to the appropriate Secretary jurisdiction over such lands for administration in accordance with the provisions of this Act. Lands acquired by or transferred to the Secretary of Agriculture for the purposes of this Act within or adjacent to a national forest shall upon such acquisition or transfer become national forest lands.

(f) The appropriate Secretary is authorized to accept donations of lands and interests in land, funds, and other property for use in connection with his administration of the national wild and scenic rivers system.

(g)(1) Any owner or owners (hereinafter in this subsection referred to as "owner") of improved property on the date of its acquisition, may retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, or the death of either or both of them. The owner shall elect the term to be reserved. The appropriate Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such a date of the right retained by the owner.

SEC. 7. (a) The Federal Power Commission [FERC] shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), on or directly affecting any river which is designated in section 3 of this Act as a component of the national wild and scenic rivers system or which is hereafter designated for inclusion in that system, and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above a wild, scenic or recreational river area or on any stream tributary thereto which will not invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area on the date of designation of a river as a component of the national wild and scenic rivers system. No department or agency of the United

States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration, or request appropriations to begin construction of any such project, whether heretofore or hereafter authorized, without advising the Secretary of the Interior or the Secretary of Agriculture, as the case may be, in writing of its intention so to do at least sixty days in advance, and without specifically reporting to the Congress in writing at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of this Act and would affect the component and the values to be protected by it under this Act. Any license heretofore or hereafter issued by the Federal Power Commission [FERC] affecting the New River of North Carolina shall continue to be effective only for that portion of the river which is not included in the national wild and scenic rivers system pursuant to section 2 of this Act and no project or undertaking so licensed shall be permitted to invade, inundate or otherwise adversely affect such river segment.

SEC. 10. (a) Each component of the national wild and scenic rivers system shall be administered in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration primary emphasis shall be given to protecting its aesthetic, scenic, historic, archaeologic, and scientific features. Management plans for any such component may establish varying degrees of intensity for its protection and development, based on the special attributes of the area.

(c) Any component of the national wild and scenic rivers system that is administered by the Secretary of the Interior through the National Park Service shall become a part of the national park system, and any such component that is administered by the Secretary through the Fish and Wildlife Service shall become a part of the national wildlife refuge system. The lands involved shall be subject to the provisions of this Act and the Acts under which the national park system or national wildlife refuge system, as the case may be, is administered, and in case of conflict between the provisions of these Acts, the more restrictive provisions shall apply. The Secretary of the Interior, in his administration of any component of the national wild and scenic rivers system, may utilize such general statutory authorities relating to areas of the national park system and such general statutory authorities otherwise available to him for recreation and preservation purposes and for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(e) The Federal agency charged with the administration of any component of the national wild and scenic rivers system may enter into written cooperative agreements with the Governor of a State, the head of any State agency, or the appropriate official of a political subdivision of a State for State or local governmental participation in the administration of the component. The States and their political subdivisions shall be encouraged to cooperate in the planning and administration of components of the system which include or adjoin State-or county-owned lands.

SEC. 11. (b)(1) The Secretary of the Interior, the Secretary of Agriculture, or the head of any other Federal agency, shall assist, advise, and cooperate with States or their political subdivisions, landowners, private organizations, or individuals to plan, protect, and manage river resources. Such assistance, advice and cooperation may be through written agreements or otherwise. This authority applies within or outside a federally administered area and applies to rivers which are components of the national wild and scenic rivers system and to other rivers. Any agreement under this subsection may include provisions for limited financial or other assistance to encourage participation in the acquisition, protection, and management of river resources.

SEC. 12. (a) The Secretary of the Interior, the Secretary of Agriculture, and the head of any other Federal department or agency having jurisdiction over any lands which include, border upon, or are adjacent to, any river included within the National Wild and Scenic Rivers System or under consideration for such inclusion, in accordance with section 2(a)(ii), 3(a), or 5(a), shall take such action respecting management

policies, regulations, contracts, plans, affecting such lands, following November 10, 1978, as may be necessary to protect such rivers in accordance with the purposes of this Act. Such Secretary or other department or agency head shall, where appropriate, enter into written cooperative agreements with the appropriate State or local official for the planning, administration, and management of Federal lands which are within the boundaries of any rivers for which approval has been granted under section 2(a)(ii). Particular attention shall be given to scheduled timber harvesting, road construction, and similar activities which might be contrary to the purposes of this Act.

(b) Nothing in this section shall be construed to abrogate any existing rights, privileges, or contracts affecting Federal lands held by any private party without the consent of said party.

(c) The head of any agency administering a component of the national wild and scenic rivers system shall cooperate with the Administrator, Environmental Protection Agency and with the appropriate State water pollution control agencies for the purpose of eliminating or diminishing the pollution of waters of the river.

SEC. 13. (a) Nothing in this Act shall affect the jurisdiction or responsibilities of the States with respect to fish and wildlife. Hunting and fishing shall be permitted on lands and waters administered as parts of the system under applicable State and Federal laws and regulations unless, in the case of hunting, those lands or waters are within a national park or monument. The administering Secretary may, however, designate zones where, and establish periods when, no hunting is permitted for reasons of public safety, administration, or public use and enjoyment and shall issue appropriate regulations after consultation with the wildlife agency of the State or States affected.

(b) The jurisdiction of the States and the United States over waters of any stream included in the national wild, scenic or recreational river area shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of a water right which is vested under either State or Federal law at the time such river is included in the national wild and scenic rivers system shall entitle the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(c) Designation of any stream or portion thereof as a national wild, scenic or recreational river area shall not be construed as a reservation of the waters of such streams for purposes other than those specified in this Act, or in quantities greater than necessary to accomplish these purposes.

(d) The jurisdiction of the States over waters of any stream included in a national wild, scenic or recreational river area shall be unaffected by this Act to the extent that such jurisdiction may be exercised without impairing the purposes of this Act or its administration.

(e) Nothing contained in this Act shall be construed to alter, amend, repeal, interpret, modify, or be in conflict with any interstate compact made by any States which contain any portion of the national wild and scenic rivers system.

(f) Nothing in this Act shall affect existing rights of any State, including the right of access, with respect to the beds of navigable streams, tributaries, or rivers (or segments thereof) located in a national wild, scenic or recreational river area.

(g) The Secretary of the Interior or the Secretary of Agriculture, as the case may be, may grant easements and rights-of-way upon, over, under, across, or through any component of the national wild and scenic rivers system in accordance with the laws applicable to the national park system and the national forest system, respectively: *Provided*, That any conditions precedent to granting such easements and rights-of-way shall be related to the policy and purpose of this Act.

SEC. 14A. (a) Where appropriate in the discretion of the Secretary, he may lease federally owned land (or any interest therein) which is within the boundaries of any component of the national wild and scenic rivers system and which has been acquired by the Secretary under this Act. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act.

(b) Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land immediately before its acquisition by the United States.

SEC. 16. As used in this Act,

(a) "River" means a flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, rills, and small lakes.

(b) "Free-flowing", as applied to any river or section of a river, means existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway. The existence, however, of low dams, diversion works, and other minor structures at the time any river is proposed for inclusion in the national wild and scenic rivers system shall not automatically bar its consideration for such inclusion: *Provided*, That this shall not be construed to authorize, intend, or encourage future construction of such structures within components of the national wild and scenic rivers system.

(c) "Scenic easement" means the right to control the use of land (including the air space above such land) within the authorized boundaries of a component of the wild and scenic rivers system, for the purpose of protecting the natural qualities of a designated wild, scenic or recreational river area, but such control shall not affect, without the owner's consent, any regular use exercised prior to the acquisition of the easement. For any designated wild and scenic river, the appropriate Secretary shall treat the acquisition of fee title with the reservation of regular existing uses to the owner as a scenic easement for purposes of this Act. Such an acquisition shall not constitute fee title ownership for purposes of section 6(b).

Public Law 102-50
102d Congress
An Act

May 24, 1991
[S. 248]

To amend the Wild and Scenic Rivers Act to designate certain segments of the Niobrara River in Nebraska and a segment of the Missouri River in Nebraska and South Dakota as components of the wild and scenic rivers system, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Niobrara Scenic River Designation Act of 1991. Natural resources. 16 USC 1271 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Niobrara Scenic River Designation Act of 1991".

SEC. 2. DESIGNATION OF THE RIVER.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end thereof the following:

"( ) NIOBRARA, NEBRASKA.—(A) The 40-mile segment from Borman Bridge southeast of Valentine downstream to its confluence with Chimney Creek and the 30-mile segment from the river's confluence with Rock Creek downstream to the State Highway 137 bridge, both segments to be classified as scenic and administered by the Secretary of the Interior. That portion of the 40-mile segment designated by this subparagraph located within the Fort Niobrara National Wildlife Refuge shall continue to be managed by the Secretary through the Director of the United States Fish and Wildlife Service.

"(B) The 25-mile segment from the western boundary of Knox County to its confluence with the Missouri River, including that segment of the Verdigre Creek from the north municipal boundary of Verdigre, Nebraska, to its confluence with the Niobrara, to be administered by the Secretary of the Interior as a recreational river.

