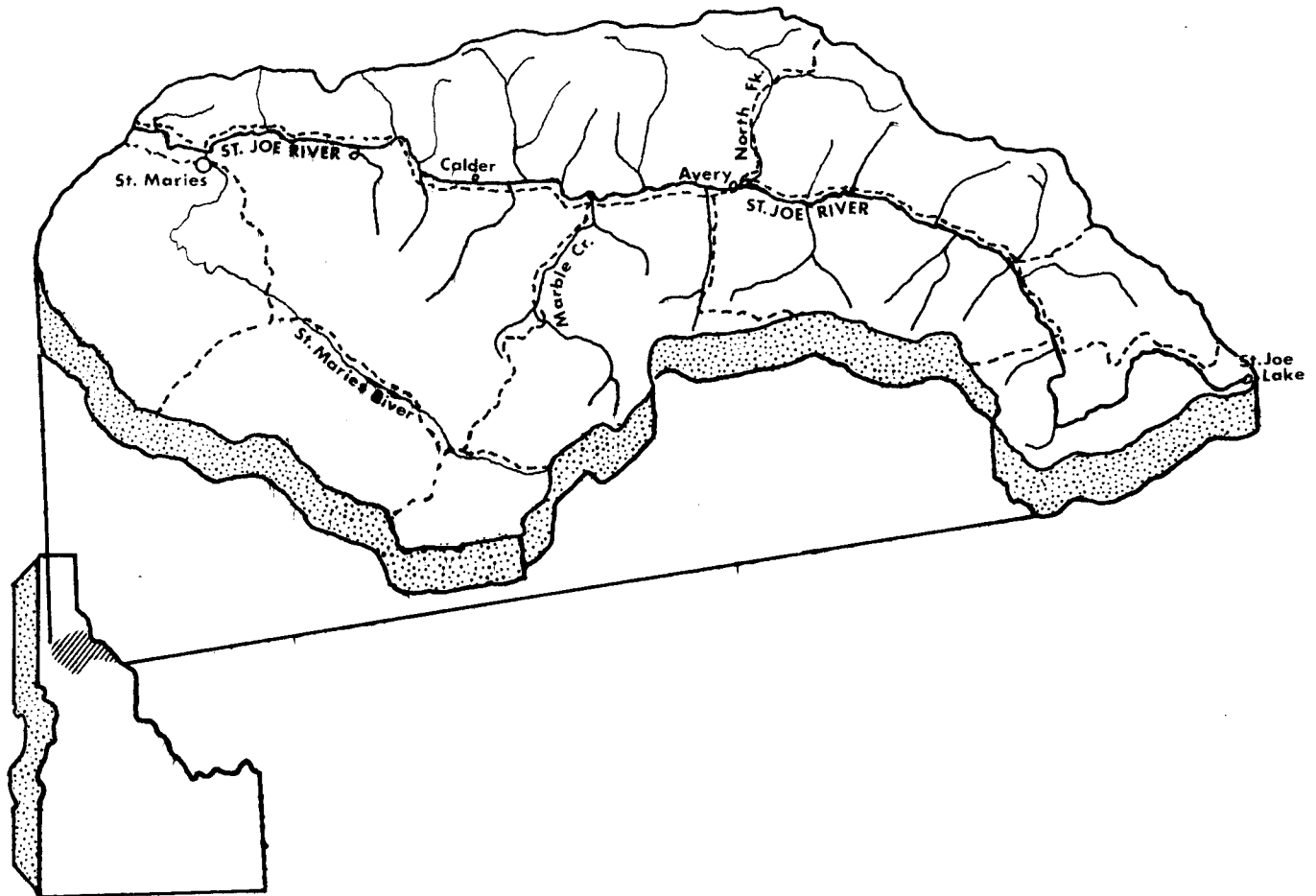


SCENIC RIVERS STUDY REPORT

NO. 2

CONTRACT NO. C-3342-IDA.



Report of  
**An Analysis of Attitudes  
and Opinions  
of St. Joe River Basin Landowners  
Towards Wild and Scenic Rivers**

by  
Kjell A. Christophersen

Water Resources Research Institute  
University of Idaho  
Moscow, Idaho

December, 1972

SCENIC RIVERS STUDY  
Report No. 2  
OWRR Project No. C-3342-IDA  
Drs, E.L. Michalson and C.D. Gordon, Project Investigators  
July 1971 - October 1972

AN ANALYSIS OF ATTITUDES AND OPINIONS  
OF ST. JOE RIVER BASIN LANDOWNERS  
TOWARDS WILD AND SCENIC RIVERS

by

Kjell Christophersen

Submitted to

Office of Water Resources Research  
United States Department of the Interior  
Washington, D.C. 20240

December, 1972

This project was supported primarily with funds provided by the United States Department of the Interior, Office of Water Resources Research as authorized under the Water Resources Research Act of 1964, and pursuant to Grant Agreement No, 14-31-001-3718.

Water Resources Research Institute  
University of Idaho  
Moscow, Idaho

C.C. Warnick, Director

## ABSTRACT

This report compiles information obtained from St. Joe River landowners regarding their attitudes and opinions of the proposed inclusion of the river in the National Wild and Scenic Rivers System. Questionnaires were mailed to 327 landowners whose properties are located within the land area which could be affected by Wild and Scenic Rivers restrictions. A total of 54.4% of the landowners responded to the questionnaire.

Approximately 76% of the affected land area downstream from Avery is privately owned, whereas the affected land area upstream from Avery is in national forest. Results of the survey revealed that 68.8% of the resident landowners were strongly opposed to classifying the lower segment of the St. Joe River from Avery to the conclusion of the river at Beedle Point on Coeur d'Alene Lake. Forty-three percent of the absentee landowners (not residing in the St. Joe River Basin) were also strongly opposed to classifying this segment of the river.

In contrast, the majority of landowners were either strongly or mildly in favor of including the entire river upstream from Avery in the National Wild and Scenic Rivers System.

Opposition to classifying the lower St. Joe River was based on landowners' perceptions of the degree to which Wild and Scenic Rivers restrictions would affect: (1) The free flow of traffic through the river Corridor, (2) property values and taxes, (3) personal income, (4) area economy, and (5) continued recreational use (or abuse) of private property.

## ACKNOWLEDGEMENTS

This study was conducted through the Idaho Water Resources Research Institute, University of Idaho, under contract agreement No. 14-31-0001-3718 with the Office of Water Resources Research.

The author acknowledges Dr. Walter R. Butcher, Dr. L.L. Blakeslee, Dr. Edgar L. Michalson, Dr. C. Douglas Gordon, Dr. J. Carlson, Prof. C.C. Warnick and Mr. Terry Johnson whose constructive reviews were essential ingredients to the successful completion of this report.

The author also wished to acknowledge Drs. E.L. Michalson and C.D. Gordon who conceived this project and study, and who ably guided it to completion.

TABLE OF CONTENTS

CHAPTER	PAGE
PREFACE . . . . .	1
CHAPTER I . . . . .	6
Introduction . . . . .	6
The Problem . . . . .	6
Objectives . . . . .	7
Elaboration of the Study Problem . . . . .	7
CHAPTER II . . . . .	12
Results . . . . .	12
Socioeconomic Factors . . . . .	14
Age . . . . .	14
Occupation . . . . .	14
Income . . . . .	15
Education . . . . .	16
Duration of Property Ownership . . . . .	16
Land Ownership . . . . .	18
Land Use . . . . .	18
Landowner-Recreationist Relationships . . . . .	24
Recreational Use of Private Property . . . . .	24
Posting Practices . . . . .	27
Attitudes and Opinions . . . . .	30
Property Values . . . . .	30
Personal Income . . . . .	32
Area Economy . . . . .	34
Taxes . . . . .	34
General Attitudes and Opinion of the Wild and Scenic Rivers Act . . . . .	35
Corporate Landowners . . . . .	40
CHAPTER III . . . . .	42
Summary and Conclusions . . . . .	42
FOOTNOTES . . . . .	45
APPENDICES . . . . .	47
APPENDIX I . . . . .	48
APPENDIX II . . . . .	48

Table of Contents (cont.)

CHAPTER	PAGE
APPENDIX III . . . . .	68

LIST OF TABLES

TABLE	PAGE
Table 1. Landowner Questionnaire Responses . . . . .	13
Table 2. Respondents in Each Age Class by Resident and Absentee Land Ownership . . . . .	14
Table 3. Respondents in each Occupation Class by Resident and Absentee Land Ownership . . . . .	15
Table 4. Respondents in Each Income Class by Resi- dent and Absentee Land Ownership . . . . .	16
Table 5. Respondents in Each Education Class by Resident and Absentee Land Ownership . . . . .	17
Table 6. Average Number of Years Owned Property by Resident and Absentee Land Ownership . . . . .	17
Table 7. Ownership of Land within the St. Joe River Corridor . . . . .	19
Table 8. Use of Corridor Lands . . . . .	20
Table 9. Permanent Structures on Corridor Property by Resident and Absentee Land Ownership . . . . .	21
Table 10. Residence of Purchasers of Lots Sold From 1/1/66 to 1/1/72 . . . . .	23
Table 11. Landowners Who Intend to Subdivide Corridor Property by Resident and Absentee Land Owner- ship . . . . .	23
Table 12. Landowners Claiming Recreationists Using or Crossing Land With or Without Permission . . . . .	25
Table 13. Reasons for Posting Land Now or Considering Posting Land in the Future . . . . .	28
Table 14. Perceived Economic Effects of the Wild and Scenic Rivers Act by Resident and Absentee Land Ownership . . . . .	31
Table 15. Percentage of Income Earned From all Business Interests in the St. Joe River Basin, and from Corridor Property Only by Resident and Absentee Land Ownership . . . . .	33

List of Tables (cont.)

TABLES	PAGE
Table 16. Opinions on Including Segments of the St. Joe River in the National Wild and Scenic Rivers System by Resident and Absentee Land Ownership . . . . .	36
Table 17. Landowners' Preferences Toward Classification of Corridor Segments by Resident and Absentee Land Ownership . . . . .	38



LIST OF FIGURES

FIGURE	PAGE
Figure 1. The St. Joe River Basin . . . . .	3

## PREFACE

On October 2, 1968, Congress passed Public Law 90-542 which provided for a National Wild and Scenic River System. According to this law, rivers with unique or outstanding environmental qualities such as scenic, recreational, geological, fish and wildlife, historical, cultural and other values shall be preserved in their free flowing condition and shall be protected for the benefit and enjoyment of present and future generations.<sup>1</sup> The Act specified some "instant rivers" (in Idaho, the Middle Fork of the Salmon River and the Middle Fork of the Clearwater River) and certain "study rivers" to be studied for possible inclusion in a National Wild and Scenic Rivers System. The St. Joe, Priest, Bruneau, Moyie and the main stem of the Salmon River are five Idaho rivers placed in the second category.

Although the Act gives primary implementation and management responsibilities to the Department of the Interior and the Department of Agriculture for the river studies, it encourages State and University research participation. The University of Idaho Water Resources Research Institute was funded through the Office of Water Resources Research to conduct local, regional and national studies to determine attitudes and opinions concerning the possibility of including "study rivers" in the National Wild and Scenic Rivers System. This report presents attitudes and opinions among local landowners along the St. Joe River. The regional and national studies will be published in subsequent reports.

Complementary to the University studies, the St. Joe National Forest, under the direction of Congress<sup>2</sup>, is conducting a study primarily concerned with ascertaining the feasibility of including the St. Joe River under the Wild and Scenic Rivers Act. Specifically, the Forest Service is taking inventories of the following characteristics of the river:

1. Water quality
2. Fish habitat
3. Geology and soils
4. Fish and wildlife
5. Historical and cultural aspects
6. Minerals
7. Timber
8. Landscape
9. Land ownership

Another phase of the Forest Service study is to determine the impact of classifying the river on the local, regional and national economy, and to determine the impact of classification versus non-classification on the environment. The final recommendations to Congress will include the parts of the river which should be included in the National Wild and Scenic Rivers System and how these parts should be managed.

