final wild and scenic river study

MAY, 1984

OGEECHEE RIVER

GEORGIA

UNITED STATES DEPARTMENT OF THE INTERIOR/NATIONAL PARK SERVICE

As the Nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering the wisest use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interests of all our people. The Department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U. S. administration.

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I. SUMMARY OF FINDINGS

1. A 145-MILE SEGMENT OF THE OGEECHEE RIVER, EXTENDING FROM THE RIVER'S MOUTH TO THE WESTERN JENKINS COUNTY LINE, IS ELIGIBLE FOR INCLUSION IN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM.

   The eligible segment is free-flowing and with its immediate environment possesses outstandingly remarkable scenic and recreational values. The flow and water level are sufficient for boating activities year round. Water quality is suitable for swimming.

2. THE LOWER 30 MILES OF THE ELIGIBLE SEGMENT QUALIFIES FOR RECREATIONAL CLASSIFICATION, AND THE REMAINING 115 MILES QUALIFIES FOR SCENIC CLASSISIFICATION.

   The lower 30 miles of the Ogeechee is the most developed portion of the river. While much of this segment consists of pristine coastal marshes some subdivision development does exist. The remaining 115 miles is in a substantially natural condition, but accessible by roads in places and has occasional clusters of seasonal and permanent dwellings.

3. ALTHOUGH A 145-MILE SEGMENT OF THE OGEECHEE RIVER IS ELIGIBLE FOR DESIGNATION AS A NATIONAL WILD AND SCENIC RIVER, IT IS NOT CONSIDERED SUITABLE FOR DESIGNATION AS A FEDERALLY OR STATE ADMINISTERED UNIT.

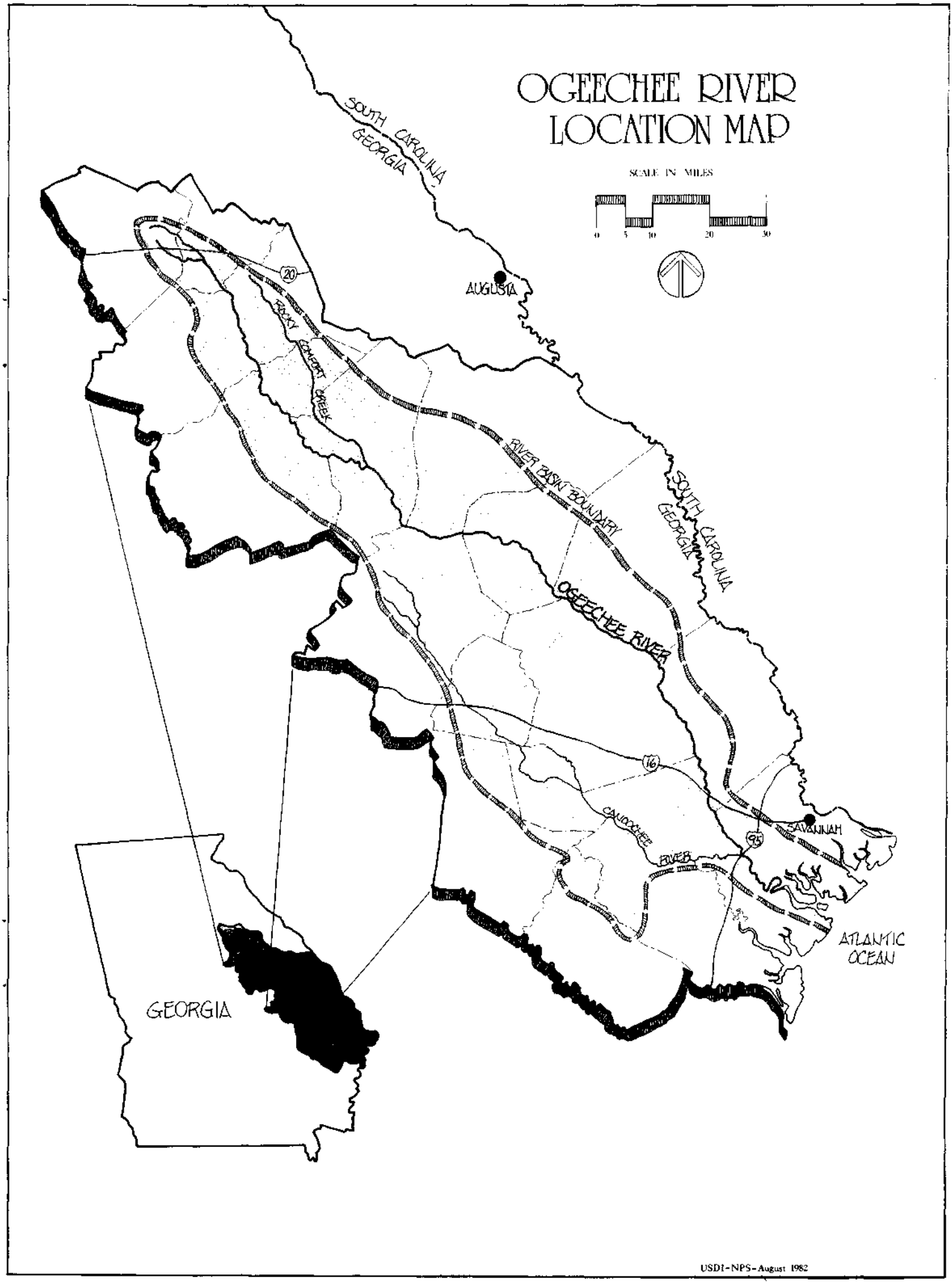
   Following a determination of eligibility, a determination of suitability for a river and its immediate environment is made taking into consideration such factors as the extent of public lands in the river area; costs required for acquisition, development, management and operation; public, local or State interest in acting to protect and manage the river; the feasibility and timeliness of such action, etc. The Secretary of the Interior makes the final determination on suitability.