"After consultation with State and local governments and the interested public, the Secretary shall take such action as is required under subsection (b) of this section.

"( ) MISSOURI RIVER, NEBRASKA AND SOUTH DAKOTA.—The 39-mile segment from the headwaters of Lewis and Clark Lake to the Ft. Randall Dam, to be administered by the Secretary of the Interior as a recreational river.".

SEC. 3. STUDY OF 6-MILE SEGMENT.

(a) STUDY.—Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding the following at the end:

"( ) NIOBRARA, NEBRASKA.—The 6-mile segment of the river from its confluence with Chimney Creek to its confluence with Rock Creek.".

16 USC 1274 note.

(b) WATER RESOURCES PROJECT.—If, within 5 years after the date of enactment of this Act, funds are not authorized and appropriated for the construction of a water resources project on the 6-mile segment of the Niobrara River from its confluence with Chimney Creek to its confluence with Rock Creek, at the expiration of such 5-year period the 6-mile segment shall be designated as a component of the National Wild and Scenic Rivers System by operation of law, to be administered by the Secretary of the Interior in accordance with sections 4 and 5 of this Act and the applicable provisions of the Wild and Scenic Rivers Act (16 U.S.C. 1271-1287). The Secretary of the Interior shall publish notification to that effect in the Federal Register.

Federal Register, publication.

SEC. 4. LIMITATIONS ON CERTAIN ACQUISITION.

16 USC 1274 note.

(a) LIMITATIONS.—In the case of the 40-mile and 30-mile segments of the Niobrara River described in the amendment to the Wild and Scenic Rivers Act made by section 2 of this Act, the Secretary of the Interior shall not, without the consent of the owner, acquire for purposes of such segment land or interests in land in more than 5 percent of the area within the boundaries of such segments, and the Secretary shall not acquire, without the consent of the owner, fee ownership of more than 2 percent of such area. The limitations on land acquisition contained in this subsection shall be in addition to, and not in lieu of, the limitations on acquisition contained in section 6 of the Wild and Scenic Rivers Act.

(b) FINDING; EXCEPTION.—The 5 percent limitation and the 2 percent limitation contained in subsection (a) of this section shall not apply if the Secretary of the Interior finds, after notice and opportunity for public comment, that State or local governments are not, through statute, regulation, ordinance, or otherwise, adequately protecting the values for which the segment concerned is designated as a component of the national wild and scenic rivers system.

SEC. 5. NIOBRARA SCENIC RIVER ADVISORY COMMISSION.

16 USC 1274 note.

(a) ESTABLISHMENT.—There is hereby established the Niobrara Scenic River Advisory Commission (hereinafter in this Act referred to as the "Commission"). The Commission shall advise the Secretary of the Interior (hereinafter referred to as the "Secretary") on matters pertaining to the development of a management plan, and the management and operation of the 40-mile and 30-mile segments of the Niobrara River designated by section 2 of this Act which lie outside the boundary of the Fort Niobrara National Wildlife Refuge and that segment of the Niobrara River from its confluence with Chimney Creek to its confluence with Rock Creek.

(b) MEMBERSHIP.—The Commission shall consist of 11 members appointed by the Secretary—

(1) 3 of whom shall be owners of farm or ranch property within the upper portion of the designated river corridor between the Borman Bridge and the Meadville;

(2) 3 of whom shall be owners of farm or ranch property within the lower portion of the designated river corridor between the Meadville Bridge and the bridge on Highway 137;

(3) 1 of whom shall be a canoe outfitter who operates within the river corridors;

(4) 1 of whom shall be chosen from a list submitted by the Governor of Nebraska;

(5) 2 of whom shall be representatives of the affected county governments or natural resources districts; and

(6) 1 of whom shall be a representative of a conservation organization who shall have knowledge and experience in river conservation.

(c) TERMS.—Members shall be appointed to the Commission for a term of 3 years. A member may serve after the expiration of his term until his successor has taken office.

(d) CHAIRPERSON; VACANCIES.—The Secretary shall designate 1 of the members of the Commission, who is a permanent resident of Brown, Cherry, Keya Paha, or Rock Counties, to serve as Chairperson. Vacancies on the Commission shall be filled in the same manner in which the original appointment was made. Members of the Commission shall serve without compensation, but the Secretary is authorized to pay expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairperson.

(e) TERMINATION.—The Commission shall cease to exist 10 years from the date of enactment of this Act.

16 USC 1274 note.

SEC. 6. MISSOURI RIVER PROVISIONS.

(a) ADMINISTRATION.—The administration of the Missouri River segment designated in section 2 of this Act shall be in consultation with a recreational river advisory group to be established by the Secretary. Such group shall include in its membership representatives of the affected States and political subdivisions thereof, affected Federal agencies, organized private groups, and such individuals as the Secretary deems desirable.

(b) BRIDGES.—The designation of the Missouri River segment by the amendment made by section 2 of this Act shall not place any additional requirements on the placement of bridges other than those contained in section 303 of title 49, United States Code.

(c) EROSION CONTROL.—Within the Missouri River segment designated by the amendment made by section 2 of this Act, the Secretary shall permit the use of erosion control techniques, including the use of rocks from the area for streambank stabilization purposes, subject to such conditions as the Secretary may prescribe, in consultation with the advisory group described in subsection (a) of this section, to protect the resource values for which such river segment was designated.

16 USC 1274 note.

SEC. 7. NATIONAL RECREATION AREA STUDY.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the National Park Service, shall undertake and complete a study, within 18 months after the date of enactment of this section, regarding the feasibility and suitability of the designation of lands in Knox County and Boyd County, Nebraska, generally adjacent to the recreational river segments designated by the amendments made by section 2 of this Act and adjacent to the Lewis and Clark Reservoir, as a national recreation area. The Secretary may provide grants and technical assistance to the State of Nebraska, the Santee Sioux Indian Tribal Council, and the political subdivisions having jurisdiction over lands in these 2 counties to assist the Secretary in carrying out such study. The study under this section shall be prepared in consultation with the Santee Sioux Tribe, affected political subdivisions, and relevant State agencies. The study shall include as a minimum each of the following:

(1) A comprehensive evaluation of the public recreational opportunities and the flood plain management options which are available with respect to the river and creek corridors involved.

(2) An evaluation of the natural, historical, paleontological, and recreational resources and values of such corridors.

(3) Recommendations for possible land acquisition within the corridor which are deemed necessary for the purpose of resource protection, scenic protection and integrity, recreational activities, or management and administration of the corridor areas.

(4) Alternative cooperative management proposals for the administration and development of the corridor areas.

(5) An analysis of the number of visitors and types of public use within the corridor areas that can be accommodated in accordance with the full protection of its resources.

(6) An analysis of the facilities deemed necessary to accommodate and provide access for such recreational uses by visitors, including the location and estimated costs of such facilities.

(b) SUBMISSION OF REPORT.—The results of such study shall be transmitted to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

SEC. 8. STUDY OF FEASIBILITY AND SUITABILITY OF ESTABLISHING NIOBRARA-BUFFALO PRAIRIE NATIONAL PARK. 16 USC 1a-5 note.

(a) IN GENERAL.—The Secretary of the Interior shall undertake and complete a study of the feasibility and suitability of establishing a national park in the State of Nebraska to be known as the Niobrara-Buffalo Prairie National Park within 18 months after the date of enactment of this Act.

(b) AREA TO BE STUDIED.—The areas studied under this section shall include the area generally depicted on the map entitled "Boundary Map, Proposed Niobrara-Buffalo Prairie National Park", numbered NBP-80,000, and dated March 1990. The study area shall not include any lands within the boundaries of the Fort Niobrara National Wildlife Refuge.

(c) RESOURCES.—In conducting the study under this section, the Secretary shall conduct an assessment of the natural, cultural, historic, scenic, and recreational resources of such areas studied to determine whether they are of such significance as to merit inclusion in the National Park System.

(d) STUDY REGARDING MANAGEMENT.—In conducting the study under this section, the Secretary shall study the feasibility of managing the area by various methods, in consultation with appropriate Federal agencies, the Nature Conservancy, and the Nebraska Game and Parks Commission.

(e) SUBMISSION OF REPORT.—The results of the study shall be submitted to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS. 16 USC 1274 note.

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved May 24, 1991.

LEGISLATIVE HISTORY—S. 248:

HOUSE REPORTS: No. 102-51, Pt. 1 (Comm. on Interior and Insular Affairs).
SENATE REPORTS: No. 102-19 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 137 (1991):
Apr. 17, considered and passed Senate.
May 14, considered and passed House.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 27 (1991):
May 24, Presidential statement.

APPENDIX B: PLANT COMMUNITY TYPES

Seventeen general plant communities were identified and mapped for the 1991 Missouri National Recreational River. Wetland community types were identified using U.S. Fish and Wildlife Service –National Wetlands Inventory data, which consisted of 125 wetland categories. These categories were further classified by the Nebraska Game and Parks Natural Heritage Program to come up with the 13 wetland types defined below. The remaining four plant community types (terrestrial systems) were derived through classification of satellite imagery by the Nebraska Natural Resource Commission.

