

title] may be cited as the ‘Merrimack River Study Act of 1990.’”

Pub. L. 101-306, §1, June 6, 1990, 104 Stat. 260, provided that: “This Act [amending section 1274 of this title] may be cited as the ‘East Fork of the Jemez River and the Pecos River Wild and Scenic Rivers Addition Act of 1989.’”

SHORT TITLE OF 1988 AMENDMENTS

Pub. L. 100-557, title I, §101, Oct. 28, 1988, 102 Stat. 2782, provided that: “This title [amending sections 1274 and 1276 of this title and enacting provisions classified as notes under section 1274 of this title] may be referred to as the ‘Omnibus Oregon Wild and Scenic Rivers Act of 1988.’”

Pub. L. 100-547, §1, Oct. 28, 1988, 102 Stat. 2736, provided: “That this Act [amending section 1274 of this title and enacting provisions listed in a table of Wilderness Areas set out under section 1132 of this title] may be cited as the ‘Sipsey Wild and Scenic River and Alabama Addition Act of 1988.’”

SHORT TITLE OF 1986 AMENDMENT

Pub. L. 99-590, title II, §201, Oct. 30, 1986, 100 Stat. 3332, provided that: “This title [amending section 1276 of this title] may be cited as the ‘Farmington Wild and Scenic River Study Act.’”

SHORT TITLE OF 1972 AMENDMENT

Pub. L. 92-560, §1, Oct. 25, 1972, 86 Stat. 1174, provided: “That this Act [amending section 1274 of this title and enacting provisions classified as a note under section 1274 of this title] may be cited as the ‘Lower Saint Croix River Act of 1972.’”

SHORT TITLE

Pub. L. 90-542, §1(a), Oct. 2, 1968, 82 Stat. 906, provided that: “This Act [enacting this chapter] may be cited as the ‘Wild and Scenic Rivers Act.’”

§ 1272. Congressional declaration of purpose

The purpose of this chapter is to implement the policy set out in section 1271 of this title by instituting a national wild and scenic rivers system, by designating the initial components of that system, and by prescribing the methods by which and standards according to which additional components may be added to the system from time to time.

(Pub. L. 90-542, §1(c), Oct. 2, 1968, 82 Stat. 906.)

Editorial Notes

CODIFICATION

Section consists of subsec. (c) of section 1 of Pub. L. 90-542. Subsecs. (a) and (b) of section 1 are classified to section 1271 and section 1271 note, respectively.

§ 1273. National wild and scenic rivers system

(a) Composition; application; publication in Federal Register; expense; administration of federally owned lands

The national wild and scenic rivers system shall comprise rivers (i) that are authorized for inclusion therein by Act of Congress, or (ii) that are designated as wild, scenic or recreational rivers by or pursuant to an act of the legislature of the State or States through which they flow, that are to be permanently administered as wild, scenic or recreational rivers by an agency or political subdivision of the State or States concerned that are found by the Secretary of the Interior, upon application of the Governor of the

State or the Governors of the States concerned, or a person or persons thereunto duly appointed by him or them, to meet the criteria established in this chapter and such criteria supplementary thereto as he may prescribe, and that are approved by him for inclusion in the system, including, upon application of the Governor of the State concerned, the Allagash Wilderness Waterway, Maine; that segment of the Wolf River, Wisconsin, which flows through Langlade County; and that segment of the New River in North Carolina extending from its confluence with Dog Creek downstream approximately 26.5 miles to the Virginia State line. Upon receipt of an application under clause (ii) of this subsection, the Secretary shall notify the Federal Energy Regulatory Commission and publish such application in the Federal Register. Each river designated under clause (ii) shall be administered by the State or political subdivision thereof without expense to the United States other than for administration and management of federally owned lands. For purposes of the preceding sentence, amounts made available to any State or political subdivision under chapter 2003 of title 54 or any other provision of law shall not be treated as an expense to the United States. Nothing in this subsection shall be construed to provide for the transfer to, or administration by, a State or local authority of any federally owned lands which are within the boundaries of any river included within the system under clause (ii).

(b) Classification, designation, and administration of rivers

A wild, scenic or recreational river area eligible to be included in the system is a free-flowing stream and the related adjacent land area that possesses one or more of the values referred to in section 1271 of this title. Every wild, scenic or recreational river in its free-flowing condition, or upon restoration to this condition, shall be considered eligible for inclusion in the national wild and scenic rivers system and, if included, shall be classified, designated, and administered as one of the following:

(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, 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.

(Pub. L. 90-542, §2, Oct. 2, 1968, 82 Stat. 906; Pub. L. 94-407, §1(1), Sept. 11, 1976, 90 Stat. 1238; Pub. L. 95-625, title VII, §761, Nov. 10, 1978, 92 Stat. 3533; Pub. L. 113-287, §5(d)(29), Dec. 19, 2014, 128 Stat. 3267.)