   Only 15 miles of the 145-mile segment of the river found eligible is in public ownership. Public opinion expressed through public meetings and correspondence was strongly opposed to any federal designation or management. Opposition was also substantially against any state management of the river beyond enforcement of existing laws and regulations.

4. STATE OR LOCAL MANAGEMENT OF THE ELIGIBLE SEGMENT IN THE NATIONAL SYSTEM MAY BE SOUGHT THROUGH PROVISIONS OF SECTION 2(a)(ii) OF THE WILD AND SCENIC RIVERS ACT.

   If State or local governments should ever wish to administer the eligible river segment as a component of the National System, application can be made by the Governor to the Secretary of the

Interior under provisions of Section 2(a)(ii) of the Wild and Scenic Rivers Act, which authorizes the Secretary to add eligible river segments to the National System if certain conditions are met. As a prerequisite, a river corridor plan involving State or State/local management entities would have to be adopted to permanently protect the natural values of the river. (Section V of this report discusses the procedure for including a river in the National System under Section 2(a)(ii) of the Act.)



USDI-NPS-August 1982

II. CONDUCT OF THE STUDY

Background and Purpose of the Study

This study was undertaken at the direction of Congress to determine whether the Ogeechee River should be designated a national wild and scenic river. The Wild and Scenic Rivers Act (Public Law 90-542, October 2, 1968) established a national policy of preserving certain outstanding rivers or river segments in their free-flowing condition for the enjoyment of present and future generations. The Act established the Wild and Scenic Rivers System, designating eight rivers as the initial components of the System. Amendments have identified additional rivers to be studied as potential components of the System, including the Ogeechee River. Study of the entire Ogeechee River (245 miles) was authorized by Public Law 95-625, November 1978.

The purpose of the study is to determine if the Ogeechee River meets the criteria of eligibility for designation as a national wild and scenic river and to determine whether the river should be recommended to the President as being suitable for designation.

Under National Park Service criteria, for a river to be suitable for national designation there should be support from the public and elected officials, feasible means must exist to protect the river at acceptable costs, and there must be an appropriate administrative entity willing to protect and manage the river.

Study Approach

This study was conducted in close cooperation with federal, state, and local agencies of government, particularly the Georgia Department of Natural Resources.

Field surveys of major portions of the river were conducted by members of the National Park Service study team and representatives of the Georgia Department of Natural Resources, Game and Fish Division. Aerial photographs of the entire river taken in June 1980 were made available by the Forest Service, U.S. Department of Agriculture. Resource data were collected from a variety of published documents and numerous meetings with State regional planning agencies and knowledgeable private individuals and organizations.

The National Park Service study team has determined the eligibility of the Ogeechee River for inclusion in the National System and has prepared other information required by Congress in this study report using the following definitions:

Study Area: The portion of the Ogeechee River authorized for study (entire river) and its immediate environment, which, in this study, is the land area extending one-quarter mile from each river bank.

River Area: That part of the river and its immediate environment eligible for inclusion in the National System.

Region: The surrounding environment of the study area, extending for several miles or more, which affects and is used to describe the river for study purposes. The regional boundary encompasses the counties through which the river flows.

Designation: Inclusion of a river area in the National System either by act of Congress or by authority of the Secretary of the Interior.

Eligibility: Qualification of a river for inclusion in the National System through determination that it is free-flowing and, with its adjacent land area, possesses at least one outstandingly remarkable value.

Eligible Segment: The portion of the study river that is eligible for the National System.

Classification: The process of determining which of the classes defined in Section 2(b) of Public Law 90-542 (wild, scenic, or recreational) are appropriate for the river or its various segments.

Suitability: A determination as to whether an eligible segment should be included in the National System based on such factors as extent of public lands in the river area; costs required for acquisition, development, management and operation; public, local or State interest in acting to protect and manage the river; the feasibility and timeliness of such action, etc.

Public Involvement

At the beginning of the study a mailing list was developed consisting of elected officials, government agencies, local media and private organizations and individuals with a potential interest in the study. This mailing list was continually expanded as the study progressed.

In October 1982 notification of the start of the study was sent to all those on the mailing list. A news release was distributed also to the local media to inform the general public.

Numerous informal meetings and consultations were held with government agencies and knowledgeable organizations and individuals to solicit information and opinions regarding the river's eligibility and suitability for national designation.

In March 1983 a public planning workshop brochure and questionnaire were distributed to those on the mailing list as well as those attending three public meetings held that same month. Approximately 290 people attended the meetings held at Louisville, Statesboro and Savannah. The public's views were sought on preliminary eligibility findings and river protection options, including national designation.

In April 1983 a summary of the opinions expressed at the planning workshops was sent out and additional public comment solicited.

The draft study report was then prepared and over 400 copies were distributed to governmental agencies and the public for review and comment. A news release was distributed to local media informing the general public that the draft study was available for review at county libraries.

Twenty-one letters of comment were received on the draft study report. Of the 21 letters 10 were from private individuals or organizations and 11 were from governmental agencies (see Appendix). The comments from government agencies all supported the draft study's findings and recommendations, as did 7 of the 10 letters received from the public.

III. EVALUATION

Eligibility

The Wild and Scenic Rivers Act (Public Law 90-542) states that in order for a river to be eligible for designation a river or river segment must possess one or more outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, and it must be free-flowing.