The actual community types used for this project are numbered 1–17 below, along with general descriptions of the lacustrine, palustrine, riverine, and terrestrial systems:

Lacustrine System – This system includes wetlands and deep water habitats with the following characteristics: 1) situated in a topographic depression or a dammed river channel, 2) lacking trees, shrubs, persistent emergents with greater than 30% areal cover, 3) total area exceeds 20 acres.

1 **Lacustrine limnetic unconsolidated bottom (L1UB)** – all deep water habitats in the lacustrine system. *(includes the deep water areas of Lewis and Clark Lake)*

lacustrine littoral – this includes all wetland habitats in the lacustrine system. Extends from the shoreward boundary of the system to a depth or 2 m below low water or to the maximum extent of nonpersistent emergents, it these grow at depth greater than 2 m.

2 **Lacustrine littoral aquatic bed (L2AB)** – deep water areas where plants grow principally on or below the surface of the water for most of the growing season in most years. *(includes areas at the upper end of Lewis and Clark Lake with submerged vegetation. Most often bordered by palustrine wetlands. Also includes some backwater areas on the Missouri River)*

3 **Lacustrine littoral unconsolidated shore (L2US)** – This includes all wetland habitats having three characteristics: 1) unconsolidated substrates with less than 75% areal cover of stones, boulders, or bedrock; 2) less than 3O% areal cover of vegetation other than pioneering plants; and 3) any of the following water regimes: irregularly exposed, regularly flooded, irregularly flooded, seasonally flooded, temporarily flooded, intermittently flooded, saturated, or artificially flooded. Unconsolidated shores are characterized by substrates lacking vegetation except for pioneering plants that become established during brief periods when growing conditions are favorable. Erosion and deposition by waves and currents produce a number of landforms such as beaches, bars, and flats, all of which are included in this category. *(only one small area of this type was observed on National Wetland Inventory [NWI] maps: it was located in the unchannelized Missouri River. This indicates that it may be a mapping error)*

Palustrine System – This includes all wetlands dominated by trees, shrubs and persistent emergents. It also includes wetlands lacking such vegetation, but with all of the following three characteristics: 1) areas less than 20 acres, 2) active wave-formed or bedrock shoreline features absent, and 3) water depth in the deepest part of the basin less than 2 m.

4 **Palustrine aquatic bed (PAB)** – This includes wetlands dominated by plants that grow principally on or beneath the water surface. *(this habitat is most abundant at the upper end of Lewis and Clark Lake [probably very similar to L2AB], also found along some portions of the unchannelized Missouri. Some farm ponds are also this type)*

5 **Palustrine unconsolidated bottom (PUB)** – This includes all wetlands with at least 25% cover of particles smaller than stones, and vegetative cover less than 30% . *(no areas of this wetland type could be found on NWI maps, it may be of minor importance)*

6 **Palustrine emergent temporarily flooded (PEMA)** – These are emergent wetlands where surface water is present for brief periods during the growing season, but the water table usually lies well below the soil surface for most of the year. *(most commonly found as small pockets of wetlands in the Missouri River floodplain. Probably dominated by a combination of wetland and upland plants)*

7 **Palustrine emergent seasonally and semipermanently flooded (PEMC-F)** – These are emergent wetlands where surface water is present for extended periods of the growing season (seasonally flooded) through the entire growing season (semipermanently flooded). *(these are emergent marsh areas very common along the Missouri and Niobrara Rivers, and especially abundant at the upper end of Lewis and Clark Lake. Probably dominated by cattails, bulrushes, arrowhead, etc.)*

8 **Palustrine scrub/shrub (PS)** – This includes wetlands dominated by woody vegetation less than 6 m tall. This includes true shrubs and young or stunted trees. *(this consists of stands of willow and other shrub species and young cottonwoods. Most commonly found along the Missouri and Niobrara Rivers and at the upper end of Lewis and Clark Lake)*

9 **Palustrine forested RPFO)** – This includes wetlands dominated by woody vegetation that is 6 m or taller. *(this consists of stands of wet timber along the Missouri and Niobrara Rivers. Dominant tree is likely cottonwood)*

10 **Palustrine unconsolidated shore (PUS)** – This includes all wetland habitats having three characteristics: 1) unconsolidated substrates with less than 75% areal cover of stones, boulders, or bedrock; 2) less than 30% areal cover of vegetation other than pioneering plants; and 3) any of the following water regimes: irregularly exposed, regularly flooded, irregularly flooded, seasonally flooded, temporarily flooded, intermittently flooded, saturated, or artificially flooded. Unconsolidated shores are characterized by substrates lacking vegetation except for pioneering plants that become established during brief periods when growing conditions are favorable. Erosion and deposition by waves and currents produce a number of landforms such as beaches, bars, and flats, all of which are included in this category. *(this type is found at the upper end of Lewis and Clark Lake and in a few areas of the unchannelized Missouri River where it is almost always associated with PS wetlands. It appears to be indicating sparsely vegetated areas that are only seasonally flooded. A few farm ponds are also this type)*

Riverine System – This includes all wetlands and deep water habitats contained within a channel with the exception of wetlands dominated by trees, shrubs, and persistent emergents. Water is usually, but not always, flowing in the Riverine System. Upland islands or palustrine wetlands may occur in the channel, but they are not included in this system.

11 **Riverine, lower perennial, unconsolidated shore (REUS)** – Lower perennial rivers include low gradient rivers where the water velocity is slow. The substrate consists mainly of sand and mud. Unconsolidated shore includes habitats having three characteristics: 1) unconsolidated substrates with less than 75% areal cover of stones, boulders, or bedrock; 2) less than 30% areal cover of vegetation other than pioneering plants; and 3) any of the following water regimes: irregularly exposed, regularly flooded, irregularly flooded, seasonally flooded, temporarily flooded, intermittently flooded, saturated, or artificially flooded. Unconsolidated shores are characterized by substrates lacking vegetation except for pioneering plants that become established during brief periods when growing conditions are favorable. Erosion and deposition by waves and currents produce a number of landforms such as beaches, bars, and flats, all of which are included in this category. *(sandbars in the rivers)*

12 **Riverine, lower perennial, unconsolidated bottom (RUB)** – Lower perennial rivers include low gradient rivers where the water velocity is slow. The substrate consists mainly of sand and mud. Unconsolidated bottoms are characterized by the lack of large stable surfaces for plant and animal attachment. This includes all areas with at least 25% cover of particles smaller than stones, and vegetative cover less than 30% (this is the main channel of the Missouri and Niobrara Rivers).

13 **Riverine intermittent (R.)** – This includes streams where the channel contains flowing water for only part of the year. When the water is not flowing, it may remain in isolated pools or surface water may be absent. *(this includes all small streams, basically all streams smaller than the Niobrara River. NWI has classified the lower reaches of Ponca and Verdigre Creeks as intermittent. This may be in error)*

Terrestrial System – These are upland areas.

14 **Croplands** – This includes both irrigated and nonirrigated row crops and alfalfa fields.

15 **Pasture/Rangelands** – This includes loess mixed-grass prairie on the loess-soiled bluffs of the Missouri and Niobrara Rivers. Dominant grasses in this community include big and little bluestem in moister and drier sites, respectively, blue and sideoats grama, needlegrasses, Junegrass and others. This category also included areas of wet-mesic prairie in river floodplains and areas of tallgrass prairie on rolling to level, deep-soiled upland sites. Dominant grasses in these two prairie types include big bluestem, Indiangrass, switchgrass and Canada wildrye. Prairie cordgrass and bluejoint may also be prominent in wet-mesic prairies. Both grazed and hayed areas of the above grassland types are included here. Brome fields and planted warm-season grasses are also included here.

16 **Floodplain forest** – This includes all forests in floodplains of rivers and major streams not designated as palustrine communities by the NWI. These forests are probably somewhat drier than the forested palustrine communities. Cottonwood is the dominant tree species in this community, but green ash, boxelder, American elm, black walnut, honey locust and hackberry may also be prominent.

17 **Upland forest** – This includes all forests on uplands. Dominant trees are bur oak and basswood. American and red elm, black walnut, green ash and hackberry may also be prominent.

