

3. MERCED WILD AND SCENIC RIVER BOUNDARIES AND SEGMENT CLASSIFICATIONS

RIVER CORRIDOR BOUNDARIES

The Wild and Scenic Rivers Act (WSRA) requires federal agencies to establish legal boundaries for each federally administered river in the National Wild and Scenic Rivers System. The boundary for a Wild and Scenic River establishes the area that will receive the greatest resource protection efforts. In accordance with WSRA (section 3[b]), boundaries may include an average of not more than 320 acres of land per mile, measured from the ordinary high-water mark³ on both sides of the river. The National Park Service (NPS) used U.S. Geological Survey 7.5-inch topographic quadrangle data to calculate a Wild and Scenic River corridor boundary that encompasses all land within a quarter-mile of the ordinary high-water mark of the Merced River, the maximum area allowed under WSRA⁴. This includes the land below the ordinary high-water mark, which is not included in the acreage limitation. The NPS applies this boundary consistently to the Merced River in Yosemite National Park and the El Portal Administrative Site, including the main stem Merced River, South Fork Merced River, Red Peak Fork, Merced Peak Fork, Triple Peak Fork, and Lyell Fork tributaries.

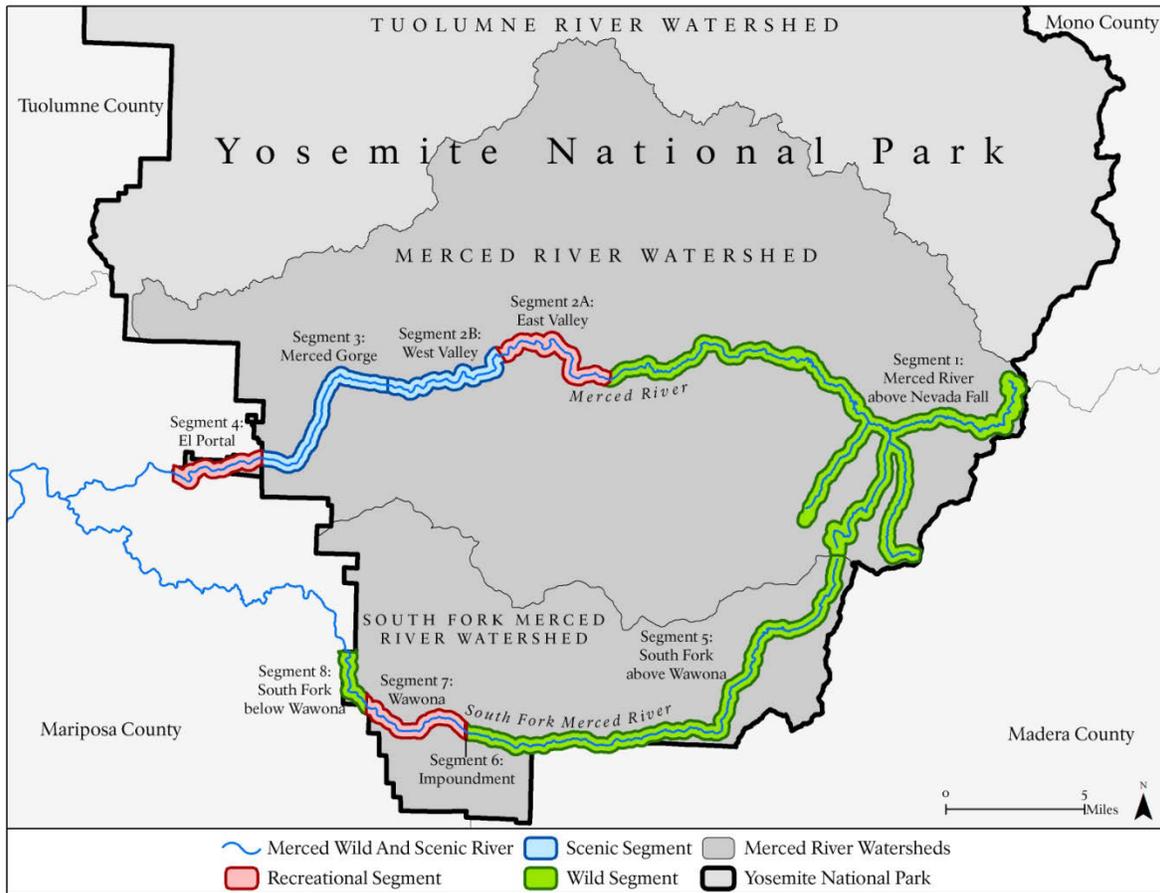
The NPS presented and refined the boundaries and classifications of the Merced Wild and Scenic River throughout the legal and planning history of the Wild and Scenic River. Early in the litigation over the Merced River Plan, some of the segment classifications were challenged in court. These challenges were reflected by the courts, and the segment classifications have remained consistent over time. However in 2003, the U.S. Court of Appeals for the Ninth Circuit ruled that the 2000 *Merced Wild and Scenic River Comprehensive Management Plan/Final Environmental Impact Statement* was deficient with regard to the river boundary in the El Portal segment, which was delineated as the 100-year floodplain along with adjacent wetlands, or a 100-foot buffer from the ordinary high-water mark, whichever was greater. The court found that this river corridor did not fully account for the location of river values in the area, and directed the NPS to “reevaluate the river corridor boundary based on the precise location of outstandingly remarkable values.”