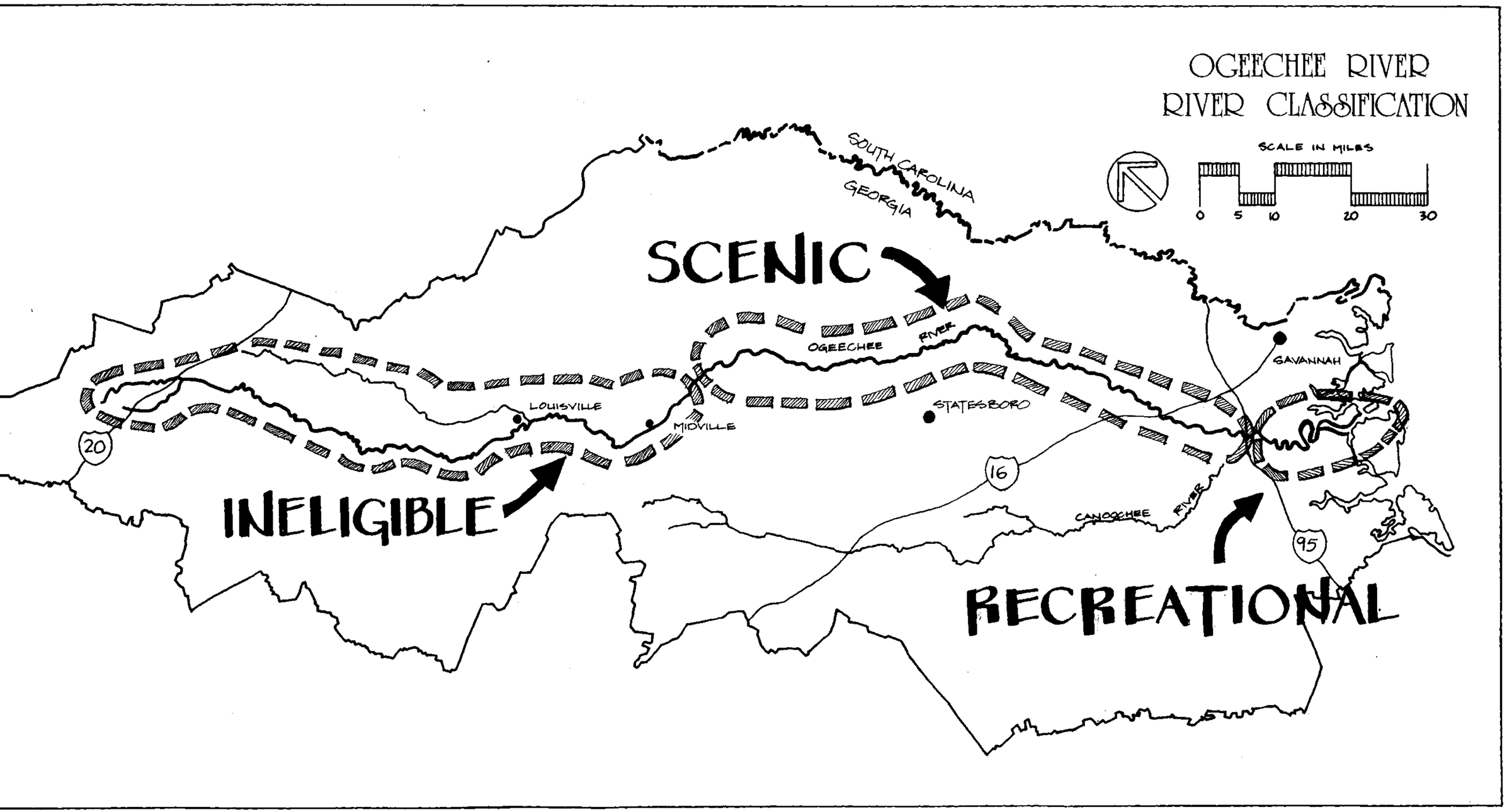
The lower 145 miles of the Ogeechee River is found to be free-flowing and to possess outstandingly remarkable scenic and recreational values, thus qualifying for designation as a national wild and scenic river. This eligible segment extends from the river's mouth at Ossabaw Sound to the western Jenkin's County line. The eligible portion of the river lies within the Lower Coastal Plain and has extensive cypress-gum swamps extending from one-half mile to over a mile from both banks. The adjacent swamps have inhibited development resulting in a remote setting with few man-made intrusions. The near-natural setting of these adjacent swamps provides outstandingly remarkable scenic values. This segment of the river also possesses outstandingly remarkable recreation values based on a unique combination of outstanding scenery, excellent wildlife habitat and sport fishery. This combination of features offers outstanding recreation opportunities to the river user including fishing, hunting, floating and nature study.

The upper 100 miles of the Ogeechee River from the western Jenkin's County line to the headwaters in Greene County were found not to contain any outstandingly remarkable values. However, this upstream portion of the river is an integral part of the ecology of the lower Ogeechee. It is important that plans and programs affecting the upper Ogeechee recognize and appropriately consider this relationship.

Classification

Based upon an evaluation of the existing levels of development along the eligible segment of the Ogeechee River, potential classification categories were determined. The Wild and Scenic Rivers Act requires that study rivers found eligible for designation be classified as either wild, scenic, or recreational depending on the river's degree of naturalness. The classification categories are defined as follows:

> 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.
>
> 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.


OGEECHEE RIVER
RIVER CLASSIFICATION
SCALE IN MILES
0 5 10 20 30
SOUTH CAROLINA
GEORGIA
SCENIC
OGEECHEE RIVER
LOUISVILLE
MIDVILLE
STATESBORO
SAVANNAH
20
16
95
INELIGIBLE
CANOOCHEE RIVER
RECREATIONAL

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.

