

5.E.5 WILD AND SCENIC RIVERS

FAA Order 1050.1E, *Environmental Impacts: Policies and Procedures*, Appendix A, Section 19, *Wild and Scenic Rivers*, states that the Wild and Scenic Rivers Act of 1968, 16 USC §§ 1271-1287, describes those river areas that are designated or eligible for inclusion in the Wild and Scenic Rivers System. Under Section 5(d)(1), the Department of the Interior (DOI) National Park Service (NPS) River and Trail Conservation Assistance Program (RTCA), within the NPS National Center for Recreation and Conservation (NCRC), maintains a Nationwide Rivers Inventory (NRI) of river segments that appear to qualify for inclusion in the National Wild and Scenic River System, but which have not been designated as a Wild and Scenic River or studied under a Congressional authorized study.

The President's 1979 Environmental Message Directive on Wild and Scenic Rivers (August, 2, 1979) directs Federal agencies to avoid or mitigate adverse effects on rivers identified in the NRI as having potential for designation under the Wild and Scenic Rivers Act. The August 11, 1980 Council on Environmental Quality (CEQ) Memorandum on Procedures for Interagency Consultation requires Federal agencies to consult with NPS when proposals may affect a river segment included in the NRI. Areas included are afforded protection as free flowing and possessing "...outstanding, remarkable, scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values." Moreover, law restricts development within 1,000 feet of rivers identified as wild and scenic.

If analysis indicates that a proposed action could potentially affect: (1) a Wild and Scenic River, (2) a river or river segment under study for inclusion in the Wild and Scenic River System, (3) an NRI river segment, or (4) an otherwise eligible river, the FAA (as the lead Federal agency for this Draft EIS) is responsible for contacting the appropriate Federal and state agencies having jurisdiction over the river to verify its status and for further consultation with the agencies, as necessary, to avoid or minimize impacts. If no river in the NRI is adversely affected or the impact is not considered severe enough to preclude inclusion of the affected river segment in the Wild and Scenic River System or downgrade its classification (e.g., from wild to recreational), no further analysis is necessary.

A review of the NRI of the NPS Wild and Scenic Rivers Program web site (www.nps.gov/rivers) indicates that there are no wild and scenic rivers or rivers/river segments otherwise eligible under Section 5(d) for inclusion in the Wild and Scenic Rivers Systems but not on the NRI or under study within the Study Area. The nearest Wild and Scenic River is the Loxahatchee River, which runs through the northern section of Palm Beach County. This river is located approximately 70 miles from the FLL and is within a different watershed.

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