The St. Joe River originates at St. Joe Lake close to the Montana border and discharges into Coeur d'Alene Lake some 132 miles to the west (Fig. 1). It is an appealing river to large numbers of outdoor recreationists since it offers a variety of recreational opportunities such as fishing, hunting, camping and sightseeing to name a few. Kayakers, canoers and rafters can run about 90 miles of whitewater with varying degrees of diffi-

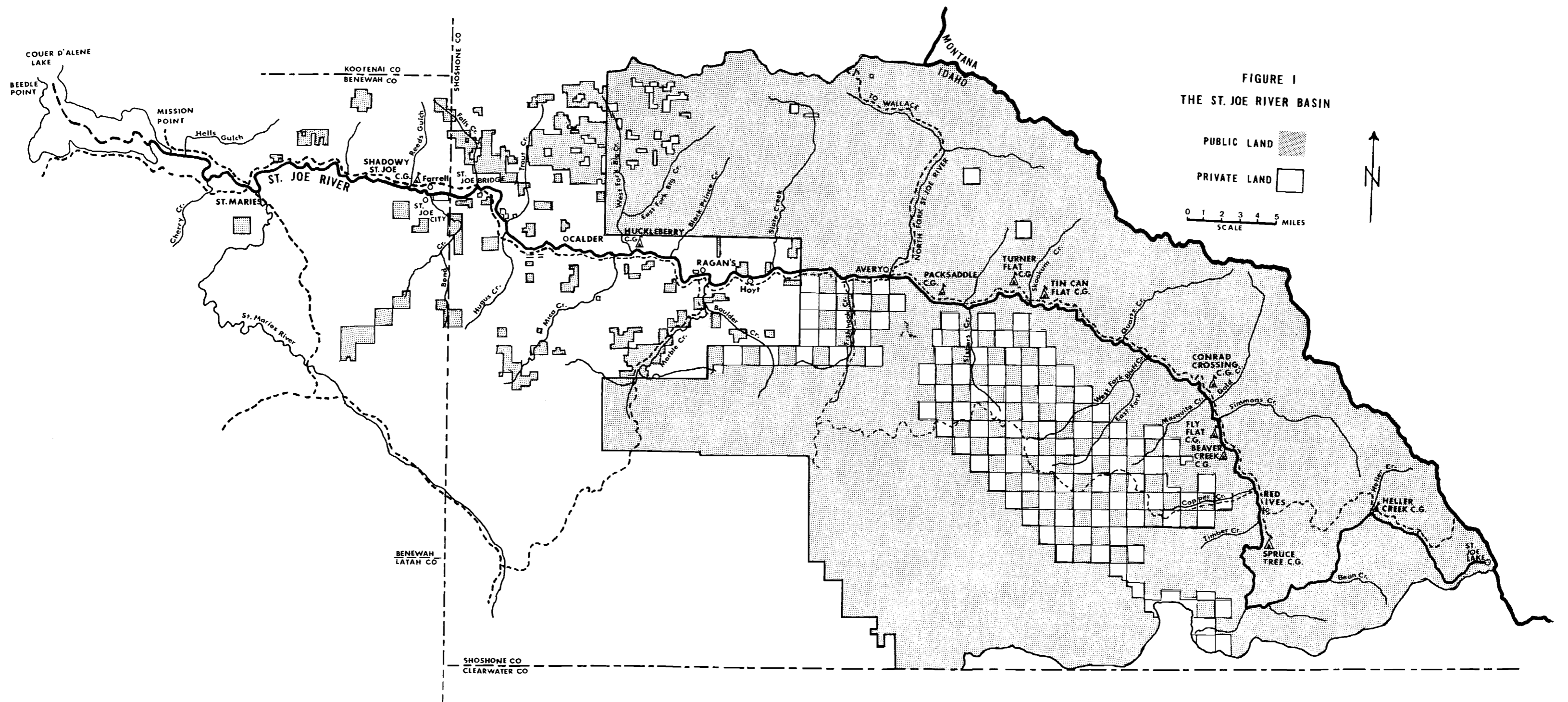




FIGURE I  
THE ST. JOE RIVER BASIN

PUBLIC LAND 

PRIVATE LAND 

0 1 2 3 4 5 MILES  
SCALE



culty to thrill beginners through experts. Generally, the experts run stretches such as Conrad and Skokum Canyons while the less experienced floaters float the river below Avery.<sup>3</sup> The opportunities for motor boating, water skiing, inner-tubing, air mattress and rubber rafting, scuba diving and most other types of recreational water oriented sports are excellent between the St. Joe Bridge and Beedle Point by Coeur d'Alene Lake.

The river can be usefully considered in three parts that correlate with the three categories of System Rivers: "Wild," "Scenic," and "Recreational".<sup>4</sup> A "wild river" is free from impoundments, generally inaccessible except by trail, with non-polluted water and with essentially primitive watershed and shoreline. A large segment of the river from St. Joe Lake to Red Ives could possibly be classified in the "wild" category. This area has been retained in a primitive character. Specifically, a 17 mile segment of the river from Heller Creek Campground (below St. Joe Lake) to Spruce Tree Campground (just above Red Ives) is accessible only by trail. This area is rich in wildlife and aquatic life and offers excellent opportunities for hunting, fishing, hiking and sight-seeing. Deposits of gold and garnets are also found along this stretch of the river.

Downstream from Red Ives to Avery the river could possibly be classified as "scenic". A "scenic river" is free from impoundments with shorelines and watershed still essentially primitive and undeveloped, but it is accessible in places by road. This segment is accessible by motor vehicles on relatively narrow and winding dirt roads either along

the river upstream from St. Maries or from the town of Wallace, Idaho, located some 32 miles north of Avery.

Of particular concern to this study is the lower stretch of the St. Joe River from Avery to Beedle Point. This segment is approximately 66 miles long and could possibly be classified as "recreational" with certain stretches qualifying under the "scenic" category. A "recreational river" is readily accessible by roads and railroads; it may have some development along the shoreline and it may have undergone some impoundment or diversion in the past.

Most of the land adjacent to the lower stretch of the river is privately owned and if classified as "recreational" under the National Wild and Scenic Rivers System, certain property rights would most likely be acquired by the government to ensure the public right to enjoy a protected resource in the future. All or part of the land located within an average of one quarter mile from either side of the river bank, hereinafter referred to as the Corridor, would be partly controlled by the Act. Landowners would have to give up the right to develop their properties for some industrial, commercial and/or agricultural purposes in the future, i.e., activities that may be inconsistent with the management of a river included in the Wild and Scenic Rivers System. All land uses prior to classifying the river will be allowed to continue. Public access would be provided through some private properties to selected areas along the river, although access would be restricted to river front land not designated for public use.

## CHAPTER I

### INTRODUCTION

#### The Problem

Government controls on privately owned land presents a basis for various conflicts of interest, particularly between landowners on the one hand and the resource managing agency on the other. Landowners may feel their plans to develop their properties for economic gains will be curbed by the land use restrictions imposed by the Wild and Scenic Rivers Act in the event the river is classified into the System. Moreover, conflicts between landowners and recreationists are expected to increase if the river is classified, particularly in areas in proximity to good hunting, fishing and camping. Indeed, some landowners along the St. Joe River are currently experiencing pressures from outdoor recreationists and they fear additional and more severe problems from trespassing recreationists should the river be included in the System.

For these reasons, landowners' perception of recreational pressures and subsequent recreationist associated problems as well as their general attitudes and opinions regarding the proposed inclusion of the river are major issues dealt with in this study. The landowner questionnaire (Appendix I) afforded property owners an opportunity to express their desires relating to these issues.

### Objectives

With reference to the expressed landowner concern, the following study objectives were formulated:

1. To evaluate attitudes and opinions of St. Joe River landowners regarding Wild and Scenic Rivers.
2. To ascertain landowner - recreationist conflicts and the extent to which landowners' management policies and practices are affected by such conflicts.

The anticipated uses of the results of the research reported in this study are as follows:

1. To provide base line information that can be used as a basis for comparison when similar studies are conducted in the future.
2. To provide case study results applicable to areas with characteristics similar to the St. Joe River.

### Elaboration of the Study Problem

The possibility of including the St. Joe River under the National Wild and Scenic Rivers Act has raised much opposition among the landowners along the St. Joe River. Landowners are likely to object if any branch of government attempts to control an area which is privately owned since such control could have the effect of restraining the economic development of that area.

If the St. Joe River were included in the Wild and Scenic Rivers System, outdoor recreational use of the area would probably increase in



intensity. Most other land uses in the Corridor would probably remain at or decrease from their present levels. Landowners would retain title to the land and might thus restrict access to potential recreationists, but they would lose the option to develop their land for uses that might conflict or compete with the management of the river under a Wild and Scenic River classification.

For these reasons, landowners may be opposed to the inclusion of the river in the System. Although they are free to retire land from other uses and devote it entirely to recreation as a competing land use activity, this option is open to them even if the area is not protected. However, should the demand for outdoor recreation increase faster with a "recreational" classification than if the river is not included in the System, then the possibilities for economic gains from tourism in excess of those derived from current land uses become more attractive. Hence, landowners may choose to develop recreational facilities on all or parts of their land in order to capitalize on the economic opportunities presenting themselves as a result of preserving the scenic and recreational qualities of the area.

Furthermore, if the government requires a curtailment of future industrial and/or commercial activities due to the inclusion of rivers in the System, landowners are entitled to be compensated for giving up certain property rights. The curtailment of competing uses and compensation for landowners are accomplished by government purchase of a "scenic easement" (Appendix III) over the affected properties. In exchange for compensation, the landowners agree not to develop their properties for purposes conflicting with the management of a Wild and Scenic River.

This agreement would ensure the perpetuation of existing qualities of the river and its adjacent land. However, the government can only base its compensatory scheme on the present assessed "highest and best use" values of the properties, not on speculative values.

A speculative land value can be defined as the amount of money a purchaser is willing to pay for a certain parcel of land, over and beyond the value of that land in present uses. For example, the present highest and best use of a 5-acre parcel of land may be timber production and the land, thus, worth \$500; yet, the same parcel may be worth \$5,000 to a prospective buyer of recreational property some time in the future. The difference (\$4,500) is defined as the speculative land value. For this reason, if it becomes a reality, landowners may not be able to capitalize on future speculative land values because of scenic easement restrictions. In the absence of classification these gains could be realized.<sup>5</sup>

However, under the Wild and Scenic Rivers System, there still may be ample opportunity for land speculation. Landowners may still be able to subdivide the land in larger blocks such as 10-20 acres per subdivision in contrast to small lots as in the previous example. Summer homes may still be constructed on these larger areas of subdivided land, yet they must comply with the requirements of the scenic easements. The pricing differentials may allow the latter method of subdivision to be as profitable as the intensive development.

Perhaps it is important to note that many landowners will not automatically respond to whatever economic opportunity that presents itself.

Because they are farmers by choice, their families may have owned the property for generations, and/or they like to live and raise their families in the area, they may not wish to sell their properties either in small lots or large blocks even if the speculative gains may be large. Moreover, they may be reluctant to subdivide because reducing the size of their farming operation could alter their cost structures, i.e., they might lose some economies of size.<sup>6</sup>

For the above, and perhaps several other reasons, a large number of landowners formed the St. Joe Valley Landowners Association - a group opposing the classification of that portion of the river flowing through private property. The following letter appeared in the St. Maries Gazette Record on April 6, 1972:

We the members of the St. Joe Valley Landowners Association from the confluence with the North Fork River above Avery to the conclusion of the St. Joe River at Coeur d'Alene Lake readily recognize the growing need for environmental controls in our beautiful valley. Many of us have lived in the lower valley for years - some of us for generations. We are the last who would want to see our valley scenically and economically destroyed.

In as much as the land adjoining the St. Joe River above Avery is now largely under government control, we are not opposed to it being classified under the Wild and Scenic Rivers Act provided this classification does not in any way jeopardize the movement of traffic through the corridor. The logging from the St. Joe River drainage is so vitally important to the economy and survival of the people in this Valley.