Based upon these criteria and the existing condition of the river area the following would be the most appropriate classification categories for the Ogeechee River.

River mile 0 (mouth) to River mile 30 (I-95 bridge crossing) - Recreational.

This 30-mile segment contains some riverfront subdivision development on the southern bank of the river in the vicinity of Richmond Hill.

River mile 30 (I-95 bridge crossing) to river mile 145 (western Jenkins County line) - Scenic.

This 115-mile segment of the river remains in a near natural condition with many miles of undeveloped shoreline. However, the presence of 12 bridge crossings, several access roads, occasional clusters of seasonal and permanent dwellings, and the occurrence of timber harveting in places makes a scenic classification more appropriate than a wild classification.

Suitability

As the study progressed, several possible options for the future of the Ogeechee River were developed to serve as a basis for discussion and evaluation of the river's suitability for designation. These options ranged from "no action" to designation as a national wild and scenic river. A brief description of these options follows:

Option 1 - No Action/Existing Trends

Under this option no action would be taken by federal, state, local governments or private organizations to provide any special protection for the Ogeechee. Existing conditions and trends would determine the future of the river.

Option 2 - Congressional designation of all or part of the eligible portion of the Ogeechee as a national wild and scenic river with federal or federal/state management

With this option, Congress would pass legislation designating all or part of the eligible portion of the Ogeechee as a national wild and scenic river. The river would be managed by a federal agency or managed jointly by the Federal and State Governments.

Option 3 - The Secretary of the Interior designates all or part of the eligible portion of the Ogeechee River with State or joint State/local management

If there were sufficient interest and support from the public and elected officials, the State could propose a program of protection and apply to the Secretary of the Interior for designation of the Ogeechee as a national wild and scenic river. Before the Secretary of the Interior could designate the Ogeechee, the Georgia General Assembly would have to designate it as a component of the State Wild and Scenic Rivers System or pass single purpose legislation designating the Ogeechee as a wild and scenic river. The Governor would then apply to the Secretary of the Interior outlining a proposed program of action for river protection.

Option 4 - The State of Georgia designates all or part of the Ogeechee River as a State Wild and Scenic River

The Georgia General Assembly could designate the Ogeechee River as a component of the State Wild and Scenic River System without applying for designation as a national wild and scenic river. Designation as a State Scenic River would prohibit construction of dams, reservoirs or other structures impeding the natural flow of the river, unless specifically authorized by an Act of the General Assembly. Designation would authorize expenditure of funds for interests in land within the authorized boundary of a designated river.

Option 5 - Protection at the local level

Another option that could be used to protect the river would be for local governments to guide the quantity and quality of development occurring in the river corridor through their zoning and permitting authorities. This could be done by each county separately, or jointly through some type of multicounty agreement. Another possibility would be the establishment of a River Corridor Commission covering all or part of the Ogeechee. The Commission could be composed of representatives from counties, towns, landowners, area planning councils and local interest groups. The Commission could define a river corridor and be empowered through applicable State laws to protect that corridor through a variety of means such as planning, implementing zoning and subdivision regulations, acquiring property through donation or acquisition, or developing and operating facilities.

Extent of Public Lands in the River Area

The extent of publicly-owned land in the river area weighs heavily in evaluating whether a river is suitable for designation as a federally administered component. Only 15 miles of the 145 miles of the Ogeechee found eligible for designation are in public ownership.

The lack of publicly-owned lands along the river would make development and implementation of a protection program relatively expensive unless satisfactory protection mechanisms other than acquisition were feasible and practical. Such mechanisms (zoning primarily) are not available to the Federal Government.

Public Interest in River Protection

Public input was obtained through public workshops, letters, telephone conversations and individual meetings. The overwhelming consensus of the public input was that the Ogeechee River should be left as it is. Approximately 90 percent of those who commented on the study strongly opposed any Federal or State involvement with the Ogeechee. A majority of those opposed were landowners who felt that they were doing a good job of protecting the river themselves.

Those who opposed any special governmental protection for the Ogeechee cited several different reasons in support of their position. Among them were:

1) Opposition to governmental acquisition of privately-owned land.

2) Fear that designation would result in increasing incidences of trespass, litter, vandalism, etc.

3) Belief that the river is not under any imminent threats of development or degradation.

4) Belief that existing laws and regulations are adequate to protect the river.

Some individual citizens and members of conservation organizations were in favor of special protection for the Ogeechee. They expressed concern that without additional protection the river would be subject to incremental development which would ultimately destroy its outstanding natural resources.

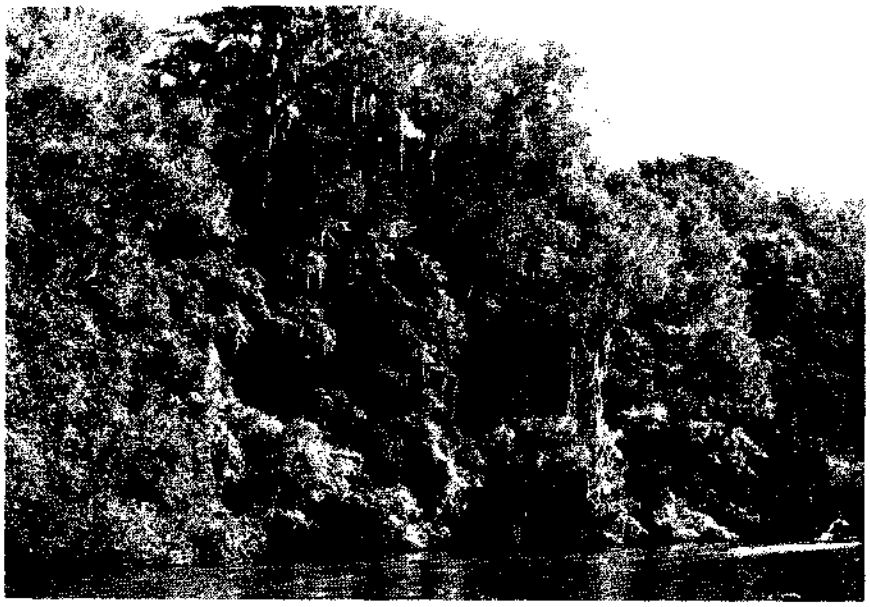
Of general agreement was the concern expressed about possible increases in pollution if more industrial development occurred on the river. If the threat of industrial pollution does become a significant issue in the future, public support for additional governmental protection of the river could increase.

