

9/23/94



United States Department of the Interior



NATIONAL PARK SERVICE

Midwest Region

1709 Jackson Street

Omaha, Nebraska 68102-2571

IN REPLY REFER TO:

A76 (MWR-P)

Honorable David R. Obey
 U.S. House of Representatives
 2462 Rayburn House Office Building
 South Capital Street and Independence Avenue SE
 Washington, D.C. 205150-4907

Dear Mr. Obey:

In your letter dated February 15, you asked about National Park Service policy relating to the dredging issue in the Trego Flowage. The Superintendent of Saint Croix National Scenic Riverway replied to this letter on March 8, and I responded March 11. Since then we have sought additional clarification of the Wild and Scenic Rivers Act from both our Regional and Washington offices.

The results of our dialogue regarding the question of whether dredging in the Trego Flowage would impact the "free-flowing" nature of the river includes the fact that Wild and Scenic Rivers are "free-flowing;" consequently, the Wild and Scenic Rivers Act prohibits Federal agencies from funding or approving actions which would adversely affect this "free-flowing" condition. Included in the definition of "free-flowing" is that no modifications are to be made to the waterway. In this case, the designation includes an impoundment (which is not free flowing); our conclusion is that dredging in the impoundment would not be a direct and adverse affect to the free-flowing nature of the river.

Out of hand, the National Park Service would not oppose dredging in the Trego Flowage on the basis of modifying the free-flowing nature of the river, but we are concerned about other possible impacts such as spoil disposal and would like to see alternatives other than dredging explored. These alternatives might include the past practice of draw-down. The Service welcomes proposals from the residents and their environmental analysis. The proposal to place sand traps and to dredge in the "free flowing" portion of the river would be opposed by the Service because such action would be antithetical and contrary to the Wild and Scenic Rivers Act.

It is our opinion that the National Park Service was not responsible for the siltation. It was probably caused by a combination of logging and farming practices, rail and highway construction, and natural processes. The National Park Service should not pay to resolve the siltation problem.

If you need additional information regarding this issue please contact Superintendent Tony Andersen at 715-483-3284. Thank you for your continued support and interest in the Saint Croix National Scenic Riverway.

Sincerely,

/s/ WILLIAM W. SCHENK

William W. Schenk
Acting Regional Director

cc:

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Washington, DC 20515

bcc:
Superintendent, Saint Croix

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