We are strongly opposed to any classification of the St. Joe River from the confluence with the North Fork above Avery to its conclusion at Coeur d'Alene Lake; but our minds are open to suggestions for local controls in order that we may continue to maintain our Valley environmentally as well as economically.

People like us are the ones who have built this great nation of ours, within which we live - founded on respect for individual rights and self government. We have shared this scenic valley in the past with many people and will be most happy to continue to do so in the future with the least possible restrictions and controls.

We will work with the ordered study of the river but we will never willingly surrender easements on our homes, our way of life, and means of livelihood to the controls under the Federal Wild and Scenic Rivers Act.

We respectfully request that this letter be made a part of the document that you submit in your study to the Congress of the United States.

Very truly yours,  
St. Joe Valley Landowners<sup>7</sup>  
Association

## CHAPTER II

### RESULTS

Names and mailing addresses of all private landowners in the Corridor were obtained by the St. Joe National Forest from the county assessor offices in St. Maries, Benewah County, and Wallace, Shoshone County. The mailing list was used by the Forest Service for the purpose of informing landowners of the possible effects which the Wild and Scenic Rivers Act could have on private property (Appendix II). On November 17, 1971, a letter from the St. Joe National Forest was sent to all landowners in the Corridor. The following are excerpts from this letter which introduces two articles designed to explain the Wild and Scenic Rivers Act and how the classification of the river will affect the landowners:

The first article is Guidelines for Evaluating Wild, Scenic, and Recreational River Areas Proposed for Inclusion in the National Wild and Scenic River System under Section 2, Public Law 90-542. This somewhat detailed guideline will give you an excellent idea on the What, Where, Why and Hows of the Act. Presently, this is the best explanation of the Wild and Scenic Rivers Act .....

The second article, Scenic Easements Digest for Middle Fork of the Clearwater System, explains how scenic easements were applied along the Clearwater River. If the St. Joe River below Avery becomes a recreation river under the act, then the character of the private land along the river would probably be preserved by scenic easements similar to those along the Clearwater River. In actual practice, these conditions were changed somewhat to fit individual situations ....

Within two weeks, the Water Resources Research Institute at the University of Idaho will send you a questionnaire concerning your opinions on the proposed classification on the St. Joe River. That questionnaire will give you an excellent opportunity to voice your opinion on the study. The data in this packet may help you in answering their questions.

In addition to the informational package sent to the landowners, several public hearings were conducted by the St. Joe National Forest in the St. Maries, Calder, Avery and Coeur d'Alene areas prior to the mailing of the questionnaires.

After the landowners received the informational material, a questionnaire with an introductory letter, map of the river basin and return envelopes were sent to all landowners (Appendix I). The questionnaire was designed and pretested by Idaho Water Resources Institute personnel.

Assessor records for 1970 showed 327 relatively small private landowners in the Corridor and questionnaires were mailed to these individuals. In addition, large corporate landowners were personally interviewed and a summary of these responses will be presented at a later stage in this report.

Fifty-four per cent of the landowner questionnaires were returned after two mailings. The response rates are presented in Table 1 distinguishing between two groups of landowners - resident and absentee.

Landowners	Number of Landowners N	Number of Responses n	n/N
Resident	211	101	47.9%
Absentee	116	77	66.4%
TOTAL	327	178	54.4%

### Socioeconomic Factors

This section presents background information pertaining to the sociological makeup of the St. Joe River Corridor landowners.

#### Age

The mean age of resident and absentee landowners was 52 and 49 years respectively (Table 2). There were relatively few landowners in the 20 to 29 and 30 to 39 age brackets. Landowners within the remaining age classes were fairly evenly distributed. The majority of respondents in the 50 to 59 and 60 and over age brackets were resident landowners.

Table 2

RESPONDENTS IN EACH AGE CLASS BY  
RESIDENT AND ABSENTEE LAND  
OWNERSHIP

Residence	Age Class					Average Age
	20-29 n-%	30-39 n-%	40-49 n-%	50-59 n-%	60 or over n-%	
Resident	7 58.3	11 68.8	19 45.3	29 59.2	31 72.1	52
Absentee	5 41.7	5 31.2	23 54.7	20 40.8	12 27.9	49
TOTAL	12 100	16 100	42 100	49 100	43 100	

#### Occupation

The largest percentage of resident landowners (23.5%) were blue collar workers. The manager/operator/proprietor category contained the next highest percentage response (22.2%). The two most numerous occupational groups for absentee landowners were services (34.0%) and professionals

(24.0%). Relatively few landowners were employed in clerical or sales positions.

Table 3  
RESPONDENTS IN EACH OCCUPATION CLASS  
BY  
RESIDENT AND ABSENTEE LAND OWNERSHIP

Occupations	Resident		Absentee		Total	
	n	%	n	%	n	%
Professional	6	7.4	12	24.0	18	13.7
Manager/Operator/ Proprietor	18	22.2	1	2.0	19	14.5
Clerical/Sales	4	4.9	2	4.0	6	4.6
Blue Collar	19	23.5	5	10.0	24	18.3
Services	8	9.9	17	34.0	25	19.1
Farmers	9	11.1	1	2.0	10	7.6
Housewives	1	1.2	3	6.0	4	3.1
Retired	16	19.8	9	18.0	25	19.1
TOTAL	81	100	50	100	131	100

#### Income

Approximately one third of all respondents listed their incomes in the \$10-14,999 class (Table 4). In the \$15-24,999 income class we found a considerably higher percentage of absentee landowners (40.4%) in comparison with resident landowners (17.9%). Only 4.1% of all respondents fell within the lowest income bracket.



Table 4  
 RESPONDENTS IN EACH INCOME CLASS  
 BY  
 RESIDENT AND ABSENTEE LAND OWNERSHIP

Income Classes	Resident		Absentee		Total	
	n	%	n	%	n	%
Less than \$2,999	3	4.5	2	4.3	5	4.4
\$3-4,999	10	14.9	2	4.3	12	10.5
\$5-6,999	2	3.0	1	2.1	3	2.6
\$7-9,999	12	17.9	2	4.3	14	12.8
\$10-14,999	21	31.3	15	31.9	36	31.6
\$15-24,999	12	17.9	19	40.4	31	27.2
Over \$25,000	7	10.5	6	12.8	13	11.4
TOTAL	67	100	47	100	114	100

#### Education

The largest group of respondents (31.3%) had at least completed high school and had attended some college or additional schooling (Table 5). A larger percentage of absentee landowners (25.4%) were college graduates in comparison with resident landowners (12.9%).

#### Duration of Property Ownership

All respondents have owned their Corridor properties for an average of 13.2 years (Table 6). As expected, the average duration of land ownership among resident landowners (17.3 years) is considerably higher than that of absentee landowners (7.1 years).

Table 5

RESPONDENTS IN EACH EDUCATION CLASS  
BY  
RESIDENT AND ABSENTEE LAND OWNERSHIP

Education Class	Resident		Absentee		Total	
	n	%	n	%	n	%
Grade 0-8	11	12.9	1	1.7	12	8.3
Grade 9-12	29	34.1	10	17.0	39	27.1
Some College or Additional Schooling	24	28.2	21	35.6	45	31.3
College Graduate	11	12.9	15	25.4	26	18.1
Advanced Degree	10	11.8	11	18.6	21	14.6
Other	0	0	1	1.7	1	1.0
TOTAL	85	100	59	100	144	100

Table 6

AVERAGE NUMBER OF YEARS OWNED PROPERTY  
BY  
RESIDENT AND ABSENTEE LAND OWNERSHIP

No. of Respondents and Average Years	Resident	Absentee	Total
Number of Respondents	95	65	160
Average Years	17.3	7.1	13.2

### Land Ownership

The ownership of land within approximately one quarter mile on either side of the entire St. Joe River (not to exceed 320 acres per mile of river) is presented in Table 7. Landownership<sup>8</sup> and land use<sup>9</sup> patterns within the Corridor was obtained from the St. Joe National Forest rather than from the questionnaires. Landowners had no prior knowledge about the width of the proposed Corridor, hence their estimates tended to exceed the actual acreages involved. The patterns of land ownership are broken down according to major river segments as identified in Figure 1.

The Corridor includes approximately 41,561 acres of which 15,358 acres (37%) are in private ownership. The private land is located exclusively west of the town of Avery. The land east of Avery is in national forest. Of the total 20,161 acres downstream from Avery, approximately 76% is owned by corporate firms or individual landowners. Private individuals own a total of 9,928 acres of land within the Corridor. Public ownership of land downstream from Avery amounts to 24%, most of which is concentrated in the Calder to Avery segment of the river. Landowners indicated they owned an average of 1,389 feet along the banks of the river.

### Land Use

The land use distribution for the section of the Corridor west of Avery is presented in Table 8. Seventy-six per cent of this area is privately owned but the dominant land uses are in the timber, and brush and scrub timber categories which occupy 35.2% and 38.8% respectively

OWNERSHIP OF LAND WITHIN THE ST. JOE RIVER CORRIDOR

Table 7

	Beedle Point to St. Maries Acres (%)	St. Maries to St. Joe City Acres (%)	St. Joe City to Calder Acres (%)	Calder to Avery Acres (%)	Total Avery Down Acres (%)	Avery to St. Joe Lake Acres	Total Acres
<b>Public Lands</b>							
USFS	0	9	461	1,297	1,767	21,400	23,167
State	677	174	129	396	1,376		1,376
BLM	30	20	40	1,044	1,134		1,134
Highway R/W	152	166	136	72	526		526
	859 (31)	369 (7)	766 (19)	2,809 (36)	4,803 (24)	21,400	26,203
<b>Private Lands</b>							
Corporate Landowners	224	912	1,533	2,761	5,430		5,430
Individual Landowners	2,566	3,827	1,662	1,873	9,928		9,928
	<u>2,790 (69)</u>	<u>4,739 (93)</u>	<u>3,195 (81)</u>	<u>4,634 (64)</u>	<u>15,358 (76)</u>	<u>21,400</u>	<u>15,358</u>
TOTAL	3,649 (100)	5,108 (100)	3,961 (100)	7,743 (100)	20,161 (100)	21,400	41,561

Table 8

USE OF CORRIDOR LANDS  
(In acres and %)

Area Location	Cash Crops	Hay and Pasture	Commercial	Residence & Small Lots	Timber	Brush and Scrub Timber	Total Area
Beedle Point	1,047	402	180	258	456	1,015	3,358
to							
St. Maries	31.2%	12%	5.4%	7.7%	13.5%	30.2%	100%
St. Maries	330	1,650	53	175	1,378	1,112	4,698
to							
St. Joe City	7.0%	35.1%	1.1%	3.7%	29.3%	23.8%	100%
St. Joe City	--	375	10	15	1,358	1,827	3,585
to							
Calder	--	10.5%	.3%	.4%	37.8%	51.0%	100%
Calder	--	197	50	98	3,335	3,240	6,920
to							
Avery	--	2.8%	.7%	1.4%	48.4%	46.7%	100%
Total							
Acres	1,377	2,624	293	546	6,527	7,199	18,568*
and							
%	7.4%	14.1%	1.6%	2.9%	35.2%	38.8%	100%

\* Roads and railroads comprise another 1,900 acres - Total within area - 20,161 acres.  
The land above Avery is in timber or brush and scrub timber.

of the total land area. This indicates that a large portion of the lower Corridor is still largely undeveloped. In contrast, only 4.5% of the 20,161 acres are used for commercial and residence and small lots.

A total of 256 structures of one kind or another are located on Corridor properties west of Avery based on responses from 154 resident and 35 absentee landowners (Table 9). This segment of the river is approximately 66 miles long which indicates an average of at least 3.9 structures per river mile. However, since only 54.4% of the questionnaires were returned, it is reason to believe that the number of structures on Corridor lands is higher.

---

Table 9  
PERMANENT STRUCTURES ON CORRIDOR PROPERTY  
BY  
RESIDENT AND ABSENTEE LAND OWNERSHIP

Residence	Houses	Cabins	Barns	Sheds	Commercial Buildings	Other	Total
	n No.*	n No.	n No.	n No.	n No.	n No.	n No.
Resident	53 61	12 20	31 34	37 65	10 16	11 23	154 219
Absentee	11 11	8 9	6 6	6 7	1 1	3 3	35 37
TOTAL	64 72	20 29	37 40	43 72	11 17	14 26	189 256

\*Note: No. stands for No. of Structures.