State and Local Government Interest in River Protection and Management

The Ogeechee River has been noted for its scenic beauty and high quality natural resource values in previous state and local planning reports and documents. However, in view of the strong public opposition to additional governmental protection of the river, and the severe budgetary constraints facing both state and local governments, neither the State of Georgia nor the local county governments are able to undertake protection and management of the river at this time.

Conclusion

There is a very limited amount of publicly-owned land along the Ogeechee River, and there is no strong public support for designation. Because of these two factors, in conjunction with budgetary constraints, protection and management of the river by federal, state, or local governments is not feasible. Therefore, the Ogeechee River is not suitable for designation at this time.



IV. THE RIVER ENVIRONMENT

The Ogeechee River flows through 15 counties over its 245-mile course from its headwaters in Greene County to its mouth at Ossabaw Sound. To facilitate the presentation and discussion of resource information, these 15 counties comprise the general study region for the river. Where appropriate the description and discussion will be limited to the river area itself, meaning the river and the adjacent land area within 1/4-mile of each river bank.

Location and Access

The Ogeechee River drains approximately 5,540 square miles of predominantly rural southeast Georgia. (See Location Map, page 3) The largest city within the study region, the Savannah Standard Metropolitan Statistical Area, had a 1980 population of 230,728. Statesboro is the only other major population center near the river. The Atlanta Metropolitan area with a population of more than 2,029,710, lies approximately 150 miles northwest of the center of the study region.

Several major highways provide access to the region. Interstates 20 and 16 provide east-west access to the northern and southern parts of the study region respectively. Heavily travelled I-95 provides north-south access to the southern part of the study region, crossing the Ogeechee just west of Savannah. Commercial jet service is available at Savannah.

Population

Between 1930 and 1950 population in the predominantly rural Ogeechee watershed declined steadily. Population trends have followed those in the southeast and the rest of the nation, with migration from rural to urban areas. However, between 1970 and 1980 all counties in the Ogeechee study region except Taliaferro and Warren showed significant population gains.

Savannah is a major service and processing center for much of the Ogeechee region. Expansion of Savannah and the Fort Stewart-Hinesville area are expected to place additional developmental pressures on the lower Ogeechee region.

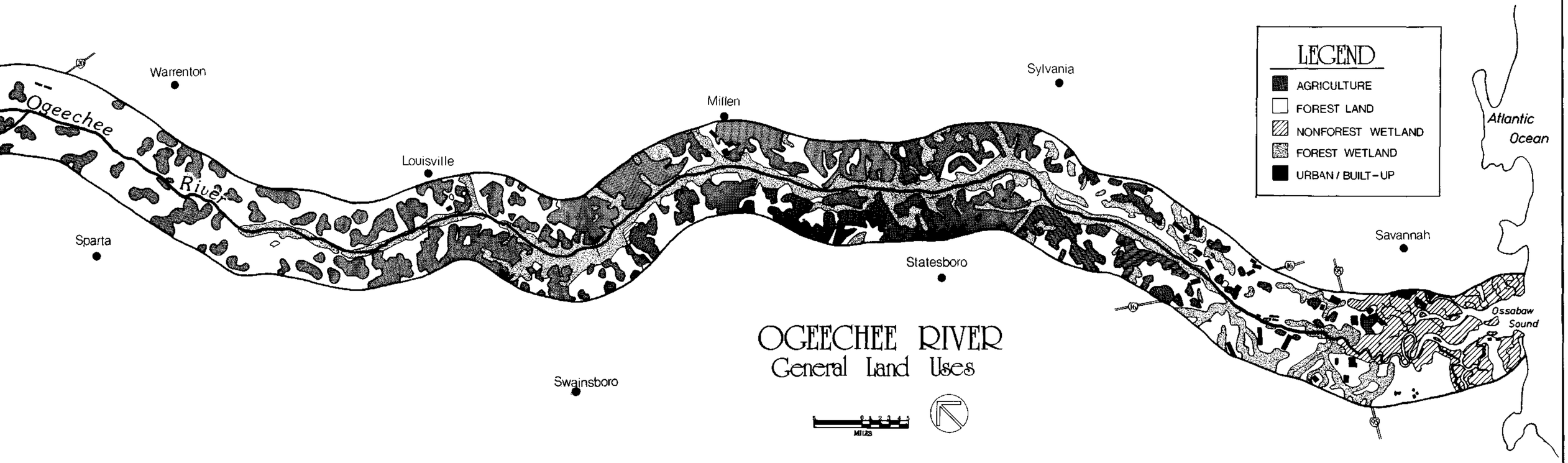
Landownership and Use

Land Use

The General Land Uses Map depicts the land uses existing within a 5-mile corridor on either side of the Ogeechee River. Agriculture and forestry are the principal land uses within the river area. The major