APPENDIX C: FEDERAL AND STATE THREATENED AND ENDANGERED SPECIES AND SPECIES OF CONCERN

FEDERAL AND STATE THREATENED OR ENDANGERED SPECIES

COMMON NAME (SCIENTIFIC NAME)	FEDERAL	NEBRASKA	SOUTH DAKOTA
Vertebrates—Birds		**Status**	**Status**
Bald eagle (*Haliaeetus leucocephalus*)	T	ST	SE
Black tern (*Chlidonias niger*)	Of concern		
Cerulean warbler (*Dendroica cerulea*)	Of concern		
Eskimo curlew (*Numenius borealis*)	E	SE	SE
Ferruginus hawk (*Buteo regalis*)	Of concern		
Interior least tern (*Sterna antillarum athalassas*)	E	SE	SE
Loggerhead shrike (*Lanius ludovicianus migrans*)	Of concern		
Osprey (*Pandion halieatus*)			ST
Peregrine falcon (*Falco peregrinus*)	E	SE	SE
Piping plover (*Charadrius melodus*)	T	ST	ST
Western burrowing owl (*Athene cunicularia hypugea*)	Of concern		
Whooping crane (*Grus americana*)	E	SE	SE
White-faced ibis (*Plegadis chihi*)	Of concern		
Vertebrates — Mammals			
Black bear (*Ursus americanus*)			ST
Black-footed ferret (*Mustela nigripes*)	E	SE	SE
Mountain lion (*Felis concolor*)			ST
Plains spotted skunk (*Spilogale putorius interrupta*)	Of concern		
Northern river otter (*Lutra canadensis*)		SE	ST
Vertebrates - Fish			
Banded killifish (*Fundulus diaphanus*)			SE
Blacknose shiner (*Notropis heterolepis*)		ST	
Blue sucker (*Cycleptus elongatus*)	Of concern		
Central mudminnow (*Umbra limi*)			SE
Finescale dace (*Phoxinus neogaeus*)		ST	ST
Flathead chub (*Platygobio gracilis*)	Of concern		
Lake sturgeon (*Acipenser fulvescens*)	Of concern	ST	
Longnose sucker (*Catostomus catostomus*)			ST
Northern redbelly dace (*Phoxinus eos*)		ST	ST
Paddlefish (*Polyodon spathula*)	Of concern		
Pallid Sturgeon (*Scaphirhynchus albus*)	E	SE	SE
Pearl dace (*Margariscus margarita*)		ST	SE

Plains minnow (*Hybognathus placitus*)	Of concern		
Plains topminnow (*Fundulus sciadicus*)	Of concern		ST
Sicklefin chub (*Macrhybopsis meeki*)	Candidate		ST
Sturgeon chub (*Macrhybopsis gelida*)	Candidate		ST
Topeka shiner (*Notropis tristis*)	Candidate		
Troutperch (*Percopsis omiscomaycus*)			ST
Western silvery minnow (*Hybognathus argyritis*)	Of concern		
Vertebrates - Reptiles and Amphibians			
Blandings turtle (*Emydoidea blandingii*)	Of concern		ST
Eastern hognose snake (*Heterodon platirhinos*)			ST
False map turtle (*Graptenys pseudogeographica*)	Of concern		ST
Lined snake (*Tropidoclonion lineatum*)			ST
Northern redbelly snake (*Storeria occipitomaculata*)			ST
Spiny softshell (*Apalone spinifera*)			ST
Invertebrates - Freshwater Mussels			
Elktoe (*Alasmidonta marginata*)	Of concern		
Scaleshell (*Leptodea leptodon*)	Of concern		
Spectacle case pearly mussel (*Cumberlandia monodonta*)	Of concern		
Invertebrates - Insects			
American burying beetle (*Nicrophorus americanus*)	E	SE	
Plants			
Blowout penstemon (*Penstemon haydenii*)		SE	
Bulrush (*Scirpus hallii*)	Of concern		
Butterfly weed (*Gaura neomexicana spp. coloradensis*)		SE	
Prairie white-fringed orchid (*Platanthera leucophaea*)	T		
Western prairie fringed orchid (*Platanthera praeclara*)	T	ST	

T = federally threatened
E = federally endangered
Of concern = species formerly listed as category 2 candidates
Candidate = species formerly listed as category 1 candidates that are being considered for listing as threatened or endangered
SE = state endangered
ST = state threatened

APPENDIX D: STAFFING AND LAND ACQUISITION COST ESTIMATES

The estimates presented here are for comparison purposes only. Estimates are based on average costs for operating similar types of lands and facilities. All costs are in 1995 dollars. Expenditures are subject to congressional appropriation and estimates should not be relied on as the actual amounts that may be spent in any one year or for any project. Salaries include benefits at 30%.

ALTERNATIVE 1: NO ACTION

The following employee would spend approximately one-third of the time working on these three rivers. The remainder of the time would be devoted to the 59-mile segment of the Missouri National River and the Niobrara National Scenic River.

Park specialist (GS-13)	$22,000
General office expense	$10,000
Total	$32,000

ALTERNATIVE 2

The following employees would spend approximately 50% of their time working on these three rivers. The remainder of their time would be spent on the Niobrara National Scenic River.

Park manager (GS-13)	$33,000
Outdoor recreation/community planner (GS-11)	$23,000
Park ranger, interpretation and visitor use specialist (GS-11)	$23,000
Administrative manager (GS-9)	$19,000
Clerk, office automation (GS-5) 0.5 work year	$7,000
General office expense	$45,000
Total	$150,000

ALTERNATIVE 3

The following employees would spend approximately 50% of their time working on these three rivers. The remainder of their time would be spent on the Niobrara National Scenic River.

Park manager (GS-13)	$33,000
Outdoor recreation/community planner (GS-11)	$23,000
Park ranger, interpretation and resource management specialist (GS-11)	$23,000
Administrative manager (GS-9)	$19,000
Clerk, office automation (GS-5) 0.5 work year	$7,000

The following employees would work only on these three rivers.

Seasonal park rangers, 1 work-year, 2-4 persons	$21,000
Biological technicians, 1 work-year, 2-4 persons	$21,000
General office expense	$63,000
Total	$210,000

ALTERNATIVE 4

The following employees would spend approximately 50% of their time working on these three rivers. The remainder of their time would be spent on the Niobrara National Scenic River.

Park manager (GS-13)	$33,000
Outdoor recreation/community planner (GS-11)	$23,000
Administrative manager (GS-9)	$19,000

The following employees would work only on these three rivers.

Chief park ranger (GS-12)	$46,000
Park ranger, interpretation and resource management (GS-9)	$38,000
Seasonal park rangers, interpretation and resource management 1 work-year, 2-4 persons	$21,000
General office expense	$80,000
Total	$260,000

ALTERNATIVE 5: PREFERRED ALTERNATIVE

The following employees would spend approximately 50% of their time working on these three rivers. The remainder of their time would be spent on the Niobrara National Scenic River.

Park manager (GS-13)	$33,000
Outdoor recreation/community planner (GS-11)	$23,000
Park ranger, interpretation and visitor use specialist (GS-11)	$23,000
Administrative manager (GS-9)	$19,000
Clerk, office automation (GS-5) 0.5 work year	$7,000

The following employees would work only on these three rivers.

Seasonal park rangers, 1 work-year, 2-4 persons	$21,000
Biological technicians, 1 work-year, 2-4 persons	$21,000
General office expense	$63,000
Total	$210,000

LAND ACQUISITION COST

All of the below costs are estimates of need for purchase to implement one or another alternative. All are based on opportunity purchase of land from willing sellers. If requested by an owner (to clear title or establish price) court proceedings could be used.

Land acquisition costs are based on a limited consultation valuation analysis from field work and comparable sales done in August 1993. The information is believed to be reliable. The existence of hazardous waste, if any, has not been considered. Land values in the study area ranged from $75 to $185 per acre for pastureland. Values ranged from $160 to $500 per acre for recreational land with road access, water, fencing, and electricity. Riverfront land values were $500 to $1,000 per acre. Dry farmland values range from $250 to $450 per acre with soil quality being an important factor. Irrigated farmland values ranged from $700 to $1,000 per acre. Subirrigated meadowland was generally valued at from $300 to $500 per acre.

Purchase cost of conservation easements is generally less than for fee title ownership. The cost of the easement in some cases may be nearly the same as for fee title; however, the land would remain in private ownership and the owner would continue to pay property tax.

In alternatives 2 and 5 land protection and acquisition costs are expected to be minimal and limited to opportunity purchase of easements due to reliance on local controls and agreements. Estimated costs are $500,000 spread over five years.

NPS purchase of resource land in alternative 3 and access sites in alternative 4 plus opportunity purchase of easement lands to implement the recreational river alternative may be needed. Land costs are more because of the perceived need for an increased level of NPS involvement. Estimated costs are $640,000 spread over five years.