With a possible exception of the diked flood plain between Mission Point and St. Maries, the Corridor does not lend itself favorably to agricultural production. Only 7.4% and 14.1% of the total land area (Table 8) is allocated to the cash crops and hay and pasture categories respectively. These land uses would not be affected by the Wild and Scenic Rivers Act since current land uses would be allowed to continue.

With the exception of a 10 acre plot of river front land called Ragan's which is used as a unique musical museum, cafe, motel and campground, no owners of Corridor land reported recreational use of land as a source of income. Ragan's is located approximately 14 miles downstream from Avery. The only additional recreational facilities on the lower river are the public campgrounds upstream from St. Maries, Huckleberry and Shadowy St. Joe which are owned and operated by the State of Idaho and the U.S. Forest Service respectively.

Most of the privately owned land along the river is well suited for subdivision for recreational home sites. However, as opposed to other land use activities, subdivision of land would very likely be affected by the Wild and Scenic Rivers restrictions.

During the period from January 1, 1966, to January 1, 1972, a total of 245 lots were sold within the Corridor, or an average of 41 lots per year. The lots range in size from 0.2 acres to about 5 acres and the average size is approximately one acre. Of the 245 lots, 137 were sold to individuals with present addresses outside of the St. Joe Valley. The subdivision breakdown is presented in Table 10<sup>10</sup>.

Table 10

RESIDENCE OF PURCHASERS OF  
LOTS SOLD FROM 1/1/66 TO 1/1/72

Landowners with addresses in:	No. Lots	%
St. Joe Valley	108	44.1
Idaho, but outside Valley	45	18.4
California	43	17.6
Other than Idaho & California	<u>49</u>	<u>19.9</u>
TOTAL	245	100

A summary of responses to the question: "At the present time, do you have any intention of subdividing any of your property adjacent to the river?", is presented in Table 11.

Table 11

LANDOWNERS WHO INTEND TO SUBDIVIDE CORRIDOR  
PROPERTY BY RESIDENT AND ABSENTEE LAND OWNER-  
SHIP

Intention to Subdivide	Resident		Absentee	
	n	%	n	%
Yes	10	10.3	3	4.5
No	69	71.1	59	88.1
Maybe	18	18.6	5	7.4
TOTAL	97	100	67	100



Of the local landowners that responded to this question, 10.3% definitely intended to subdivide while an additional 18.6% indicated "maybe". Absentee landowners responded 4.5% "yes" and 7.4% "maybe". Hence, a total of 8% of the landowners, based on a sample of 164, have definite plans to subdivide while an additional 14% may subdivide their properties depending on land market conditions in the future.

Depending on the number of lots that will be created by the 8% who intend to subdivide, the trend of 41 new lots per year seems possible in the future. In addition, if landowners in the "maybe" category find the climate for subdivision favorable, the rate could increase even faster.

#### Landowner-Recreationist Relationships

##### Recreational Use of Private Property

Fishermen, hunters, campers and other recreationists often use or cross private lands resulting in conflicts between recreationists and landowners. In responding to the question pertaining to recreational use of private property, landowners were requested to indicate whether to their knowledge recreationists used or crossed their lands with or without permission. Their answers may be based on actual observation of recreationists, on signs left by recreationists such as campfires, gun shells, discarded fishing lures, etc., or simply on presumptions that their lands are actually being used by recreationists (Table 12).

Table 12

LANDOWNERS CLAIMING RECREATIONISTS  
USING OR CROSSING LAND WITH OR WITHOUT PERMISSION

Types of Recreationists	Without Permission		With Permission		Total
	n	%	n	%	n
Fishermen	57	19.5	32	20.0	89
Hunters	45	15.4	19	11.9	64
Campers	26	8.9	23	14.4	49
Picnickers	27	9.2	15	9.4	42
Cyclists	26	8.9	6	3.4	32
Horseriders	21	7.2	14	8.8	35
Rockhounds	13	4.5	5	3.1	18
Floaters	19	6.5	8	5.0	27
Swimmers	27	9.2	20	12.5	47
Snowmobilers	21	7.2	17	10.6	38
Others	10	3.4	1	.6	11
TOTAL	292	100	160	100	452

A statistical test (chi-square) was conducted to reveal if any differences existed in landowners' responses to the 11 recreational categories.<sup>11</sup> The result of this test showed that the relative proportions of landowners who observed recreationists on their properties with permission as opposed to without permission cannot be shown to be significantly different for any of the recreational group categories. Therefore, landowners regarded recreationists as a homogeneous group and distinguished them only by those who asked permission and those who did not. For example, fishermen as a group did not ask permission to use or cross private property significantly more or less than floaters did.

However, although the overall result of this test indicated no significant differences in landowners' responses, it was still possible to identify two recreational groups that deviated somewhat from the other nine recreational categories. By aggregating the data in Table 12 and conducting a separate chi-square test on campers and cyclists in relation to the combined responses to the other nine recreational categories, we found that campers were observed without permission less frequently than the average recreationist and cyclists were observed more frequently without permission than the average recreationist.<sup>12</sup> Thus, it appears that of the 11 recreational categories, landowners seemed to regard trespassing cyclists most unfavorably and trespassing campers least unfavorably.

It is often difficult for tourists to avoid private lands in the Corridor. Although most of the land downstream from Avery is privately owned, this is not common knowledge to most recreationists. The ownership pattern is complex and few signs denote that the land is private. Hence,

recreationists often do not identify or seek public land or public camping sites. For example, campers occasionally choose the most convenient site to pitch a tent or park a camper, not knowing that they are trespassing.

### Posting Practices

Of major concern to landowners is the problems caused by recreationists such as litter, invasion of personal privacy, assumption that the land is public, vehicles not staying on roads, leaving gates open, disturbance to livestock, forest or grass fires, theft, vandalism, liability risks and other problems that may compel landowners to restrict access onto their properties. In the questionnaire, Corridor landowners were requested to rank the three most important reasons (1 through 3 in order of importance) for posting their land now or considering posting their lands in the future with "no trespassing" signs. The results are presented in Table 13.

The three most frequently mentioned reasons for posting land now or considering posting land in the future appears to be: 1) Litter, 2) invasion of personal privacy, and 3) vandalism. However, it is important to note that this conclusion is drawn by ignoring the specific ranking of the problem categories by the landowners themselves. Eight landowners ranked litter number one under "now" while 11 landowners ranked invasion of personal privacy first. This indicates that the latter category is the more important one, yet based on the total number of responses to each of the ranking categories, litter seems to be the most important reason. Since each individual landowner was asked to rank the three most important reasons for posting out of a total of 12 alternatives, 9 remaining problem areas became less important reasons for posting once the landowner had made

Table 13  
REASONS FOR POSTING LAND NOW OR CONSIDERING  
POSTING LAND IN THE FUTURE

Reasons for Posting	Ranking												Total	
	1				2				3				Now	Future
	n	%	n	%	n	%	n	%	n	%	n	%	n	n
Litter	8	9.5	30	22.2	5	25.8	11	26.8	7	29.2	7	15.2	20	48
Invasion of Personal Privacy	11	13.1	22	16.3	3	14.3	4	9.8	1	4.2	3	6.5	15	29
Assumption that Land Is Public	8	9.4	9	6.7	0	0	3	7.3	3	12.5	7	15.2	11	19
Vehicles not Staying On Roads	5	6.0	5	3.7	2	9.5	1	2.4	1	4.2	1	2.2	8	7
Leaving Gates Open	6	7.1	8	5.9	2	9.5	4	9.8	1	4.2	0	0	9	12
Disturbance to Livestock	6	7.1	9	6.7	0	0	2	4.9	1	4.2	1	2.2	7	12
Forest or Grass Fires	7	8.3	6	4.4	0	0	5	12.2	1	4.2	5	10.9	8	16
Theft	8	9.5	13	9.6	3	14.3	5	12.2	0	0	1	2.2	11	19
Vandalism	8	9.5	17	12.6	3	14.3	3	7.3	4	16.7	9	19.6	15	29
Liability Risk	9	10.7	12	8.9	2	9.5	1	2.4	2	8.3	2	4.3	13	15
Trampling Damage/ Sanitation Problems	7	8.3	3	2.2	1	4.8	2	4.9	2	8.3	10	21.7	10	15
Other	1	1.2	1	0.7	0	0	0	0	1	4.2	0	0	2	1
TOTAL	84	100	135	100	21	100	41	100	24	100	46	100	129	222

his choices. This means that to the 20 landowners who responded to the litter category as a reason for posting now, litter is at least more important than 9 of the other categories. Similarly, the 15 landowners who responded to invasion of personal privacy, indicated that this problem area is at least more important than are 9 of the other problem areas.

Although the percentages presented in Table 13 permits us to distinguish between the problem areas as relatively more or less important, the differences between the categories are rather minor. Again, litter seems to be the major reason for posting land now, yet this category only contains 16% of the "now" responses. The next category, invasion of personal privacy, occupies 12%, and vandalism, the third most important reason for posting now, received only 11% of the total number of responses. The remaining nine problem categories were evenly distributed in decreasing order of importance.

Similar response patterns were recorded for reasons for posting land in the future. Litter, invasion of personal privacy and vandalism were the dominant problem areas.

### Attitudes and Opinions

It was shown above that recreational pressures in the lower Corridor are indeed a source of concern to the landowners. However, recreationist associated problems are perhaps not as important to the landowners as are their perception of the economic effects. Therefore, to set the stage for asking landowners their attitudes and opinions regarding the proposed inclusion of the St. Joe River in the Wild and Scenic Rivers System, landowners were requested to indicate if they felt property values, personal incomes, area economy and taxes would increase, decrease or not change should the river be classified into the System. The results are presented in Table 14.

#### Property Values

Forty-eight per cent of landowners in the resident category indicated that property values would decrease upon classification. Thirty-eight per cent of absentee landowners also felt that property values would decrease; however, almost an equal percentage of absentee landowners (33%) felt that property values would increase. This latter response can perhaps be explained by the fact that 75.4% of the absentee landowners use their St. Joe Corridor properties exclusively for summer or vacation purposes.<sup>13</sup> These properties are normally small in size and particularly well suited for recreation. Hence, if the river and its adjacent land were "protected", a relatively large number of these respondents felt that their properties would command higher prices in the recreational property market should they decide to sell or subdivide.

Table 14

PERCEIVED ECONOMIC EFFECTS OF THE  
WILD AND SCENIC RIVERS ACT BY  
RESIDENT AND ABSENTEE LAND OWNERSHIP

Opinions by Residence	Value of Your Property		Your Personal Income		Area Economy		Taxes	
	n	%	n	%	n	%	n	%
<u>No Change</u>								
Resident	28	29.8	46	50.0	20	22.2	13	15.5
Absentee	11	17.5	35	72.9	7	13.2	8	16.0
<u>Increase</u>								
Resident	10	10.6	2	2.2	9	10.0	40	47.6
Absentee	21	33.3	3	6.3	22	41.5	27	54.0
<u>Decrease</u>								
Resident	42	44.7	32	34.8	43	47.8	13	15.5
Absentee	24	38.1	7	14.6	12	22.6	2	4.0
<u>No Opinion</u>								
Resident	14	14.9	12	13.0	18	20.0	18	21.4
Absentee	7	11.1	3	6.3	12	22.6	13	26.0
<u>TOTAL</u>								
Resident	94	100	92	100	90	100	84	100
Absentee	63	100	48	100	53	100	50	100



On the other hand, only 16.7% of the resident landowners use their Corridor properties exclusively for summer or vacation purposes.<sup>14</sup> Rather, resident landowners, particularly those who depend on their land for income purposes, may feel that classifying the river and its adjacent land in a protected category would curtail future expansion of industrial and/or commercial activities. Their economic interests are, therefore, of a different nature than vacation property owners. Individual parcels of land have varying potentials for development along industrial or commercial lines which might be precluded by a "recreation" classification. This in turn might explain why some landowners feel their properties might decrease in value while others increase in the event the Corridor is "protected".