OGEECHEE RIVER STUDY REGION
COUNTY POPULATIONS

COUNTIES	1970	1980	CHANGE 1970-1980
Bryan	6,539	10,175	+56
Bulloch	31,585	35,785	+13
Burke	18,255	19,349	+6
Chatham	187,767	202,226	+8
Effingham	13,632	18,327	+34
Emanuel	18,189	20,795	+14
Glascock	2,280	2,385	+5
Greene	10,212	11,391	+12
Hancock	9,019	9,466	+5
Jefferson	17,174	18,403	+7
Jenkins	8,332	8,841	+6
Screven	12,591	14,043	+12
Taliaferro	2,423	2,032	-16
Warren	6,669	6,583	-1
Washington	17,480	18,842	+8



OGEECHEE RIVER
General Land Uses

crops produced in the region are corn, cotton, tobacco, peanuts, and soybeans. Favorable soil and climatic conditions combine to make Georgia one of the top timber producing states in the Nation, and most of the forest land in the river area is actively managed for timber production.

Because the flood plain swamps adjacent to the river have presented a natural barrier to development, the river has remained in a near-natural condition. The extensive cypress-gum swamps range from a half-mile to over a mile wide on either side of the river. Most of the swamp hardwoods have been commercially harvested in the past and are still actively managed for timber production. Stream-side development is limited to cottages and cabins located at points where high ground abuts the river. On the whole, however, the river area is an essentially natural environment.

The only stream-side development of major significance is on the south bank of the river near the coast. The combination of high ground and the proximity of Savannah have encouraged subdivision development in the vicinity of Richmond Hill.

No major changes to the existing land use patterns in the study region are expected in the future, other than some expansion of the existing urban areas. The greatest pressure for development will continue to be along the coastal portion of the river due to the proximity of Savannah and Ft. Stewart.It is probable that most of the high land on the south bank of the river below I-95 will be developed with single-family residences. The north bank is almost all marsh and is not likely to be developed.

Landownership

The Georgia Department of Natural Resources conducted a landownership survey of the entire Ogeechee River in 1977. The survey found that approximately 94 percent of the Ogeechee River is privately owned. About 45 percent of the river frontage is owned by corporations engaged in commercial timber production.

Public ownership of the Ogeechee is limited to the following sites, which are all located on the 145-mile portion of the river found eligible for designation:

Ossabaw Island (State of Georgia)	4 miles
Richmond Hill State Park (State of Georgia)	.25 miles
Ft. McAllister Historic Site (State of Georgia)	.25 miles
Ft. Stewart (U.S. Department of Defense)	10.5 miles
King's Ferry Park (Chatham County)	.25 miles
	15.25 miles

In addition to the above sites, the Department of Natural Resources owns a small amount of frontage at seven boat ramps it operates on the Ogeechee. The Ogeechee Wildlife Management Area in Hancock County is leased by the State. The lease is annually renewable.

Natural Resources

Physiography/Geology

The Ogeechee River flows through two major physiographic provinces, the Piedmont and the Atlantic Coastal Plain. The Atlantic Coastal Plain is further divided into the Upper Coastal Plain and Lower Coastal Plain.

The Ogeechee originates in the Piedmont at an elevation of approximately 650 feet. The Piedmont is an area of deeply weathered crystalline rocks formed during the Paleozoic period. These rocks consist of ancient sediments injected by granites and related rocks. The sediments that once were sandstones, limestones, and shales are now marbles, quartzites and schists. The dense geologic formations do not transmit water freely except along fault zones where the rock has been broken by earth movements.

For the next 100 miles after leaving the Piedmont the Ogeechee flows through the Upper Coastal Plain. After crossing into the Coastal Plain the river ultimately assumes the nearly level channel common throughout the remainder of its course to the Atlantic Ocean. The Coastal Plain is composed of layers of silt, sands, limestones, and clays. Rainfall is readily absorbed by the sands and silts, but becomes confined in limestone deposits due to the presence of less permeable materials above and below the waterbearing deposits.

The last 100 miles of the Ogeechee flow through the Lower Coastal Plain, which consists of a series of relic barrier beaches and lagoon formations. Widely scattered swamps and poorly drained soils are associated with what was formerly a lagoon-marsh. Areas of sandy land are intermingled with bays or depressions containing organic matter that stays wet much of the time.

