



“Where beautiful things happen”

Photo: Tom Cameron

CHAPTER 2

Wild and Scenic Study Process and Background

The National Wild and Scenic Rivers System

The National Wild and Scenic Rivers System was established by Congress in 1968 to protect outstanding rivers from the harmful effects of *new* federally assisted projects such as dams and hydroelectric facilities. To be considered “Wild and Scenic” a river or river segment must be free-flowing and have at least one Outstandingly Remarkable Value, know in this Plan as Outstanding Resource Values (ORVs). The ORV must be natural, cultural or recreational in character and have unique, rare or exemplary qualities on a regional or national scale. “Free-flowing” refers to flow within the designated river segment and is not the same as naturally flowing.

Over 160 rivers or river segments have been protected nationwide (representing over 11,000 river miles), including ten rivers in the Northeast. The upper 14 mile reach of the Farmington River in Connecticut was among the first to be designated as a Partnership Wild and Scenic River in 1994. The Eightmile River in Connecticut was also designated as a Partnership River in 2008.

Partnership Wild and Scenic Rivers

The Partnership Wild and Scenic Rivers make up a subset of the Wild and Scenic Rivers System. The Partnership Wild and Scenic program was developed in response to the need for a Wild and Scenic River designation that is tailored to rivers of Outstanding Resource Value that are characterized by historical alterations, extensive private land ownership along the river, and well-established local control of river management. This program has a proven track record of effectively creating river protection strategies that bring communities together in protecting, enhancing and managing local river resources. The National Park Service recognizes 13 Partnership Wild and Scenic Rivers along the east coast that share some common management approaches including:

- No reliance on federal ownership of land.
- River and land use management that is regulated through existing local and state authorities, the same as before a designation.
- Administration and implementation of the advisory Management Plan that is accomplished through a broadly participatory advisory committee, convened for each river specifically for this purpose.
- Responsibility for managing and protecting river resources that is shared between the local, state, federal and non-governmental partners on the committee.
- Reliance on volunteerism as a key to success.
- No National Park Service Superintendent, law enforcement, or similar elements of traditional federally managed units of the National Park System.

Benefits of a Wild and Scenic Designation

Through National Park Service funding and staff support, resources are available to help the committee partners achieve the protection of the river’s Outstanding Resource Values

(ORVs). Typical results of Wild and Scenic designation are:

- **Preservation of a clean water supply for local residents:** The many approaches recommended to protect water quality in the watercourses will have a direct benefit on drinking water supply.
- **Protection of the character that defines the local communities:** Designation provides opportunities to support conservation of cultural landmarks, conserve stream banks, voluntarily protect wildlife habitats and important open space areas, and ensure that river and stream quality remain high.
- **Robust and diverse plant and animal populations that reflect a healthy ecosystem:** A key component of the character and quality of the designated area is the plant and animal life that naturally exists there.
- **Possible funding to help towns achieve their open space conservation goals:** Designation may leverage opportunities for funding that can help the local towns and state achieve open space conservation goals, saving towns money.
- **Information and technical support that assist local land use commissions and town staff in making decisions:** This can save commissions and their applicants' time and money, and facilitate sound decisions based on good science and technical expertise.
- **Small grants to help local schools, towns, scouts, civic groups, land trusts, private landowners and others on projects which support the purposes and goals of the plan:** Often a portion of Wild and Scenic funding is offered as small grants by the local Wild and Scenic Committee to support activities that enhance the ORVs and build the partnership capacity of the grant recipient.

Farmington River twilight

Photo: Wanda Colman



- **National recognition and prestige associated with a designation:** Area towns may see an increase in tourism and an economic benefit to local businesses. The local Wild and Scenic Committee may produce recreational and educational guides that encourage proper recreational use of local resources.
- **Outreach and education about techniques that protect our rivers and maintain the characteristics that provide a sense of place:** Publications, programs and trainings that highlight river resources and promote best management practices can be offered to a variety of audiences such as land use commissions, local landowners and schoolchildren.
- **Financial help for town activities:** Assistance may be available to help a town design and implement maintenance projects, e.g., a streambank erosion control effort that would secure a threatened roadway and still protect river values.
- **Funding and staff support through the National Park Service:** National Park Service staff provide important advisory and technical help to the upper Farmington's Wild and Scenic Committee. Similar support could be expected for the lower river if designated.
- **Prevention of federally funded or permitted projects that are determined to have an adverse impact on ORVs:** Wild and Scenic Rivers are protected from federally permitted or funded "water resource development projects" that would have a "direct and adverse" impact upon the ORVs that made the river eligible for designation.