#### Personal Income

The majority of respondents, both resident and absentee landowners, indicated that the inclusion of the St. Joe River in the Wild and Scenic Rivers System would have no effect on their personal incomes. However, a large minority group of resident landowners (35%) felt that their personal incomes would decrease which is consistent with the responses indicating that property values would also decrease. Particularly those who use their properties for income purposes may feel that as property values decrease so will personal incomes since land use intentions may not be permitted to be carried out. That is, to the extent that land values represent capitalized earnings from land, responses to the personal "income" and "property values" questions can be considered reflections of the same beliefs. For this reason, a decrease in personal income may be interpreted as a decrease from expected levels, not necessarily an absolute decrease since

capitalized earnings may stagnate if the Corridor is classified.

Based on 149 responses, 20% of the resident and 9% of the absentee landowners indicated that they have definite plans to use their properties differently as a new source of income in the future.<sup>15</sup> In general, these landowners felt that the classification of the river would have the effect of restricting their activities. Therefore, growth of personal incomes could stagnate if planned land uses were not permitted.

Landowners indicated that they earn an average of 83.6% of their incomes from business interests within the St. Joe River Basin (Table 15). In contrast, an average of 26.9% of landowners' incomes is earned directly from the property they own within the Corridor. This information indicates that many landowners depend mostly on employment within the St. Joe River Basin as a primary source of income, and not so much on incomes generated from the Corridor properties themselves. In turn, this suggests that there is a potential for development of Corridor lands as a supplementary source of income which many landowners feel would be curtailed under Wild and Scenic Rivers restrictions.

Table 15

PERCENTAGE OF INCOME EARNED FROM ALL BUSINESS INTERESTS  
IN THE ST. JOE RIVER BASIN, AND FROM CORRIDOR PROPERTY ONLY  
BY RESIDENT AND ABSENTEE LAND OWNERSHIP

Residence	Average % of Income From All Business Interests	Average % of Income From Corridor Property
Resident	87.4	28.3
Absentee	16.0	16.0
TOTAL	83.6	26.9

### Area Economy

Forty-eight per cent of the resident landowners indicated that economic conditions of the river basin would be come less favorable. A group of the absentee landowners (42%), however, felt that the opposite would occur. This group of landowners held the opinion that a larger influx of tourists would boost the area economy considerably.

But who would be the beneficiaries? To be sure, grocery stores, service stations, motels, cafes and other service industries would benefit from increase tourism. Yet, residents employed in these industries are not the landowners whose properties would directly be affected by the Wild and Scenic Rivers Act. In fact, only approximately 10% of the persons among the resident landowners are employed in the service industries (Table 3). Therefore, the classification of the river as "recreation" could indeed boost the economic welfare for a few residents. On the other hand, resident landowners who feel that their land use plans will be curtailed are also inclined to believe that the area economy will suffer as a result of classifying the river since their economic welfare is based on capitalized earnings from their properties.

### Taxes

A combined majority of both resident and absentee landowners felt that taxes would increase if the river was classified. Tax levels depend on demand for and cost of the services which are paid for by the tax. In the case of property taxes, this refers mostly to local services. Hence, landowners' responses might be interpreted as an indication of what they think will happen to the demand for and cost of public services as a result of the St. Joe River being "protected".

In general, landowners held the opinion that Wild and Scenic Rivers restrictions would contribute negatively to the economy of the St. Joe River Valley. The responses presented in Table 14 could not have been influenced by the values of the scenic easements since these values are not yet known to the landowners. Scenic easements which should ideally bridge the gap between economic losses resulting from proposed land use restrictions and the level of economic welfare in the absence of such restrictions, will be negotiated only after the decision to include the river in the System has been made. When the specific amounts of compensation are known to the landowners they will be in a better position to pass judgement on the degree to which their economic welfare will be affected if the river is classified.

#### General Attitudes and Opinion of the Wild and Scenic Rivers Act

This section deals with landowners' attitudes and opinions regarding the proposed inclusion of the entire St. Joe River into the Wild and Scenic Rivers System. Landowners were requested to indicate their degree of support for or opposition against the classification of the three segments of the river. The results are presented in Table 16.

As might be expected, the largest groups of resident and absentee landowners were either strongly or mildly in favor of including the river segment upstream from Avery. The minority opposition to the inclusion of this segment of the Corridor may be directly related to the numerous mining claims located along the river particularly in the area upstream from Red Ives. Some of this minority seems to feel that the potential mineral deposits should be available for extraction.

Table 16

OPINIONS ON INCLUDING SEGMENTS OF THE ST. JOE RIVER  
IN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM BY  
RESIDENT AND ABSENTEE LAND OWNERSHIP

Opinions by Residence	Red Ives to St. Joe Lake		Avery to Red Ives		Beedle Point to Avery	
	n	%	n	%	n	%
<u>Strongly Favor</u>						
Resident	40	46.0	30	31.6	9	9.4
Absentee	33	62.3	25	44.6	16	30.2
<u>Mildly Favor</u>						
Resident	15	17.2	17	17.9	8	8.3
Absentee	4	7.5	7	12.5	2	3.8
<u>Indifferent</u>						
Resident	7	8.0	6	6.3	4	4.2
Absentee	2	3.8	6	10.7	4	7.5
<u>Mildly Oppose</u>						
Resident	4	4.6	10	10.5	5	5.2
Absentee	1	1.9	4	7.1	5	9.4
<u>Strongly Oppose</u>						
Resident	10	11.5	21	22.1	66	68.8
Absentee	8	15.1	10	17.9	23	43.4
<u>No Opinion</u>						
Resident	11	12.6	11	11.6	4	4.2
Absentee	5	9.4	4	7.1	3	5.7
<u>TOTAL</u>						
Resident	87	100	95	100	96	100
Absentee	53	100	56	100	53	100

Of greater concern to the landowners, of course, is the lower segment of the river. Approximately two-thirds of the resident landowners were strongly opposed to classifying this segment of the river. The free flow of all resources to maintain and promote local industry, particularly the timber industry, is considered a major issue in the campaign against Wild and Scenic Rivers restrictions. It is interesting to note that nine resident owners were strongly in favor of classifying this segment. Table 14 also shows that some resident landowners would be strongly in favor of the classification based on their beliefs that property values, personal incomes and the area economy would increase and that taxes would decrease. In this respect responses from resident as well as absentee landowners were logically consistent provided that the same landowners responded in a consistent fashion.

Given the attitudes and opinions presented in Table 16, it appears that landowners are not particularly opposed to continued federal control of the area which is already owned by the public, even when such controls preserve rather than develop the area for economic purposes. However, when the federal government attempts to restrict or otherwise control private land use activities, landowner attitudes are different. Property owners generally do not want the federal government to remove any of their property rights, even if they are to be compensated for the loss of such rights. This is reflected in the landowners' preferences towards how the entire St. Joe River Corridor should be classified ("wild", "scenic" or "recreational") in the event the river is included in the National Wild and Scenic Rivers System (Table 17).

Table 17

LANDOWNERS' PREFERENCES TOWARD CLASSIFICATION OF  
CORRIDOR SEGMENTS BY RESIDENT AND ABSENTEE LAND OWNERSHIP

Opinions by Residence	Red Ives to St. Joe Lake		Avery to Red Ives		Beedle Point to Avery	
	n	%	n	%	n	%
<u>Should Not Be Included</u>						
Resident	11	12.4	25	27.8	68	71.6
Absentee	7	13.2	6	12.2	19	34.5
<u>Recreation</u>						
Resident	13	14.6	25	27.8	24	25.3
Absentee	7	13.2	9	18.4	26	47.3
<u>Scenic</u>						
Resident	17	19.1	34	37.8	2	2.1
Absentee	6	11.3	22	44.9	7	12.7
<u>Wild</u>						
Resident	48	53.9	6	6.7	1	1.1
Absentee	33	62.3	12	24.5	3	5.5
<u>TOTAL</u>						
Resident	89	100	90	100	95	100
Absentee	53	100	49	100	55	100

A majority of landowners preferred to classify the segment from Red Ives to St. Joe Lake as "wild". In this area the river is accessible only by trail along the 17 mile stretch from Heller Creek Campground to Spruce Tree Campground near Red Ives. Although this segment could be opened up for motorized tourism which would be allowed under a "recreational" classification and possible even under a "scenic" classification, most landowners indicated a preference for leaving the area as it is. Responses recorded for the river segment between Red Ives and Avery indicated that the largest group of landowners (38% resident and 45% absentee) preferred a "scenic" classification which is consistent with a desire to prevent future development of this area.

Downstream from Avery, however, landowners' preferences were reversed. Seventy-two percent of the resident and 35% of the absentee landowners' felt that this part of the river should not be included in the National Wild and Scenic Rivers System at all. For reasons discussed earlier in this report, their responses were predictable since a majority of landowners felt they would lose rather than gain in the event the privately owned segment of the Corridor was included in the System.



### Corporate Landowners

Five large corporate landowners were interviewed on an individual basis. Corporate ownership of land within the Corridor amounted to a total of 5,430 acres (Table 7) and each corporation owned an average of 48,000 acres within the St. Joe River Basin. Most of this land is presently being used for timber production with the exception of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company who owns the railroad along the lower segment of the St. Joe River and along the North Fork towards Wallace. This land is primarily in Railroad right-of-way.

A general agreement among the corporate landowners was that the effects of Wild and Scenic Rivers restrictions would not be limited to Corridor lands alone. Implications of the Wild and Scenic Rivers Act would extend beyond the Corridor to affect the economy of the entire St. Joe River Basin. Two broad areas of concern represents their viewpoints.

First, transportation of timber from corporate land holdings beyond the Corridor is presently connecting with the railroad and the main St. Joe River road within the Corridor. If Wild and Scenic Rivers restrictions were to be implemented, corporate landowners held the opinion that construction of additional logging roads to connect with the main transportation network within the Corridor would probably be prohibited. For this reason, timber harvesting in areas yet not in production would be less economical if no new Corridor access roads could be constructed.

The second area of concern follows the first in a complementary fashion. Since timber from yet undeveloped timber resources in the river basin may have to be transported on the existing network of logging

roads, these resources may not be developed at all depending upon the degree to which costs of transporting timber will increase. In turn, this will affect the railroad as it receives less freight; and, hence affect many St. Joe residents employed by the railroad or by the other corporate landowners, lumber mills and other firms associated with timber production.

These rather pessimistic predictions were qualified somewhat as the corporate landowners specified that "wild" and "scenic" classifications would probably be too restrictive, whereas a "recreation" classification of the entire river would not unduly jeopardize the free flow of traffic through the Corridor nor prevent additional access roads to the Corridor from being constructed.

## CHAPTER III

### SUMMARY AND CONCLUSIONS

After Congress designated the St. Joe River as one of the "study" river for possible inclusion in the National Wild and Scenic Rivers System, many resident, absentee and large corporate landowners have registered a considerable amount of opposition against such inclusion.

The general argument against the implementation of the land use restrictions specified in the Act was, in sum and substance, a reluctance to accept federal controls over private land use activities. The majority of responding landowners felt that federal controls of private property would stagnate or even worsen the economic welfare of Corridor residents. In their opinion since industrial and/or commercial land use activities would probably be curtailed and recreational pressures on private property would increase, then affected Corridor landowners would be the only losers while everybody else would be gainers.

Another factor in the controversy is the extent to which the scenic easements will adequately compensate landowners for giving up certain property rights. But this is also an uncertain issue. The scenic easements will be negotiated only after the decision to include the river in the System has been made. Thus, landowners really have no economic basis to indicate support for or opposition against the enforcement of the restrictions since they don't know precisely what they will be selling in terms of property rights or what these property rights are actually worth, including speculative values.

Another source of opposition against the classification of the river was recreationists' abuse of private property. The major problems caused

by recreationists were litter, invasion of personal privacy and vandalism. No single group asked landowners' permission to use or cross private property any more or less than any other group, although trespassing cyclists seemed to be regarded most unfavorably by the landowners.