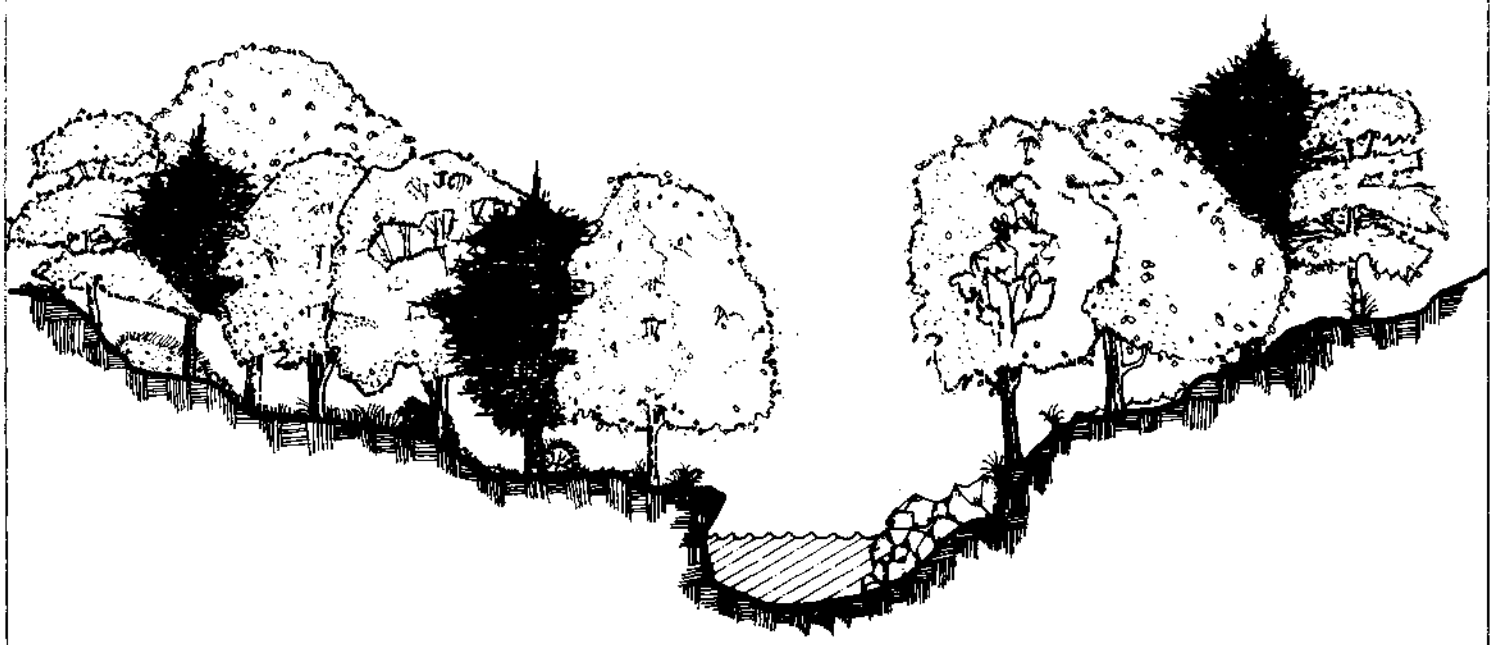
Minerals

The mineral resources of the Ogeechee river basin contribute little to the economy of the region. In the northern part of the study region development is limited to a rock-crushing plant and a few kaolin mines. Phosphates underlie much of the Coastal Plain portion of the river. Toward the coast, these deposits become intermixed with heavy metal ores of thorium, titanium, and zirconium. Because they cannot be extracted economically, it is unlikely that these heavy mineral deposits will be mined in the forseeable future.

In the Atlantic Coastal Plain the artesian aquifer and its groundwater are the area's most important mineral resource. Public water supplies within the Atlantic Coastal Plain are all developed from this aquifer.

TYPICAL OGEECHEE RIVER SECTION

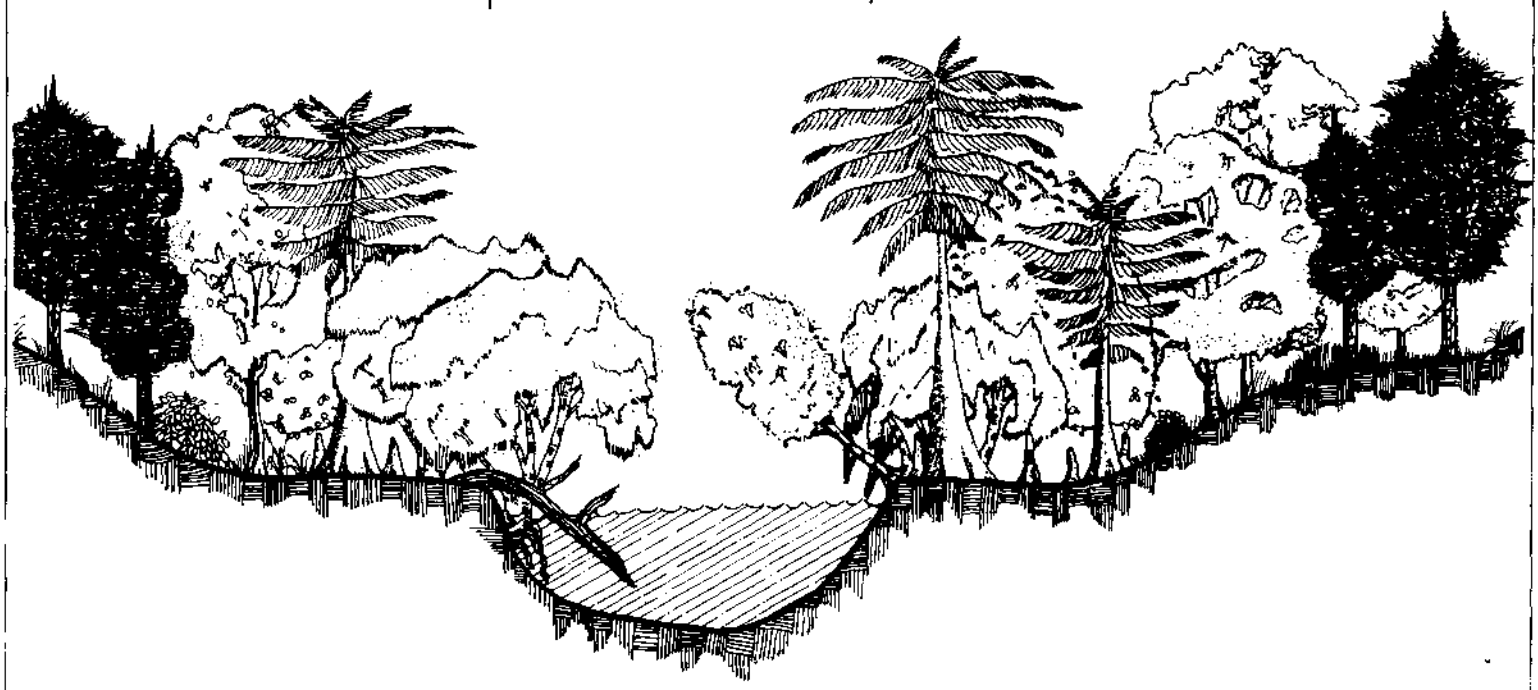
DENSE OAK-PINE WOODLANDS	RIVER CHANNEL	FORESTED RIDGE
• ROLLING LANDSCAPE • AGRICULTURE & TOWNS NEAR CHANNEL • OAK-PINE FOREST REGION • LOWER PIEDMONT COMPRISES UPPER 30 MILES OF THE RIVER	• NARROW, SHALLOW CHANNEL WITH SHOALS & RAPIDS • LIMITED FLOODPLAIN	• HEAVILY FORESTED RIDGES AND BLUFFS PENETRATE CORRIDOR • IGNEOUS & METAMORPHIC ROCK FORMATIONS