The 2005 *Merced Wild and Scenic River Comprehensive Management Plan/Final Environmental Impact Statement* revised the corridor boundary in El Portal to include all land within a quarter-mile of each side of the river, consistent with the rest of the river corridor. This *Merced Wild and Scenic River Comprehensive Management Plan/Draft Environmental Impact Statement* (Merced River Plan/DEIS) establishes the same river corridor boundary for the Merced Wild and Scenic River that encompasses a quarter-mile of land measured from each side of the river’s ordinary high-water mark throughout all segments of the river (Figure 3-1). This action is common to all alternatives proposed in this plan.

³ The U.S. Army Corps of Engineers defines the ordinary high water mark as “ that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.”

⁴ This acreage designation does not limit the protection of river values, which must be protected whether they are inside or outside the corridor boundary.

Figure 3-1: Merced Wild and Scenic River Segment Boundaries and Classifications



WILD AND SCENIC RIVER CLASSIFICATIONS

WSRA (section 2 [b]) directs managing agencies to classify and administer designated rivers as one of the following, depending on the type and intensity of development:

Wild: Rivers or sections of rivers that are free of impoundment and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and water unpolluted. These represent vestiges of primitive America.

Scenic: 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.

Recreational: Rivers or sections of rivers readily accessible by road or railroad, may have some development along their shorelines, and may have undergone some impoundment or diversion in the past.

A Wild and Scenic River may be divided into segments to aid in classification (DOI 1982). This plan divides the Merced River into segments, and classifies each segment as *Wild*, *Scenic*, or *Recreational* as portrayed in Figure 3-1 and Table 3-1. This classification system is common to all alternatives proposed in this plan. If the NPS removes the Wawona Impoundment from the river channel at some time in the future, Segment 6

would be reclassified as Scenic, based on the change in the level of development and enhancement of the river’s free-flowing condition.

The classification of a river segment provides a general framework for the type and intensity of land management activities that may take place in the future (IWSRCC 2002). A comprehensive management plan may allow different levels of use and development based on how a segment is classified. The classifications of each river segment guide the range of actions proposed in this plan. All proposed actions were analyzed to ensure they are compatible with the classification for each river segment.

TABLE 3-1: SEGMENT CLASSIFICATIONS FOR THE MERCED WILD AND SCENIC RIVER

Segment	Classification	Location
1	Wild	Merced River Above Nevada Fall
2A	Recreational	East Yosemite Valley: Top of Nevada Fall to Sentinel Beach
2B	Scenic	West Yosemite Valley: Sentinel Beach to junction of El Portal Road and Big Oak Flat Road
3	Scenic	Merced Gorge: Junction of El Portal and Big Oak Flat Roads to western Yosemite National Park boundary at parkline
4	Recreational	El Portal: Western Yosemite National Park boundary at parkline to El Portal Administrative Site boundary
5	Wild	South Fork Merced River Above Wawona: Headwaters to top of pool at Wawona Impoundment
6	Recreational	Wawona Impoundment: Top of pool at Wawona Impoundment to 200 feet below dam
7	Recreational	Wawona: 200 feet below Wawona Impoundment to Squirrel Creek
8	Wild	South Fork Merced River Below Wawona: Squirrel Creek to western park boundary

This page intentionally left blank