As a consequence of tourist abuse of private property, many landowners have imposed restrictive access policies and posting practices. Several landowners are currently posting their properties with "no trespassing" signs, and others are considering posting their properties in the future should problems caused by recreationists continue to increase.

The river and its scenic Corridor is indeed appealing to outdoor recreationists in its present form; and, it would perhaps be even more appealing if some private recreational developments occurred along the river banks. The area has a large economic potential for development of recreational facilities such as pay campgrounds and recreational trailer parks with hook-up facilities. Within limits, such developments could be designed to be compatible with the management of a Wild and Scenic River, particularly under a "recreational" classification.

From the evidence presented, the following conclusions are drawn:

1. Additional campgrounds to accommodate tents, trailers, and campers could be constructed on public lands along the lower stretch of the St. Joe River. This would help alleviate recreational pressures on private property.
2. Additional efforts should be made to evaluate economic benefits accrued to local residents as a result of outdoor recre-

ational expenditures. This information should be passed on to Corridor landowners who would then be in a better position to decide if the provision of land for recreational purposes would be a viable competing land use activity.

3. Consequences of the Wild and Scenic Rivers Act are not restricted to public lands; it also affects private property and private individuals. When this is the case, landowner involvement in decision making processes should be encouraged.

## FOOTNOTES

1. Wild and Scenic Rivers Act, Public Law 90-542, 90th Congress: October 2, 1968, Section 1b.
2. To be submitted to Congress and State of Idaho by December, 1974. A decision is expected by April, 1975.
3. Statement by Mr. Terry Johnson, St. Joe National Forest study leader, St. Joe River Public Ad Hoc Advisory Group meeting, October 18, 1972.
4. Wild and Scenic Rivers Act, Section 2b.
5. 6. General comments made by landowners in responding to questions 16, 18, and the "additional comments" section at the end of the questionnaire (Appendix I).
7. St. Maries Gazette Record, April 6, 1972.
8. 9. 10. Information pertaining to the ownership of land (Table 7), lands use distribution (Table 8) and subdivision (Table 9) was prepared by Mr. Terry Johnson, St. Joe National Forest project leader for the St. Joe River Study.
11. The statistical test performed on the data presented in Table 12 is called a chi-square test. Symbolically,

$$\chi^2_{10} = \sum_{i=1}^{22} \frac{(n-F)^2}{F}$$

serves as a measure of how different the observed response rate (n) is from the expected response rate (F). Based on the total number of responses to "without permission" (292) and to "with permission" (160), the expected number of responses were derived as follows:

Recreational Categories	Without permission		With permission		Total n
	OR	ER	OR	ER	
1	57	57.49	32	31.50	89
2	45	41.35	19	22.66	64
3	26	31.65	23	17.34	49
4	27	27.13	15	14.86	42
5	26	20.67	6	11.33	32
6	21	22.60	14	12.38	35
7	13	11.62	5	6.37	18
8	19	17.43	8	9.55	27
9	27	30.37	20	16.64	47
10	21	24.56	17	13.46	38
11	10	7.10	1	3.89	11
TOTAL	292		160		452
	.6460		.3540		

Dividing the total number of responses (452) into the number responding "without permission" (292) equals .646 which is used to derive the expected response rate for each recreational group category. For example, of the 89 landowners who responded to the "fishermen" category, on the average we can expect that  $.646 \times 89 = 57.5$  landowners would, in repeated sampling, indicate that fishermen used or crossed their land without permission. As it turned out, 57 landowners did respond to "without permission" in the fishermen category, hence, the difference between the expected and the actual rate was very small. Performing the same operation for each recreational category and summing the results, the conclusion could be drawn that within a 95% level of confidence, response to "with" or "without permission" were not significantly different. Specifically, the overall chi-square value with ten degrees of freedom was 14.66, or within the 95% level of confidence which specifies a critical value of 18.31.

12. From the table presented in the previous footnote, note that recreational categories 3 and 5 show relatively large deviations from the expected rates of observation. Restructuring the table to focus specifically on these two groups we computed a chi-square value with two degrees of freedom of 6.73 which is significant at the 95% level of confidence (beyond the critical value of 5.99). This means that cyclists and campers were observed without permission respectively more and less frequently than the average recreationist.

Recreational Categories	Without Permission		With Permission		Total n
	OR	ER	OR	ER	
Campers	26	31.65	23	17.34	49
Cyclists	26	20.67	6	11.33	32
All others	240	239.67	131	131.33	371
TOTAL	292		160		452

13. 14. Response to question number 7, Appendix I.

15. Response to question number 9, Appendix I.

APPENDICES



APPENDIX I

December, 1971

Dear Landowner:

As you may know, the St. Joe River is currently being studied for possible inclusion in the National Wild and Scenic Rivers System. As a recorded landowner in the area that may be affected by the Wild and Scenic Rivers Act, your attitudes and opinions about including the river in the System should be adequately represented in the decision making process.

You have already received a package of information from the U.S. Forest Service in St. Maries that outlines how you may be affected by the Act. We hope you will assist us by answering the enclosed questionnaire as carefully as you can, and return it to us as soon as possible in the enclosed prepaid envelope. A map of the St. Joe River Basin is enclosed to assist you in answering the questionnaire.

Any information you provide will remain confidential. Moreover, all results of this study will be published in such a way that answers on any single questionnaire cannot be identified.

If you should desire a free summary of the results, please indicate so on the questionnaire. If you have any questions regarding the questionnaire or the study, please do not hesitate to contact me at 208-885-6429, University of Idaho or write:

Kjell Christopherson  
University of Idaho  
Water Resources Research Institute  
Moscow, Idaho 83843

Sincerely yours,

Kjell Christophersen  
Research Technologist

KC/sdr

Dear Landowner:

Several weeks ago I sent you a questionnaire to obtain information pertaining to your attitudes and opinions about the possibility of including the St. Joe River under the National Wild and Scenic Rivers Act. In case you have misplaced the earlier material, I am enclosing a second questionnaire with a special hope that you will fill it out and return it in the enclosed prepaid envelope as soon as possible.

The questionnaire provides you with another means of expressing your views in addition to voicing them in public meetings. The forthcoming report, in which your views will be incorporated, will serve as an important input to the decision as to whether the St. Joe River, or segments of the river, should be included in the National Wild and Scenic Rivers System.

Any information you provide will remain confidential. Moreover, all results of this study will be published in such a way that answers on any single questionnaire cannot be identified.

If you should desire a free summary of the results, please indicate so on the questionnaire. If you have any questions regarding the questionnaire or the study, please do not hesitate to contact me at 208-885-6429, at the University of Idaho or write:

Kjell Christopherson  
University of Idaho  
Water Resources Research Institute  
Moscow, Idaho 83843

Sincerely,

Kjell Christophersen  
Research Technologist

KC/sdr

QUESTIONNAIRE ON LANDOWNER INTERESTS AND OPINIONS  
IN THE ST. JOE RIVER BASIN

The Idaho Water Resources Research Institute is conducting a study to determine the needs and interests of both landowners and recreationists relating to the type and extent of future development and use of the St. Joe River Basin area.

As one of the recorded landowners in this area, you are being contacted to provide basic information to the study. The information you provide will be used to generate much needed statistical data helpful in regional planning and understanding of existing landowner-recreationist-natural resource relationships.

Please assist us by answering the questionnaire as carefully as you can. Individual replies will be held in strictest confidence.

PROPERTY OWNERSHIP AND USE

1. How many years have you owned property in the St. Joe River Basin? (See Map) \_\_\_\_\_
2. How many acres do you own in the entire River Basin? \_\_\_\_\_

Of this total, how many acres are located directly adjacent to the river and/or within one mile of the river? \_\_\_\_\_

Approximately how many front feet on the St. Joe do you own? \_\_\_\_\_

3. If you have any permanent structures on your property adjacent to the river, please indicate the number of each kind:

_____ Houses	_____ Cabins
_____ Barns	_____ Sheds
_____ Commercial buildings	_____ Other (Please list)
	_____
	_____

4. Since you acquired the property you now own in the St. Joe River Basin, have you subdivided or sold any part of it?

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

At the present time, do you have any intention of subdividing any of your property?

\_\_\_\_\_ Yes                      \_\_\_\_\_ No                      \_\_\_\_\_ Maybe

If you answered "Yes" or "Maybe" for what primary use or uses would your property be subdivided or sold?  
(Please list)

---

5. What percentage of your family income before taxes is earned directly from all of your business interests in the St. Joe River Basin? \_\_\_\_\_

If your property is used for income purposes, what percentage of your total family income is earned directly from the property you own adjacent to the St. Joe River?

---

Of this amount, approximately what percentage of your total family income is earned from the following uses of your property:

	%
Mining	_____
Logging	_____
Livestock	_____
Farming	_____
(What kinds)	
<hr/>	
Commercial Establishments (motels, service stations, cafes, etc.) Please list.	_____
<hr/>	
Investment or land development	_____
Leased for (Purpose)	_____
<hr/>	
Rental of cabins or rental of the property itself	_____









16. The difference between the possible types of river classifications have been outlined in the material you received from the Forest Service. For each section of the river which classification would you most prefer? (Please check one for each segment of the river).

Should not be  
included in the Recrea-  
System at all      tional      Scenic      Wild

Coeur d'Alene Lake to  
Avery

Avery to Red Ives

Red Ives to St. Joe Lake

	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____

If you indicated that any of the above listed sections "should not be included in the System at all", please give your reasons:

---



---

17. How do you feel the following will be affected if the St. Joe River is included in the Wild and Scenic Rivers System? (Please check one for each category).

No
Increase
Decrease
No  
Change      Increase      Decrease      Opinion

Value of your  
Property

	_____	_____	_____
--	-------	-------	-------

Your personal  
Income

	_____	_____	_____
--	-------	-------	-------

Area economy

	_____	_____	_____
--	-------	-------	-------

Taxes

	_____	_____	_____
--	-------	-------	-------

18. If the St. Joe River was included in the Wild and Scenic Rivers System, do you think this would influence your present planning regarding the use of your property?

Yes                       No

If YES, in what way?

---

Thank you for your answers. In order to  
make some comparisons between the landowners  
in the St. Joe River area, we would like some  
general information.

19. Are you a resident of Idaho? \_\_\_\_\_ Yes \_\_\_\_\_ No

If YES, what town? \_\_\_\_\_  
County? \_\_\_\_\_

If NO, what is your state (or Nation) of residence?  
\_\_\_\_\_  
Town? \_\_\_\_\_

20. What is your age? \_\_\_\_\_ Sex \_\_\_\_\_  
Occupation \_\_\_\_\_

21. What was your family's total yearly income before taxes in 1970?

- \_\_\_\_\_ Less than 2,999
- \_\_\_\_\_ 3,000 - 4,999
- \_\_\_\_\_ 5,000 - 6,999
- \_\_\_\_\_ 7,000 - 9,999
- \_\_\_\_\_ 10,000 - 14,999
- \_\_\_\_\_ 15,000 - 24,999
- \_\_\_\_\_ Over 25,000

22. What is the highest level of education you have completed?

- \_\_\_\_\_ Grade 0 - 8
- \_\_\_\_\_ Grade 9 - 12
- \_\_\_\_\_ Some college or additional schooling
- \_\_\_\_\_ College graduate
- \_\_\_\_\_ Advanced degree
- \_\_\_\_\_ Other (Please list)
- \_\_\_\_\_

ADDITIONAL COMMENTS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

APPENDIX II

GUIDELINES FOR EVALUATING WILD, SCENIC, AND  
RECREATIONAL RIVER AREAS PROPOSED FOR INCLUSION  
IN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM  
UNDER SECTION 2, PUBLIC LAW 90-542

PURPOSE

The following criteria supplement those listed in Section 2 of the Wild and Scenic Rivers Act, which states that rivers included in the National Wild and Scenic Rivers System shall be free-flowing streams which possess outstandingly remarkable scenic, recreational, geological, fish and wildlife, historic, cultural and other similar values.