APPENDIX E: FORT RANDALL WATER RELEASES

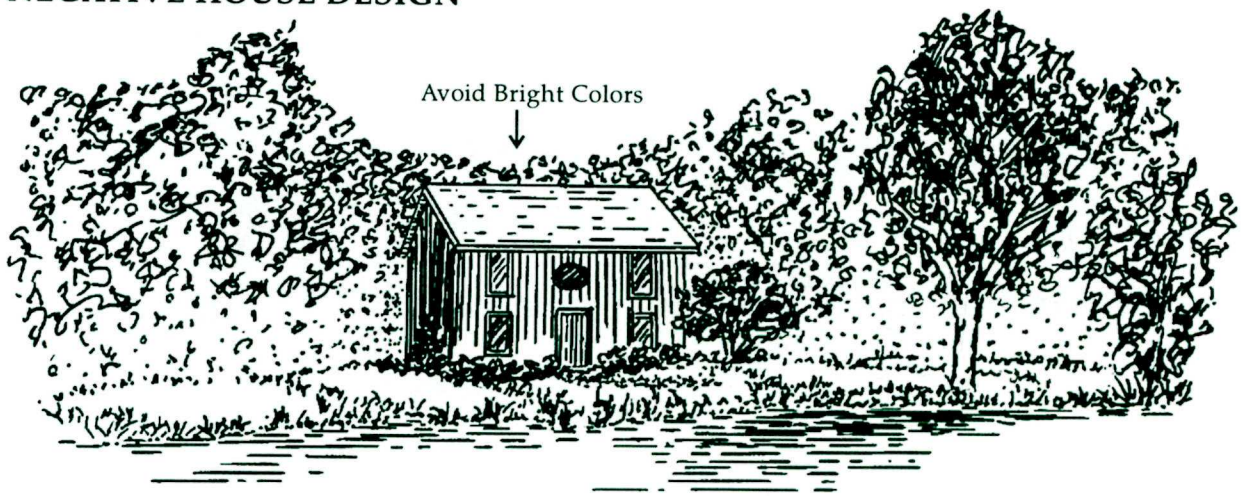
Releases from Fort Randall Dam on the Missouri River are a function of water in storage in the six-dam system and inflows to and outflows from any or all of the six dams and tributary flows downstream. Monthly, daily, and hourly releases are set to serve authorized purposes and can vary greatly day to day.

The Fort Randall monthly releases average between 13,000 cfs – 17,500 cfs from December through February. With the beginning of the COE navigation season, monthly releases are generally increased from an average of 23,000 cfs in April to an average of 34,000 cfs from near 32,000 cfs in July. Monthly releases usually average 33,000 cfs – 34,000 cfs from August through mid-November and then are lowered to winter rates. This pattern represents average monthly releases 1967 – 1994. This controlled pattern does not reflect the usual historic uncontrolled natural flow (large "spring rise") nor flow reductions in the fall.

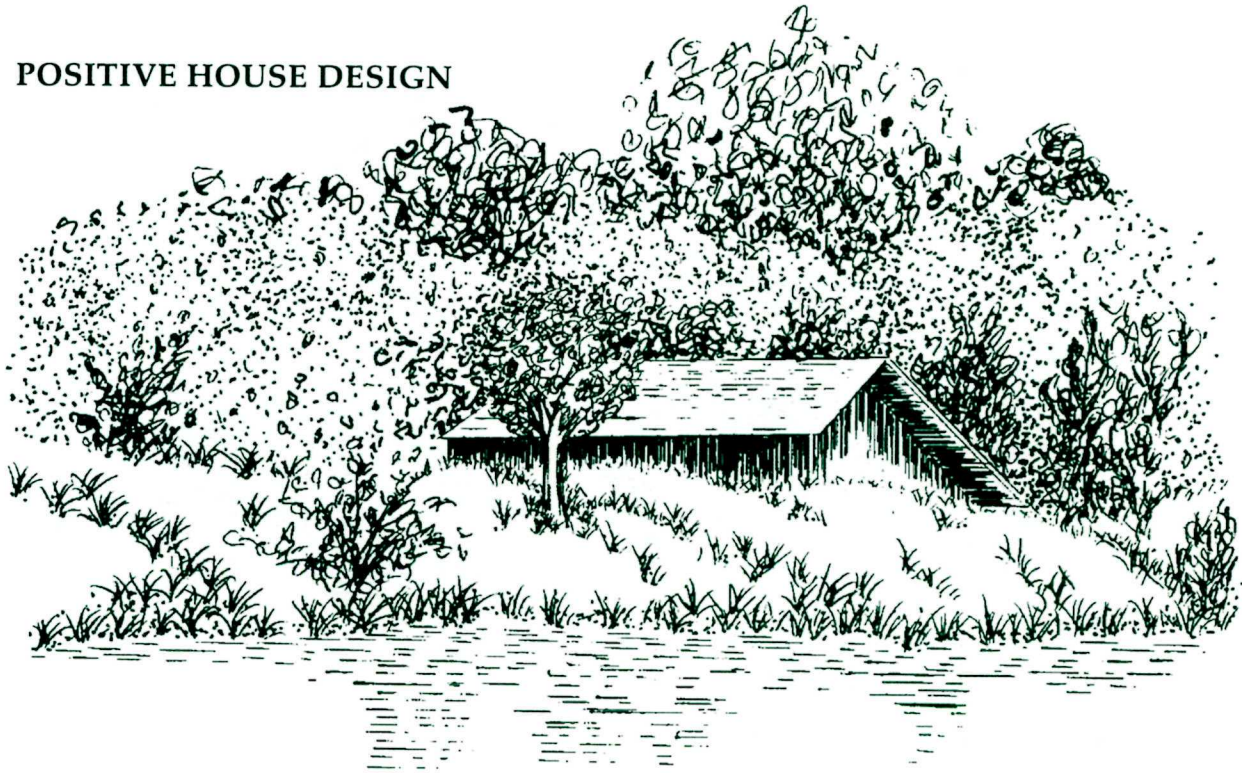
As with the uncontrolled pre-dam river, the 39 mile segment has experienced long periods of prolonged high and low daily flows after dam construction. The Fort Randall release rate averaged only 2,600 cfs per day during July 1993 for flood control purposes. The release rate averaged 60,200 cfs per day from August 1975 through November 1975 for system flood control evacuation.

Normal late spring through fall Fort Randall hourly release variations are from near zero during the first six hours of the day and increasing to about 36,000 cfs during the afternoon. This accounts for daily stage fluctuations of up to 4 feet in the Greenwood, South Dakota, vicinity to about a 2-foot fluctuation or less in the Springfield, South Dakota, vicinity. Missouri River tributary flows can influence these fluctuations. Since dam construction, hourly release fluctuations from zero to a maximum full powerplant flow capacity (near 45,000 cfs) have occurred over several hours. A 36,000 cfs hourly release limit has been in place since the late 1980s to aid endangered bird nesting. Necessary evacuation of stored flood water could preclude this restriction.

