

Wild and Scenic Rivers

Checklist for HUD or Responsible Entity

General requirements	Legislation	Regulation
Establishes a method for providing Federal protection for certain free-flowing and scenic rivers designated as components or potential components of the National Wild and Scenic Rivers System from the effects of construction.	The Wild and Scenic Rivers Act (Pub L. 90-542 as amended: 16 U.S.C. 1271-1287)	24 CFR 58.5(f) 24 CFR 50.4(f)

1. Is your project within proximity of a Wild and Scenic River?

You must consider **Designated Wild and Scenic Rivers** (<http://www.rivers.gov/rivers/map.php>); **Study Wild and Scenic Rivers** (<http://www.rivers.gov/rivers/study.php>) and rivers on the **Nationwide Rivers Inventory** (<http://www.nps.gov/ncrc/programs/rtea/nri/>)

- No: STOP here. Project is in compliance with this section. Attach documentation used to make your determination, such as a map identifying the project site and its surrounding area or a list of rivers in your region.
- Yes: the project is in proximity of a Designation Wild and Scenic River or Study Wild and Scenic River. PROCEED to #2
- Yes: the project is in proximity of Nationwide Rivers Inventory (NRI). PROCEED to #3

2. Is your project a Water Resources project?

A Water Resources Project is a federally assisted project that could affect the free-flowing condition of a Wild and Scenic River. Examples include dams, water diversion projects, bridges, roadway construction, boat ramps, and activities that require a Section 404 permit from the Army Corps of Engineers.

- No: STOP here. Project is in compliance with this section. Please attach all necessary supporting documentation.
- Yes: PROCEED to #3.

3. Could the project do any of the following:

- Have a direct and adverse effect within Wild and Scenic River Boundaries
- Invade the area or unreasonably diminish the river outside the Wild and Scenic River Boundaries?
- Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment?

For designated and study wild and scenic rivers, consult with the appropriate federal/state/local/tribal Managing Agency, pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect. For NRI rivers, consult with the National Park Service pursuant to Section 5 of the Act to determine if your project will have an adverse effect.

- No: STOP here. Project is in compliance with this section. Please attach all necessary supporting documentation.
- Yes: PROCEED to #4

4. Can you mitigate the impact to the river?

- Yes. Attach mitigation plan. Require mitigation as part of grant agreement and other contracts. Monitor project to ensure mitigation followed-through.
- No. Cancel project at this location.

DISCLAIMER: This document is intended as a tool to help HUD Region X grantees and HUD staff complete environmental requirements. This document is subject to change. This is not a policy statement, and the Wild and Scenic Rivers legislation and regulations take precedence over any information found in this document.