Wild and Scenic Study

To determine whether a particular river or river segment is eligible to be included in the National Wild and Scenic Rivers System, a Wild and Scenic River Study is conducted. To initiate such a study of the Farmington River and Salmon Brook, the Farmington River Watershed Association worked with leaders in the ten towns to encourage the Congressional delegation to introduce "The Lower Farmington River and Salmon Brook Wild and Scenic Study Act." Senators Chris Dodd and Joe Lieberman introduced a bill that passed the Senate in late 2005. In November 2006 the House passed a companion bill

with the support of Representatives Nancy Johnson and John Larson. On November 27, 2006 Public Law No. 109-370 was signed into law by President Bush. This Bill authorized a Feasibility Study to identify, research and document the most unique and outstanding features and determine whether the Lower Farmington River and Salmon Brook meet the eligibility criteria for designation as "Wild and Scenic" resources.

The study was conducted according to the principles associated with the Partnership River Study approach. It was locally-led by a Wild and Scenic Study Committee in partnership with the local communities and river stakeholders. Membership of the Study Committee includes representatives from the ten towns, the Farmington River Watershed Association, the Salmon Brook Watershed Association, the CT DEP, and Stanley Black & Decker, corporate owner of the hydro operation at Rainbow Dam in Windsor. Other organizations and individuals later joined the committee, including the CT Forest & Park Association, the Pequabuck River Watershed Association, the Tariffville Village Association and the Whitewater Triple Crown Committee. The National Park Service provided staff support and overall coordination.

The Study Committee with locally appointed representatives from the ten towns of the Study Area and representatives from other river stakeholder entities was tasked with:

1. Providing local knowledge and expertise to help guide and interpret research on the natural, cultural, and recreational resource values associated with the rivers. This information forms the basis for both Outstanding Resource Values determinations and the River Management Plan.
2. Developing a comprehensive local advisory management plan to serve as a blueprint for improved management and conservation of the identified natural, cultural, and recreational values, with technical assistance from the National Park Service. This Plan could serve the river, local communities, state agencies and other stakeholders regardless of whether Wild and Scenic River status is achieved or even sought as a result of the study.
3. To serve as the focal point for local community, citizen, and stakeholder involvement throughout the study process.



Salmon Brook Photo: Tom Cameron

To meet these goals, the Study Committee conducted extensive research, established resource protection priorities and worked intensively within the communities to educate and gain input for the Management Plan.

Upon completion of all study components, the National Park Service summarized the research and findings in a report to Congress. Presentation of the Study Report to Congress is followed by a public comment period. Designation requires that a bill be passed by Congress and signed by the President.

Summary of Findings

Requirement of Free-Flowing Condition

Dams. The Lower Farmington and Salmon Brook Wild and Scenic Study Committee, in cooperation with the Connecticut Department of Environmental Protection, has assessed the existing dams of the lower Farmington River and Salmon Brook to determine whether the structures meet the Act's free-flowing river definition that permits the existence of low dams on Wild and Scenic Rivers and whether the structures are compatible with the free-flowing river definition. The DEP supplied the Study Committee with an

inventory of the dams considered to be within the Study Area, a few of which either no longer exist or are located on tributaries. The watercourses have a series of seven historic dams due to the river-powered industries of the past with five dams on the Farmington and two dams on the East Branch of the Salmon Brook. The majority of the dams are small or free-flowing and not an obstacle to fish passage. Two dams have high historical significance. Funding is currently being sought for removal of the Spoonville Dam which is estimated to cost 1.4 million dollars. Funding in the amount of \$500,000 was just recently awarded through the Connecticut Long Island Sound Fund license plate program. Full dam removal will restore the site for fish passage of a range of diadromous and resident species. In addition, safety conditions will be improved for paddling this river segment.

As a result of the dam assessment, the Upper and Lower Collinsville dams in Canton and the Rainbow Dam in Windsor are being recommended for exclusion from the designated reaches. The size of Rainbow Dam and its hydroelectric operation, and the

proposed hydropower installations now under study for the Collinsville dams, are deemed incompatible with designation. Exclusion of segments with large dams or hydropower operations is acceptable and appropriate along designated rivers.