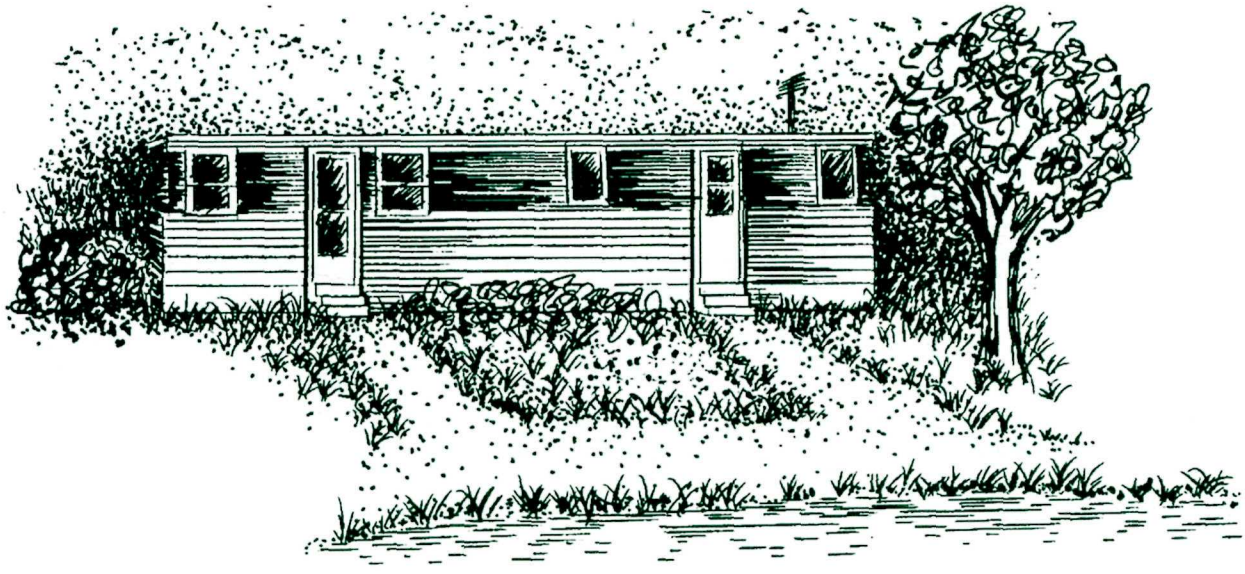
NEGATIVE HOUSE DESIGN



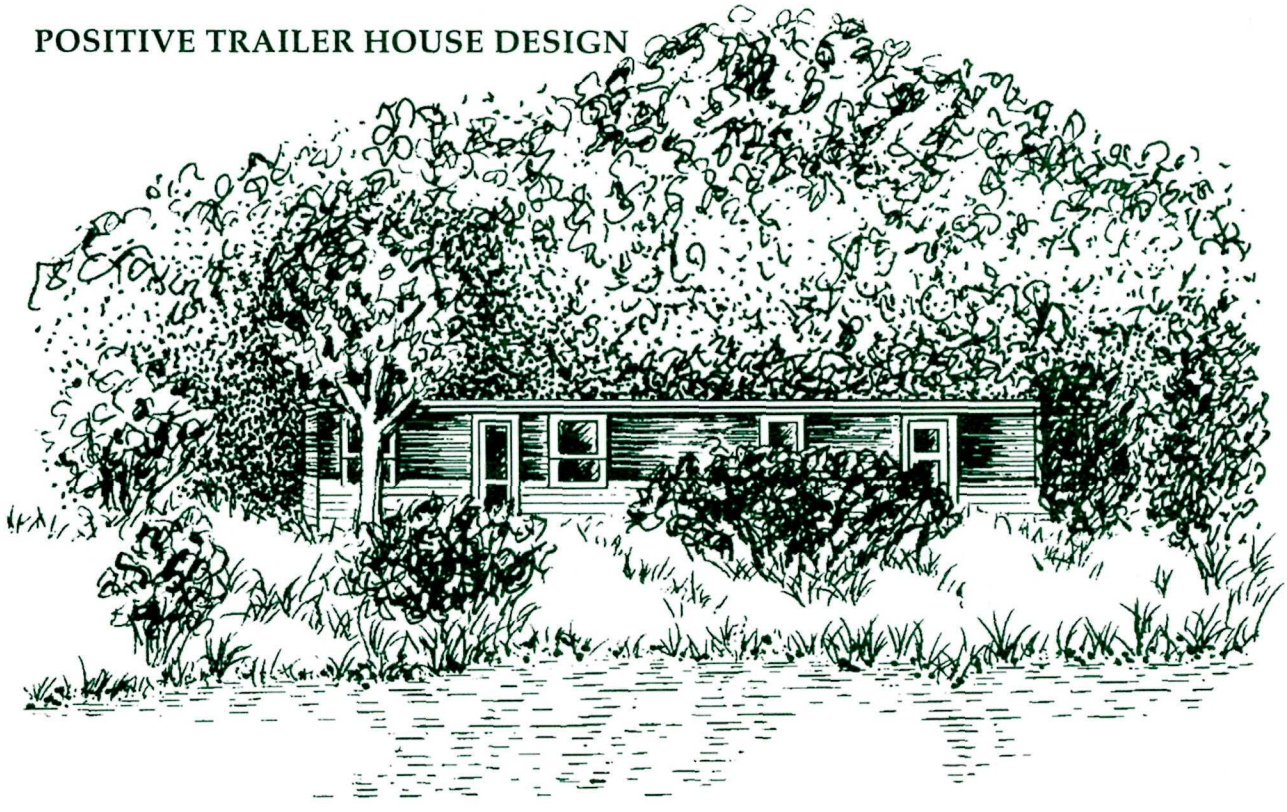
POSITIVE HOUSE DESIGN

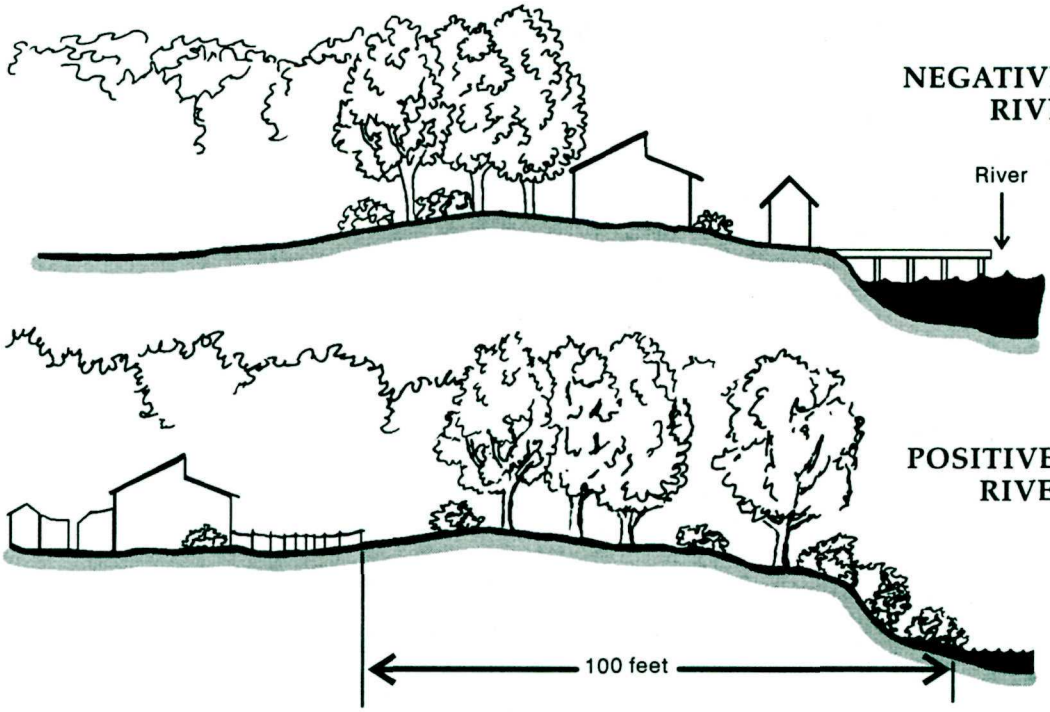


NEGATIVE TRAILER HOUSE DESIGN



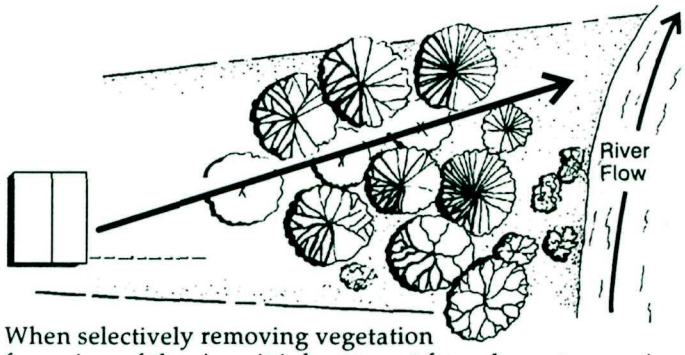
POSITIVE TRAILER HOUSE DESIGN





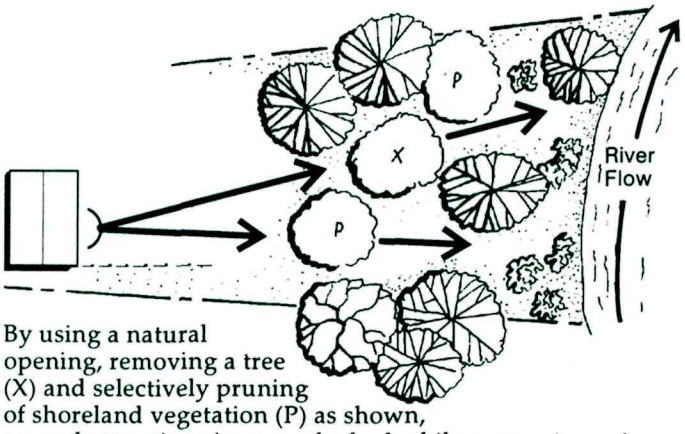
NEGATIVE SETBACK RIVER DESIGN

POSITIVE SETBACK RIVER DESIGN



CORRIDOR VIEW

When selectively removing vegetation for a view of the river, it is best to cut for a downstream view. Maintaining the upstream vegetation will help to screen structures from the river and will protect the tranquility and enjoyment of your property. The corridor within which trees and shrubs are selectively removed (X) and should not be wider than 10 to 20 feet.



FILTERED VIEW

By using a natural opening, removing a tree (X) and selectively pruning of shoreland vegetation (P) as shown, several attractive views can be had while preserving privacy and the natural edge of the river.

Received DSC-PM

JUN 18 1996

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
420 South Garfield Avenue, Suite 400
Pierre, South Dakota 57501-5408

ROUTE-DENVER SERVICE CENTER
1. DSC- RP Peterson
2. DSC-
3. DSC-
4. DSC-
REMARKS:
Copy ORIGINAL SENT TO PIFS ✓
AFTER ROUTING, SEND ATTACHMENTS TO PIFS

May 2, 1996

MEMORANDUM

To: Regional Director, Midwest Region, National Park Service
Omaha, Nebraska

From: Field Supervisor, Ecological Services
South Dakota Field Office; Pierre, South Dakota

Subject: Informal Consultation for the 1991 Designated Missouri/Niobrara/ Verdigre Creek National Recreational River Management Plan

This memorandum is in reference to your request of April 11, 1996, for a continuation of the informal consultation process as it relates to the draft General Management Plan/Environmental Impact Statement (GMP/EIS) (April 10, 1996) addressing the above subject. Specifically, your memorandum requested an updated list of federally listed endangered and threatened species and species of special concern. Our concurrence was also requested on your determination that a biological assessment would not be necessary.

The Fish and Wildlife Service (Service) concurs that a biological assessment/environmental assessment (EA) is not necessary. The draft GMP/EIS, as you have indicated in the document, has been prepared to meet the requirements of the National Environmental Policy Act. Although the most recent draft of this document has not yet specifically included a description of the environment nor an environmental analysis, the intent to do so was noted by the Service during our review of this document and as a participant on the planning team effort. The intended scope of coverage of the final draft GMP/EIS will be considerably more comprehensive than an EA.