These guidelines are intended to define minimum criteria for the classification and management of free-flowing river areas proposed for inclusion in the national system by the Secretary of the Interior or the Secretary of Agriculture, and for state rivers included in the system by the Secretary of the Interior.

In reading these guidelines and in applying them to real situations of land and water it is important to bear one important qualification in mind. There is no way for these statements of criteria to be written so as to mechanically or automatically indicate which rivers are eligible and what class they must be. It is important to understand each criterion; but it is perhaps even more important to understand their collective intent. The investigator has to exercise his judgment, not only on the specific criteria as they apply to a particular river, but on the river as a whole, and on their relative weights. For this reason, these guidelines are not absolutes. There may be extenuating circumstances which would lead the appropriate Secretary to recommend, or approve pursuant to Section 2(a)(ii), a river area for inclusion in the system because it is exceptional in character and outstandingly remarkable even though it does not meet each of the criteria set forth in these guidelines. However, exceptions to these criteria should be recognized only in rare instances and for compelling reasons.

The three classes of river areas described in Section 2(b) of the Wild and Scenic Rivers Act are as follows:

- "(1) Wild river areas--Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.

- "(2) Scenic river areas--Those rivers or sections of rivers that are free of impoundments, and with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.
- "(3) Recreational river areas--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."

#### GENERAL CHARACTERISTICS

The Wild and Scenic Rivers Act, Section 10(a), 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 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 esthetic, scenic, historic, archeologic, 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.

In order to qualify for inclusion in the national system, a state free-flowing river area must be designated as a wild, scenic, or recreational river by act of the State legislature, with land areas wholly and permanently administered in a manner consistent with the designation by any agency or political subdivision of the state at no cost to the Federal Government, and be approved by the Secretary of the Interior as meeting the criteria established by the Wild and Scenic Rivers Act and the guidelines contained herein. A river or related lands owned by an Indian tribe cannot be added to the national system without the consent of the appropriate governing body.

In evaluating a river for possible inclusion in the system or for determining its classification, the river and its immediate land area should be considered as a unit, with primary emphasis upon the quality of the experience and overall impressions of the recreationist using the river or the adjacent riverbank. Although a free-flowing river or river unit frequently will have more than one classified area, each wild, scenic, or recreational area must be long enough to provide a meaningful experience. The number of different classified areas within a unit should be kept to a minimum.

Any activity, use, or development which is acceptable for a wild river is also acceptable for scenic and recreational river areas, and that which is acceptable for a scenic river is acceptable for a recreation river area. Activity and development limitations discussed below should not necessarily be interpreted as the desired level to which development or management activity should be planned. Hunting and fishing will be permitted, subject to appropriate state and Federal laws.

\*The Wild and Scenic Rivers Act provides that rivers must be in a free-flowing natural condition, i.e., a flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, rills, and small lakes, which are without impoundment, diversion, straightening, rip-rapping or other modification of the waterway. However, low dams, diversion works, and other minor structures will not automatically preclude the river unit from being included in the National Wild and Scenic Rivers System, providing such structures do not unreasonably diminish the free-flowing nature of the stream and the scenic, scientific, geological, historical, cultural, recreational, and fish and wildlife values present in the area.

\*The river or river unit must be long enough to provide a meaningful experience. Generally, any unit included in the System should be at least 25 miles long. However, a shorter river or segment that possesses outstanding qualifications may be included in the system.

\*There should be sufficient volume of water during normal years to permit, during the recreation season, full enjoyment of water-related outdoor recreation activities generally associated with comparable rivers. In the event the existing supply of water is inadequate, it would be necessary to show that additional water can be provided reasonably and economically without unreasonably diminishing the scenic, recreational, and fish and wildlife values of the area.

\*The river and its environment should be outstandingly remarkable and, although they may reflect substantial evidence of man's activity, should be generally pleasing to the eye.

\*The river should be of high quality water or susceptible of restoration to that condition. A concept of nondegradation whereby existing high water quality will be maintained to the maximum extent feasible will be followed in all river areas included in the National System.

All rivers included in the national system should meet the "Aesthetics--General Criteria" as defined by the National Technical Advisory Committee on Water Quality in the Federal Water Pollution Control Administration's Water Quality Criteria, April 1, 1968. Water quality should meet the criteria for fish, other aquatic life, and wildlife, as defined in that document, so as to support the propagation of those forms of life which normally would be adapted to the habitat of the stream. Where no standards exist or where existing standards will not meet the objectives of

these criteria, standards should be developed or raised to achieve those objectives. Wild river areas can be included in the national system only if they also meet the minimum criteria for primary contact recreation, except as these criteria might be exceeded by natural background conditions. Scenic or recreation river area which qualify for inclusion in the system in all respects except for water quality may be added to the system provided adequate and reasonable assurance is given by the appropriate Federal or state authority that the desired type of recreation, and support aquatic life which normally would be adapted to the habitat of the stream at the prescribed level of water quality. At such time as water quality fully meets the criteria, it may be desirable to change the classification of a river.

\*New public utility transmission lines, gas lines, water lines, etc., in river areas being considered for inclusion in the national system are discouraged. However, where no reasonable alternative exists, additional or new facilities should be restricted to existing rights-of-way. Where new rights-of-way are indicated, the scenic, recreational, and fish and wildlife values must be evaluated in the selection of the site in accordance with the general guidelines described in the Report of the Working Committee on Utilities prepared for the President's Council on Recreation and Natural Beauty, December, 1968.

\*Mineral activity subject to regulations under the Act must be conducted in a manner that minimizes surface disturbance, sedimentation and pollution, and visual impairment. Specific controls will be developed as a part of each management plan.

The following criteria for classification, designation, and administration of river areas are prescribed by the Act. These criteria are not absolutes, nor can they readily be defined quantitatively. In a given river, a departure from these standards might be more than compensated by other qualities. However, if several "exceptions" are necessary in order for a river to be classified as wild, it probably should be classified as scenic. If several "exceptions" are necessary in order for a river to be classified as scenic, it probably should be classified as recreational.

#### Wild River Areas

The Wild and Scenic Rivers Act states that "these represent vestiges of primitive America," and they possess these attributes:

1. "Free of impoundments."
2. "Generally inaccessible except by trail."
3. "Watersheds or shorelines essentially primitive."
4. "Waters unpolluted."

\*Classification criteria.

Despite some obvious similarities, the "wildness" associated with a wild river area is not synonymous with the "wildness" involved in wilderness classification under the Wilderness Act of 1964. One major distinction, in contrast to wilderness, is that a wild river area also may contain recreation facilities for the convenience of the user in keeping with the primitive setting.

1. An "impoundment" is a slack water pool formed by any man-made structure. Except in rare instances in which esthetic and recreational characteristics are of such outstanding quality as to counterbalance the disruptive nature of an impoundment, such features will not be allowed on wild river areas. Future construction of such structures that would have a direct and adverse effect on the values for which that river area was included in the national system, as determined by the Secretary charged with the administration of the area, would not be permitted. In the case of rivers added to the national system pursuant to Section 2(a)(ii), such construction could result in a determination by the Secretary of the Interior to reclassify or withdraw the affected river area from the system.
2. "Generally inaccessible" means there are no roads or other provisions for overland motorized travel within a narrow, incised river valley, or if the river valley is broad, within 1/4 mile of the riverbank. The presence, however, of one or two inconspicuous roads leading to the river area will not necessarily bar wild river classification.
3. "Essentially primitive" means the shorelines are free of habitation and other substantial evidence of man's intrusion. This would include such things as diversions, straightening, rip-rapping, and other modifications of the waterway. These would not be permitted except in instances where such developments would not have a direct and adverse effect on the values for which that river area was included in the national system as determined by the Secretary charged with the administration of the area. In the case of rivers added to the national system pursuant to Section 2(a)(ii), such construction could result in a determination by the Secretary of the Interior to reclassify or withdraw the affected river from the system. With respect to watershed, "essentially primitive" means that the portion of the watershed within the boundaries has a natural-like appearance. As with the shorelines, developments within the boundaries should emphasize a natural-like appearance so that the entire river area remains a vestige of primitive America. For the purposes of this Act, a limited amount of domestic livestock grazing and pasture land and cropland devoted to the production of hay may be considered "essentially primitive". One or two inconspicuous dwellings need not necessarily bar wild river classification.



4. "Unpolluted" means the water quality of the river at least meets the minimum criteria for primary contact recreation, except where exceeded by natural background conditions, and esthetics as interpreted in the Federal Water Pollution Control Administration's Water Quality Criteria, April 1, 1968. In addition, the water presently must be capable of supporting the propagation of aquatic life, including fish, which normally would be adapted to the habitat of the stream. Where no standards exist or where existing standards will not meet the objectives of these criteria, standards should be developed or raised to achieve those objectives.

\*Management objectives

The administration of a wild river area shall give primary emphasis to protecting the values which make it outstandingly remarkable while providing river-related outdoor recreation opportunities in a primitive setting.

To achieve these objectives in wild river areas, it will be necessary to:

1. Restrict or prohibit motorized land travel, except where such uses are not in conflict with the purposes of the Act.
2. Acquire and remove detracting habitations and other nonharmonious improvements.
3. Locate major public-use areas, such as large campgrounds, interpretive centers or administrative headquarters, outside the wild river area. Simple comfort and convenience facilities, such as fireplaces, shelters, and toilets, may be provided for recreation users as necessary to provide an enjoyable experience, protect popular sites, and meet the management objectives. Such facilities will be of a design and location which harmonize with the surroundings.
4. Prohibit improvements or new structures unless they are clearly in keeping with the overall objectives of the wild river area classification and management. The design for any permitted construction must be in conformance with the approved management plan for that area. Additional habitations or substantial additions to existing habitations will not be permitted.
5. Implement management practices which might include construction of minor structures for such purposes as improvement of fish and game habitat; grazing; protection from fire, insects, or disease; rehabilitation or stabilization of damaged resources, provided the area will remain natural appearing and the prac-

tices or structures will harmonize with the environment. Such things as trail bridges, an occasional fence, natural-appearing water diversion, ditches, flow measurement or other water management devices, and similar facilities may be permitted if they are unobtrusive and do not have a significant direct or adverse effect on the natural character of the area.

### Scenic River Areas

The Wild and Scenic Rivers Act states that scenic rivers:

1. Are "free from impoundments."
2. Are "accessible in places by road."
3. Have "shorelines or watersheds still largely primitive and shorelines largely undeveloped."

\*Classification criteria.

1. An "impoundment" is a slack water pool formed by any man-made structure. Except in rare instances in which esthetic and recreational characteristics are of such outstanding quality as to counterbalance the disruptive nature of an impoundment, such features will not be allowed on scenic river areas. Future construction of such structures that would have a direct and adverse effect on the values for which that river area was included in the national system as determined by the Secretary charged with the administration of the area, would not be permitted. In the case of rivers added to the national system pursuant to Section 2 (a)(ii), such construction could result in a determination by the Secretary of the Interior to reclassify or withdraw the affected river area from the system.
2. "Accessible in places by road" means that roads may occasionally bridge the river area. Scenic river areas will not include long stretches of conspicuous and well-traveled roads closely paralleling the river bank. The presence, however, of short stretches of conspicuous or longer stretches of inconspicuous and well-screened roads or screened railroads will not necessarily preclude scenic river designation. In addition to the physical and scenic relationship of the free-flowing river area to roads, consideration should be given to the type of use for which such roads were constructed and the type of use which would occur within the proposed scenic river area.
3. "Largely primitive" means that the shorelines and the immediate river environment still present an overall natural character, but that in places, land may be developed for agricultural purposes. A modest amount of diversion, straightening, rip-rapping, and other modification of the waterway would not preclude a river from being considered for classification as a scenic river. Future construction of such structures would not be permitted except in instances where such developments would not have a direct and adverse effect

on the values for which that river area was included in the national system as determined by the Secretary charged with the administration of the area. In the case of rivers added to the national system pursuant to Section 2(a)(ii), such construction could result in a determination by the Secretary of the Interior to reclassify or withdraw the affected river area from the system. "Largely primitive" with respect to watersheds means that the portion of the watershed within the boundaries of the scenic river area should be scenic, with a minimum of easily discernible development. Row crops would be considered as meeting the test of "largely primitive," as would timber harvest and other resource use, providing such activity is accomplished without a substantially adverse effect on the natural-like appearance of the river or its immediate environment.