Approximately 40 miles of the lower Farmington River and 26 miles of the Salmon Brook meet the free-flowing criteria for Wild and Scenic River eligibility. Due to the presence of several historical, low-head dams and remnant dams, the segments best meet the free-flowing criteria for “recreational” classification. The Rainbow Dam and impoundment are significant structures which fail the “generally riverine in appearance” threshold. Therefore, the 4.5 mile segment encompassing the Rainbow Dam and reservoir is not found to be free-flowing.

The free-flowing eligibility analysis revealed that six of the seven existing dams of the lower Farmington River and Salmon Brook meet the eligibility criteria for designation due to their free-flowing condition.

Study of flows. Streamflow conditions on the Lower Farmington River are governed by a complex series of legal and procedural arrangements dating back to the 1800s. Riparian Agreements between the Metropolitan District Commission and local towns and other hydropower users established a system for managing the water flow to serve river users and benefit the river system. During the upper Farmington River Wild and Scenic Study, prior to the upper river’s Wild and Scenic designation in 1994, an in-stream flow study was conducted, in part to assess the effects of dams further upstream that regulate flow. The flow study documented the multitude of demands for water and determined that the resulting river flows are adequate to support the in-stream values for which the river was designated. They concluded that the existing flows are regulated through established minimum and optimum flows that support the river’s fisheries, biological and recreation resources and aesthetic qualities. The regulation of flows has helped to sustain and enhance river uses, such as recreation, particularly during low flow periods. In summer when the natural flows are lowest —recreational flows are supported through stable and predictable releases from upstream dams. In fact, the Tariffville Gorge

is an Outstandingly Resource Value (ORV) in part due to its regional significance as a year-round paddling destination. Biological productivity is also enhanced by the consistent river flow regime.

This flow study is a tool for maintaining adequate river flows because it can show whether future water allocation demands are compatible with protection of the Outstanding Resource Values. A more detailed summary of the flow study can be found in the Upper Farmington River Management Plan at <http://www.farmingtonriver.org/ResourcesandLinks/tabid/60/Default.aspx>

Demonstration of Outstanding Resource Values (ORVs)

The Study Committee led and supported the Study that resulted in the research and documentation of five ORVs of the Study Area. Local, regional and state resource professionals determined the Farmington River and Salmon Brook are exceptional watercourses with respect to geology, water quality, biological diversity, cultural landscape and recreation. Detailed descriptions and references to the completed research for each of the ORVs are found within this Management Plan text and accompanying appendices.

Requirement of Local Support and Generation of the Management Plan

A review and analysis was conducted in a manner consistent with the principles of the Wild and Scenic Partnership River approach. The Committee documented and substantiated local support and commitment both to designation and to locally-based river protection actions and then prepared a locally-supported management plan for the watercourses that details the strategy for future protection of the area’s outstanding resources. Development of the Lower Farmington River and Salmon Brook Management Plan was of central importance to the Study Committee. The Management Plan is a guidance document for protection and enhancement of the Outstanding Resource Values and provides a framework for the Wild and Scenic Committee to follow in planning its conservation work. Each of the ten towns formally endorsed the Management Plan through votes of their chief executive officers. Land use commissions, local organizations and the state have endorsed the

The Management Plan is a guidance document for protection and enhancement of the Outstanding Resource Values and provides a framework for the Wild and Scenic Committee to follow in planning its conservation work.

Plan as well. Endorsement of the Management Plan by the partners substantiates eligibility for designation by demonstrating local commitment to river conservation. This type of management framework has proven to be a successful approach in providing management coordination and implementation on the 12 other Partnership Wild and Scenic Rivers.

Summary

The Lower Farmington River and Salmon Brook Wild and Scenic Study has thus established that the lower Farmington River and Salmon Brook meet the definition of free-flowing and possess Outstanding Resource Values. 37 miles of the lower Farmington River, and the entirety of the Salmon Brook, including the main stem and east and west branches, totaling 26.4 miles, are found to be eligible *and* suitable for Wild

and Scenic River designation. Approximately 63 miles of the lower Farmington River and Salmon Brook are recommended for designation as “recreational” under the National Wild and Scenic Rivers Act, to be managed in accordance with this Management Plan. Further, the Study has determined that there is adequate local protection for the resource values of these watercourses and sufficient support for designation by the stakeholders along the river. Finally, it has produced a comprehensive Management Plan, in partnership with the river towns and other local stakeholders that contains detailed recommendations for protecting the resource values of the lower Farmington River and Salmon Brook. The Study Committee therefore recommends that the lower Farmington River and Salmon Brook be designated as part of the Partnership Wild and Scenic Rivers Program.