We assume that the draft GMP/EIS also will include your agency's determination of either a "no affect" or a "may affect" on listed species that may occur within the project area in the environmental analysis sections as a result of implementing the preferred alternative. The Service will then either "concur" or "not concur" with your determination in our comments on the final draft GMP/EIS. If a "may affect" determination is made by the National Park Service at any point in the planning or review process, or during implementation of the preferred alternative and management strategies, initiation of section 7 formal consultation with the Service may be necessary.

During our review of the draft GMP/EIS, the Service noted that the general concept and philosophy associated with the implementation of the preferred alternative (Alternative 5) was to promote visitor use and interpretation in a manner that would not add significant numbers of new visitors to the river. Most of the interpretive programs would be offered outside the recreational rivers. Further, the National Park Service has stated that implementation of rural landscape objectives would be emphasized as long as significant natural and cultural resources were not compromised. This philosophy is important in the determination of both short-term and long-term cumulative impacts to threatened and endangered species (especially to the least tern and piping plover). It is important to remember that the Service has issued a jeopardy biological opinion to the Corps of Engineers regarding the adverse impacts of their Missouri River operating plans on threatened and endangered species. Once a jeopardy opinion has been issued, section 7 may preclude further activities in that ecosystem that may adversely affect those species. Therefore, a determination of an adverse affect on these species as a result of implementing the recreational river management plan would require formal consultation and could result in a jeopardy biological opinion.

FEDERALLY LISTED SPECIES

In accordance with section 7(c) of the Endangered Species Act, we have determined that the following listed endangered and threatened species may occur in the project area. This list is considered valid for 90 days.

	Listed Species	Expected Occurrence
(T)	Bald eagle (Haliaeetus leucocephalus)	Migration, winter resident, potential nester.
(E)	Peregrine falcon (Falco peregrinus)	Migration.
(E)	Whooping crane (Grus americana)	Migration.
(E)	Interior least tern (Sterna antillarum)	Migration, nesting.
(T)	Piping plover (Charadrius melodus)	Migration, nesting.
(E)	Pallid sturgeon (Scaphirhynchus albus)	Missouri River.
(E)	American burying beetle (Nicrophorus americanus)	Anywhere in South Dakota with significant humus and topsoil suitable for the burying of carrion.

(E) - Endangered
(T) - Threatened

CANDIDATE SPECIES

The sturgeon chub (Hybopsis gelida), the sicklefin chub (Macrhybopsis meeki), and the Topeka shiner (Notropis tristis), previously designated as Federal Category 1 candidate species, are now designated officially as "candidate" species and could be listed as endangered in the near future (see attached Federal Register notice). They may also occur within the project area. The swift fox (Vulpes velox), listed in your September 1995 draft management plan would not occur within the project area. Candidate species have no legal status and receive no protection under the Endangered Species Act. This list of candidate species is being provided to alert you of the potential to change their status during your project planning.

We would like to encourage you to consider the conservation of these species during project planning so as to aid in their recovery or possibly avoid their future listing. The conservation of candidate species is certainly within the spirit and intent of the Endangered Species Act. All other "candidate species" discussed on page 117 of your September 1995 draft management plan are now categorized as "species of management concern."

If you have further questions concerning section 7 consultation, please feel free to contact Nell McPhillips of this office at (605) 224-8693, Extension 32, or Dave Allardyce at Extension 29.

Attachment

cc: Field Supervisor, ES; Grand Island, NE
Superintendent, NPS; O'Neill, NE

DAA:se

NEBRASKA STATE HISTORICAL SOCIETY
1500 R STREET, P.O.BOX 82554, LINCOLN, NE 68501-2554
(402) 471-3270 Fax: (402) 471-3100 Museum Fax: (402) 471-3314

FEB 0 5 '96
O'Neill, NE

February 7, 1996

Mr. Bill Conrod
National Park Service
Niobrara/Missouri Scenic Riverways
P.O. Box 591
O'Neill, NE 68763

Dear Mr. Conrod:

We have received the draft general management plans for the Niobrara Scenic River Project and the Missouri/Niobrara/Verdigre Creek National Recreational Rivers. After reviewing the two documents we determined that they adequately convey the various alternatives and the consequences. Consequently, we do not have any substantive comments. Thank you for keeping us updated and providing the opportunity to comment.

Sincerely,

Greg Miller

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

Advisory Council On Historic Preservation

The Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

Reply to: 730 Simms Street, #401
Golden, Colorado 80401

January 31, 1996

Superintendent
Niobrara/Missouri
National Scenic Riverways
P.O. Box 591
O'Neill, NE 68763-0591

RE: *Draft General Management Plan/Environmental Impact Statement (GMP/EIS) for the Missouri/Niobrara/Verdigre Creek National Recreational Rivers, Nebraska and South Dakota.*

Dear Superintendent:

In December we received a copy of your draft GMP/EIS for the Missouri/Niobrara/Verdigre Creek National Recreation Rivers with a request for our review of this document under the terms of the Servicewide Programmatic Agreement and Section 106 of the National Historic Preservation Act. We have reviewed the Plan and find it to be quite thorough regarding the nature of and anticipated effects to cultural resources. Given the broad scope of this Plan and the uncertainty of future management directions for specific areas within this large patchwork of public and private lands, we believe that the National Park Service has done a good job of detailing possible options for identifying and protecting historic properties that may be affected by the various alternatives.

We have only one recommendation for revising the Plan. The section on Cultural Resources Compliance includes a discussion of cultural resource identification and evaluation indicating that the managing agency will list all eligible properties on the state or National Register (1st and 3rd paragraphs, page 180). It is important to note that the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR Part 800) contain no requirement that eligible properties be *listed*. Although Section 110 (a)(2)of the NHPA requires Federal agencies to establish a program for the identification, evaluation, and nomination of historic properties, nomination of a particular property to the National Register requires landowner approval. The GMP should clarify, in this section, that this program will either focus on historic properties located on public lands, or that private landowners will be involved in decisions regarding nomination to the state or National Register.

Thank you for providing us an opportunity to review and comment on this plan. If you have any questions, please contact Carol Gleichman of the Western Office of Review at (303) 231-5320.

Sincerely,

Claudia Nissley
Director, Western Office
of Review

SOUTH DAKOTA STATE HISTORICAL SOCIETY

CULTURAL HERITAGE CENTER
900 Governors Drive
Pierre, SD 57501-2217
(605) 773-3458 Fax (605) 773-6041

September 13, 1996

SUPERINTENDENT
NIOBRARA/MISSOURI
NATIONAL SCENIC RIVERWAYS
PO BOX 591
ONEILL NE 68763

RE: Draft General Management Plan: Missouri/Niobrara/Verdigre Creek National Recreational Rivers, Nebraska & South Dakota

Dear Mr. Hill:

Thank you for past consultation with our office and the opportunity to respond to the above referenced draft management plan. As you know, our office's primary concern relates to South Dakota's cultural resources. In this respect, our office concurs with your "DESIRED FUTURE CONDITIONS" (as noted on pages 13-14) and the plan's statement that a coordinated and comprehensive management effort (a feature designated as common to all action plans) would contribute to historic preservation efforts.

Of particular note was the lack of public interest or concern expressed over cultural resource issues identified during the scoping process. While many property owners were concerned about restrictions and/or various changes to private lands, few appeared concerned about cultural resources. While it is acknowledged that cultural resources may have taken a "back seat" to property issues, there is an implication that cultural resources may not be considered important by the local public. Whether this apparent lack of concern is just over-shadowed by other issues, or due in part to a lack of education about cultural resources, it can be inferred that Alternate 1 (No Action) would not necessarily benefit historic properties on private land.

Alternates (3-5) which train local volunteers would be a more pro-active approach to educating the public on the importance of cultural resources, and would provide a greater level of site protection on private and public land. Limiting a majority of site data (as noted) and some type of screening for volunteers could also prevent an adverse effect from this sharing of site location data. The public scoping seems to indicate the need for this type of site interpretation and education.

In conclusion, it is our office's opinion that alternates (3 & 5) which involve a coordinated and comprehensive management effort, include provisions for positive local involvement, and limit new construction, would be beneficial to South Dakota's cultural resources. It is uncertain at this point on the actual effects of Alternate 4 without knowing the resources that may be affected. Interpretive efforts through new construction, however, can be useful educational tools.

Department of Education and Cultural Affairs
Office of History

Thank you again for the opportunity to comment. I apologize for the late response, but another draft copy of the plan was only recently acquired (yesterday), the original being misplaced during the office's re-organization. Please feel free to contact Dana R. Vaillancourt, Review & Compliance Coordinator, at 773-6004 if you have any further questions.