4. "Largely undeveloped" means that small communities or any concentration of habitations must be limited to relatively short reaches of the total area under consideration for designation as a scenic river area.

\*Management objectives.

A scenic river area should be managed so as to maintain and provide outdoor recreation opportunities in a near natural setting. The basic distinctions between a "wild" and a "scenic" river area are degree of development, type of land use, and road accessibility. In general, a wide range of agricultural, water management, silvicultural and other practices could be compatible with the primary objectives of a scenic river area, providing such practices are carried on in such a way that there is no substantial adverse effect on the river and its immediate environment.

The same considerations enumerated for wild river areas should be considered, except that motorized vehicle use may in some cases be appropriate and that development of larger scale public-use facilities within the river area, such as moderate-size campgrounds, public information centers, and administrative headquarters, would be compatible if such structures were screened from the river.

Modest facilities, such as unobtrusive marina, also would be possible if such structures were consistent with the management plans for that area.

Recreational River Areas

The Wild and Scenic Rivers Act states that recreational rivers:

1. Are "readily accessible by road or railroad."
2. "May have some development along their shoreline."
3. May have "undergone some impoundment or diversion in the past."

\*Classification criteria.

1. "Readily accessible" means the likelihood of paralleling roads or railroads on one or both banks of the river, with the possibility of several bridge crossings and numerous river access points.
2. "Some development along their shorelines" means that lands may be developed for the full range of agricultural uses and could include small communities as well as dispersed or cluster residential developments.
3. "Undergone some impoundment or diversion in the past" means that there may be water resources developments and diversions having an environmental impact greater than that described for wild and scenic river areas. However, the degree of such development should not be to the extent that the water has the characteristics of an impoundment for any significant distance.

Future construction of impoundments, diversions, straightening, rip-rapping, and other modification of the waterway or adjacent lands would not be permitted except instances where such developments would not have a direct and adverse effect on the values for which that river area was included in the national system as determined by the Secretary charged with administration of the area. In the case of rivers added to the national system pursuant to Section 2(a)(ii), such construction could result in a determination by the Secretary of the Interior to reclassify or withdraw the affected river area from the system.

\*Management objectives.

Management of recreational river areas should be designed to protect and enhance existing recreational values. The primary objectives will be to provide opportunities for engaging in recreation activities dependent on or enhanced by the largely free-flowing nature of the river.

Campgrounds and picnic areas may be established in close proximity to the river, although recreational river classification does not require extensive recreational developments. Recreational facilities may still be kept to a minimum, with visitor services provided outside the river area.

Adopted:

/s/ Harrison Loesch  
Department of the Interior (Date)

/s/ Edward P. Cliff      Feb. 3, 1970  
Department of Agriculture (Date)

APPENDIX III

SCENIC EASEMENT DIGEST  
FOR THE  
MIDDLE FORK OF THE CLEARWATER SYSTEM

1. Why are Scenic Easements Needed?

The basic purpose of the scenic easement is to protect and enhance the environmental quality of the Middle Fork Clearwater River System. To this end, property owners are being asked to convey easements which impose certain restrictions on the future use and development of land within the designated area. The objectives are to prevent pollution of the river and to eliminate undesirable uses or restrict future development that could detract from the scenic beauty and recreational enjoyment of the river area.

2. What is a Scenic Easement?

A scenic easement is a legal instrument conveying to the United States certain rights to use or control private property for a designated public purpose. It will normally provide positive rights which enable the Forest Service to restore or enhance scenic qualities and it may include the right to prevent future use which may be detrimental to the river.

As an illustration, the easement normally includes the right to selectively cut trees to enhance a view which might be blocked by tree growth in years to come. In addition, the easement usually includes a prohibition against the accumulation of trash or unsightly debris.

The justification for easement control is that the owners may continue the present use of the land, but the scenic quality of the area must be protected against overdevelopment and adverse land uses.

Unlike zoning ordinances, the property owners are compensated for any decrease in land value which may occur as a direct result of a scenic easement.

3. Which Lands Will be Affected?

Scenic easements are proposed for all private lands within the river boundaries. Although these lands are covered by scenic easements, it should be noted that the owner still has title to the land and will control all of the uses not involved in the scenic easement. Uses and developments in existence at the time of purchase of the easement may continue.

By law the area within the river boundaries may not exceed 320 acres per mile of river. Where feasible the river boundary will follow property lines and will include only land which needs protection to protect the qualities which made this river eligible to classify as a Wild, Scenic or Recreation river.

Our tentative thinking involves the establishment of three broad easement categories -- (a) Commercial, (b) Residential, and (c) Agricultural-Timber. Specific scenic easements will be prescribed for each of the three broad categories. For example: Commercial easements could be purchased on commercial properties in Syringa and Lowell; Residential easements purchased on those properties that are primarily used for home sites; and, the Agricultural-Timber easements purchased on those properties that have large areas in pasture, open land, or timber crops.

4. How are the Landowners Compensated?

Easements are much like zoning ordinances in effect today in many cities and counties. One primary difference is that zoning ordinances are normally applied (by proceedings) without compensation. With the scenic easement, the possible effect on the property value is considered prior to asking the owner to actually convey it and the owner is compensated for a possible loss or damage to his property. Thus, if the property has possible uses other than for the permitted use, the owner will receive the appraised market value of this difference as compensation.

5. Who Estimates the Value Pertaining to Compensation?

The Forest Service employs or contracts competent, impartial appraisers who are familiar with property values. After a thorough examination and a study of market conditions, they prepare appraisals which document their estimates of fair market value for the property. The owner can assist them in arriving at sound estimates by answering any questions which they may have and also by pointing out any special features which may affect value of the property.

6. How does the Owner and Local Community Benefit?

Scenic easements offer several benefits in addition to the direct compensation to the property owner:

- a. They help eliminate factors, such as junk yards and other unsightly views, which tend to depreciate property values.
- b. They provide for more orderly development of land and prospective purchasers tend to select sites in protected easement areas.

- c. They supplement existing health requirements for waste and sewage disposal.

It has been noted in many areas that scenic easements are quite similar to good zoning measures, and have enhanced general property values.

7. Do Owners Ever Donate Scenic Easements to the Federal Government?

Federal acquisition laws encourage the donation of lands and interests in land (scenic easements). This type of conveyance insures the scenic preservation of lands for which purchase funds may not be available. These donations are tax deductible in some instances. Because of these factors, many owners in other areas have dedicated their lands for public purposes.

8. Does the Federal Government Have the Power to Condemn for Scenic Easements?

Scenic easements will be acquired on a willing-seller basis insofar as possible. However, condemnation authority does exist and will be used when necessary to protect the scenic and recreational quality of the river environment.

9. What if the Owner is Dissatisfied with the Compensation Offer?

If this occurs, the owner may want to obtain his own appraisal from a qualified professional real estate appraiser. Any new information should be discussed with the Forest Service representative and it will be fully considered in reviewing the compensation offer. Agreement usually can be reached after a thorough discussion of all the factors pertaining to property value.

In those cases where agreement cannot be reached, just compensation can be established by the courts.

10. What Scenic Easement Conditions are Being Considered for the Middle Fork Wild and Scenic River System?

The following terms and conditions could be applied to all three previously described land categories: Residential, Commercial, and Agricultural-Timber. These statements are not the legal wording which would be used in the easement deeds:

- a. The agency administering the scenic easements, in this case the Forest Service, may inspect the easement area for violations and after advance notice, may remove at the expense of the landowner any advertising signs, junk automobiles, or other debris in violation of the easement provisions.



- b. Under the terms of the easement the agency may remove any dead, dying, diseased, or insect-infested trees or shrubs, and may plant and/or selectively cut or prune trees and shrubs to restore or maintain the scenic view. The cost of these operations may be deducted from the sale of any merchantable timber so cut and the net proceeds will be returned to the owner.
- c. The agency may perform such other scenic, aesthetic, historical, fish and wildlife, and sanitation restoration as may be necessary or desirable.
- d. The easement area shall be kept in a neat and orderly condition and no garbage, trash, or other unsightly material shall be allowed to accumulate thereon.
- e. Mining and industrial activities shall be excluded except for prior established uses.
- f. The general topography of the land will be maintained in its present condition unless changes are approved by the Forest Service.
- g. New or additional structures must have adequate waste and sewage disposal facilities which fully comply with State and local requirements for sanitation and water pollution control.
- h. New or additional structures shall not exceed a height of 30 feet.
- i. The roofs of new buildings must be constructed of non-reflective material or painted an earth-tone color.
- j. The landowner will not be permitted to move in old houses, cottages, house trailers, fishing or hunting shacks, portable structures, or any other low quality, unattractive or non-permanent structures into the easement area. Mobile homes will be permitted for permanent residences provided their presence will be harmonious with the rural environment.
- k. Archeological and paleontological explorations will be by authorized permits only.
- l. The scenic easements will not give the public the right to enter upon the property for any purpose, nor will they permit use for highway construction or any other similar public use.
- m. The easement will not deny the right of the landowner to use the area for general crops, livestock farming, and gardening.
- n. One small sign, such as produce for sale, will be permitted on each property.

Commercial easements will include special provisions as follows:

- a. Commercial enterprises will be limited to those which offer necessary services or goods to visitors, through travelers, and local residents. Examples are automobile service stations, stores, cafes, lodge or motel accommodations, trailer parks screened from the view of main travel routes, winter sports facilities, and packer-guide services.
- b. New or additional structures must be in accordance with architectural and site plans approved by the Forest Service. Such improvements must have minimum setback distances of 50 feet from main traveled roads and 100 feet from the river.
- c. Exterior flashing lights will not be permitted.
- d. Advertising signs and billboards will be limited to one on-premise sign per property and to designated sign plazas.

Residential easements will include special provisions as follows:

- a. Professional and commercial activities will be limited to those which can be conducted from within a residential dwelling without exterior alteration of the dwelling. A small, on site, sign advertising services would be permitted.
- b. Residential development will be subject to specified requirements for subdivisions. The minimum size for residential lots will be 3-5 acres with a minimum frontage of 300 feet parallel to the river. The number of lots authorized will depend on the amount of suitable ground and the potential for water pollution.
- c. No additional structures will be placed within 100 feet of the main traveled roads or between these roads and the river unless authorized by the Forest Service.
- d. No tree larger than six inches in diameter and 30 feet in height may be cut down without written authorization from the Forest Service.

Agricultural-Timber easements will include special provisions as follows:

- a. Lands within the easement area must be used exclusively for agricultural and/or timber growing purposes, including housing directly incidental thereto. No subdivision will be permitted.
- b. Advance authorization will be required before placing additional structures on the easement area.

- c. Professional and commercial activities will be limited to those which can be conducted from within a residential dwelling without exterior alteration of the dwelling.
- d. Timber operations must be in accordance with an approved management plan. Harvest will be allowed, but the appearance of the timber stand and road locations will be carefully controlled.
- e. Provide a building set-back strip along roads and river.

These provisions are still being considered and some changes may be necessary. Additions or deletions may result.

11. What Procedures Are Followed in Obtaining a Scenic Easement?

- a. Owner and Forest Service discuss the program in relation to plans for future use or development of the property. Agreement is reached on the provisions to be included in the easement deed.
- b. Owner gives written permission to go upon and examine the property for appraisal or other preliminary purposes.
- c. Forest Service obtains preliminary title evidence and appraisal report.
- d. Owner signs option if the appraised value is acceptable.
- e. Forest Service forwards signed option and case report to Washington for approval.
- f. Forest Service sends copy of accepted option to the owner by certified mail.
- g. Owner signs the easement deed and provides for payment of property taxes.
- h. Forest Service records easement deed at courthouse.
- i. Forest Service obtains final title evidence showing title to the easement vested in the United States.
- j. Forest Service sends title docket to Office of the General Counsel for review and approval by the Attorney General.
- k. Forest Service prepares voucher for payment and delivers the check to the property owner.