Sincerely,

Dana R. Vaillancourt

for Jay D. Vogt
State Historic Preservation Officer

GLOSSARY

100-year floodplain – an area of land where the probability of inundation is once in 100 years

404 Permit - refers to a permit issued by the Corps of Engineers, as described in section 404 of the Clean Water Act, for any public or private action that proposes to discharge any dredged or fill material in waters of the United States, including rivers and wetlands.

Access – a way of approaching, entering, or using an area; river access includes boat ramps and canoe launches

Adjacent wetlands — the rivers and their islands and adjacent wetlands within the 1991 ordinary high water marks; under the influence of groundwater or high water, such as areas that would be wet during high releases from Fort Randall Dam (see also Wetlands).

Agricultural land — land used for farming and ranching

Agricultural landscape — land used for farming and ranching, and the associated structures, vegetation, and livestock that comprise the scene

Backwater (area) — (1) a place where water has moved backward or has been held back or (2) stagnant water in a small stream or inlet

Biodiversity — see Biological diversity, below

Biological diversity (or biodiversity) — (1) the variety of life and its processes, including living organisms, the genetic differences among them, and the communities and ecosystems in which they live, (2) native biological elements, representing organizational levels and their integration

Riverine-riparian (watershed) biological diversity refers to all native aquatic and riparian organisms and species that depend at least partially on those ecosystems for survival.

Biological hot spots — small, intact riverine habitat patches that provide critical functions for a segment of the ecosystem; could include deep pools for fish habitat, a cold-water tributary junction with a small thermal refuge, or a small section of complex healthy riverine habitat

Biological resources — includes all of the plants and animals and their habitat

Biotic refuges or refugia — areas with relatively undisturbed, healthy habitat and processes

Bluff – a topographic feature such as a hill, cliff, or embankment with steep slopes rising above the river corridor

Bluff line – the transition point between the steep bluff face and more level terrain at the top of a bluff

Buffer – a method of minimizing the impact of adjacent activities by the use of setbacks, vegetation screening, and other means

Carrying capacity — the type and level of visitor use that can be accommodated while sustaining the desired resource and social conditions that complement the purposes of the park units and their management objectives

Commercial development – the creation or placement of buildings or facilities for business purposes, principally for the sale lease, rental, or trade of products, goods, or services

Corridor – a long, relatively narrow area that is centered on a linear feature, such as a river

Cultural landscape — a geographic area, including both natural and cultural resources, associated with a historic event, activity, or person

Cultural landscape resources — the components of a landscape that, taken together, provide a scene evocative of a specific culture

Cultural resources – includes archeological resources, cultural landscapes, historic buildings and structures, museum objects and archival materials, and ethnographic resources

Development zone — area in which buildings, recreational facilities, or other development is encouraged

Endangered and threatened species — those plants and animals that are listed by the U.S. Fish and Wildlife Service and offered protection under the Endangered Species Act; also state-listed species that are protected under state law

Environmental education — activities with organized groups (such as schools, scouts, community groups) or seminar participants; designed to develop understanding, appreciation, and caring for the natural environment

Feedlots – permanent confinement areas for animals in buildings, pens, or areas that normally are not used for raising crops or grazing

General design guidelines — recommendations for scale, form, materials, color, and texture; addresses the aesthetic issues and blending of new development into the surroundings

GIS — geographic information system, a computerized system for storing, analyzing, and displaying geographically oriented data, such as vegetation, topography, roads, historic sites, and land use

Groundwater — water in the part of the ground that is wholly saturated

Historic properties — any prehistoric or historic district, site, building, structure, or object included on, or eligible for inclusion on the national register, including artifacts, records, and material remains related to such a property or resource

Hydrologic regime – the flow amount and timing/pulsing of water releases from the main stem reservoirs along the Missouri River.

Infill — the filling in or completion of development in an area of existing development that has undeveloped tracts of land. For example, in a subdivision or cluster of homes with three vacant lots, the lots could be developed through infill.

Interpretation — educational activities designed to reveal meanings and relationships through presentations, original objects, firsthand experience, or graphic illustrations; activities or media designed to help people understand, appreciate, and care for the natural and cultural environment

Interpretive media — visual, auditory, and textual products (such as exhibits, films, videos, books, pamphlets) designed to provide interpretation and education

Law enforcement — the act of ensuring that laws or regulations are followed, including rules for management of visitor use and resource protection

Marina - A dock or basin providing secure moorings for motorboats and other small craft. A marina may offer supply, repair, and other boating related facilities.

Monitoring — a program established to track the condition of a resource over time or evaluate the effectiveness of implementation of plan elements

Natural area — an area that visually exhibits primarily nonmanufactured qualities, such as a forest or wetland

Natural landscape – the natural scene with little modification by man; includes land, water, sky, vegetation, wildlife, and natural processes such as weather and erosion

Natural materials – naturally occurring substances, not manufactured; stone rather than brick, wood rather than plastic

Natural resources — assets or values related to the natural world, such as plants, animals, water, air, soils, geologic features, fossils, and scenic vistas; elements of the environment not created by humans

Nonpoint source pollution — pollution from a broad area resulting from such things as agricultural pesticides and fertilizers or from urban activities (oil, salt, etc.).

Open space — includes public and private land that is retained as primarily undeveloped; includes land devoted to active or passive recreational use or land retained for visual or natural resource protection purposes

Ordinary high water mark – the line on the shore established by the fluctuations of water; indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris.

Outstandingly remarkable – see significant

Oversight — periodic review of a program's effectiveness or the success of plan implementation to determine if objectives are being met; could take place monthly, quarterly, annually, or less often based on the need

Oxbow – a U-shaped bend in a river or stream, which can become largely cut off from the main channel and become a backwater area.

Point-source pollution — pollution from a single source, such as a sewage treatment plant discharge

Prime farmland – one of several kinds of important farmland; best suited to food, feed, forage, fiber, and oilseed crops; can be cultivated land, pasture, or woodland; does not include urban or developed or water areas

Recreational resources — those elements of the environment that are used for outdoor recreation purposes; includes natural and manmade features such as rivers, lakes, parks, and trails

Residential and other private developed areas — creation or placement of buildings or facilities for residential (living) or other private purposes

Resource — something of value to be preserved, protected, and enhanced, such as significant historical, recreational, scenic, cultural, natural, economic, and scientific resources

Resource management — the art or manner of treating, directing, or handling resources

Riparian – (1) pertaining to or on the banks of rivers and streams; (2) the nonwetland component of the Missouri River floodplain; typically higher than wetlands with relatively dry, sandy soil and intermittent flooding

Riparian area (or streamside vegetation buffer zone) – (1) land adjacent to streams where vegetation such as willow and cottonwood is strongly influenced by presence of water or (2) the transition zone between the flowing water and terrestrial ecosystems

River – (1) a flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, rills, and small lakes or (2) a natural stream of water larger than a creek and emptying into an ocean, a lake, or another river

River area – for a river study, that portion of a river authorized by Congress for study; includes at least 0.25 mile from each bank; for designated rivers, the river and adjacent land within the authorized boundaries

River processes — continuing actions of a river, such as meander, cutting, filling, flooding, and siltation that result in definable hydrologic patterns (channel morphology, velocity, depth, flow, seasonal variations)

Riverine – pertaining to a river or formed by the action of a river

Riverine-riparian biological diversity (biodiversity) – all native aquatic and riparian organisms that depend totally or in part on riverine-riparian ecosystems for survival

Riverine-riparian ecosystem – includes the processes and elements that interact throughout the entire riverine system; generally includes the 100-year floodplain

Riverine system– the entire river network, including tributaries, side channels, sloughs, and intermittent streams

Scenic easement – the right to restrict the use of a tract of land through purchase from a landowner

Sensitive natural areas — includes shorelines, floodplains, wetlands, endangered or threatened species habitat, steep slopes, and bluff lines

Significant resources – the area's important resources as listed in the significance statements, including scenic vistas; habitat for endangered, threatened, and rare species; exceptional biological diversity; scientifically important fossil deposits; historic and prehistoric cultural resources; visitor use and access areas; and areas that would be wet under high releases from Fort Randall Dam; for purposes of this document, significant was used in place of "outstandingly remarkable," the legislative language

Stewardship — care of resources to preserve and protect them for future generations

Upland – (1) above the floodplain — not to be wetted, (2) land elevated above other land, as above land along a river

Undeveloped – Land left in a natural state; unplowed, uncultivated, without roads, buildings, or other manufactured structures

View Corridor — an opening in the vegetation (either natural or created by people) that allows a view to the other side of the vegetation, such as a view of the river from a cabin or trailer.

Watershed or catchment basin – the entire area or basin drained by a distinct stream or riverine system, physically separated from other watersheds by ridge–top boundaries

Watershed ecosystem– all of the elements and processes that interact within the catchment basin or watershed, including the riverine-riparian ecosystem.

Wetland – those areas that are inundated or saturated often and long enough by surface or groundwater to support vegetation adapted for life in wet soil; includes swamps, marshes, bogs; *upland* limit is the boundary between land that is flooded or saturated at some time during the growing season each year and land that is not flooded.

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- Missouri River Division Office
- Fort Randall Project Office
- Gavins Point Project Office

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U.S. Geological Survey
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