LOWER PIEDMONT SEGMENT

TYPICAL OGEECHEE RIVER SECTION

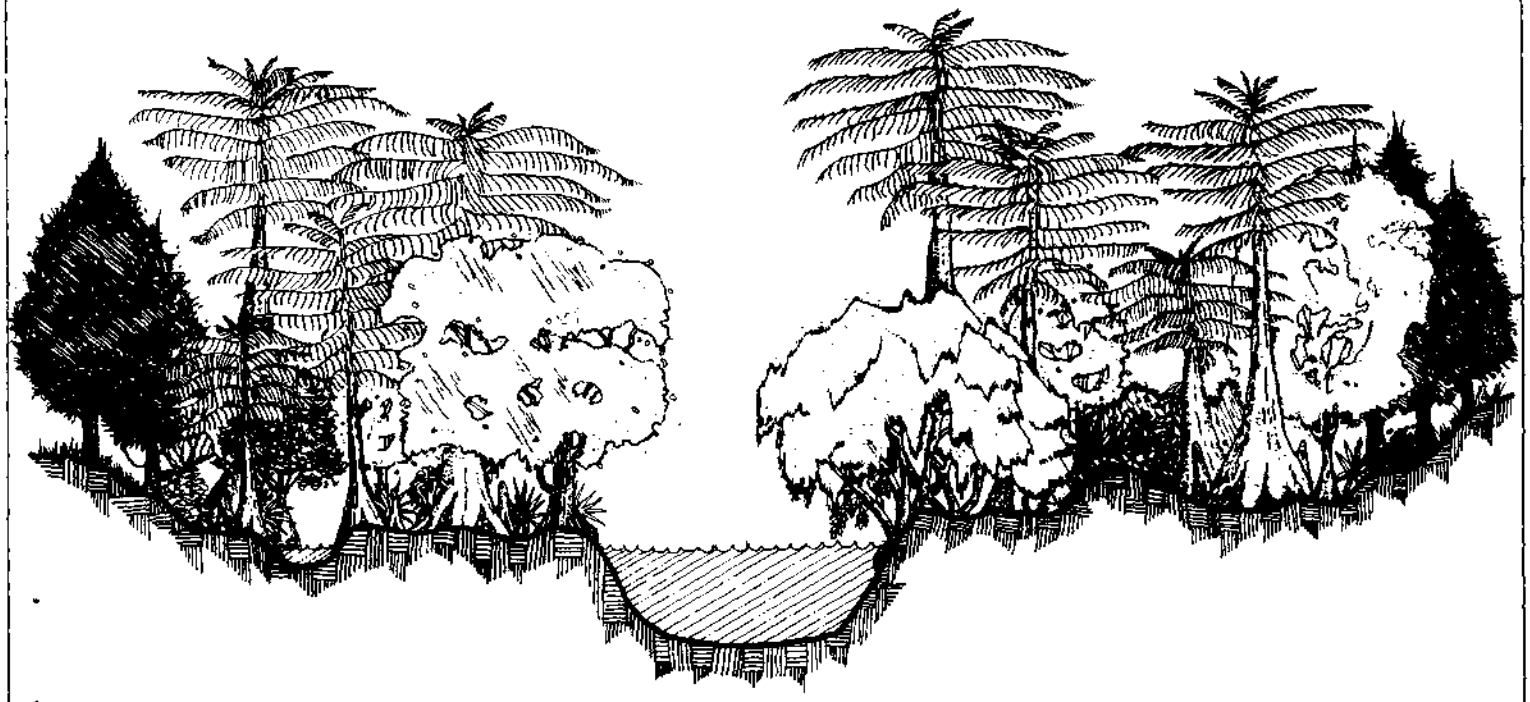
PINE WOODLANDS	RIVER SWAMP	RIVER CHANNEL	RIVER SWAMP	PINE WOODLANDS
• EXPOSED PINE FORESTS FORM LARGE EXPANSES OF TIMBER	• CYPRESS TREES APPEAR IN NARROW SWAMP COMMUNITY • OXBOW LAKES, SLOUGHS FORM	• MEANDERS OCCUR FREQUENTLY • WILLOWS FLOURISH WHERE SEDIMENT BEGINS TO FILL • SEDIMENTARY GEOLOGIC STRATA	• ABUNDANT CANOPY OF HARDWOODS: CYPRESS, OAKS, TUPELO GUM	• SE EVERGREEN REGION • PAPER COS. OWN MUCH OF LAND ADJACENT TO RIVER



UPPER COASTAL PLAIN SEGMENT

TYPICAL OGEECHEE RIVER SECTION

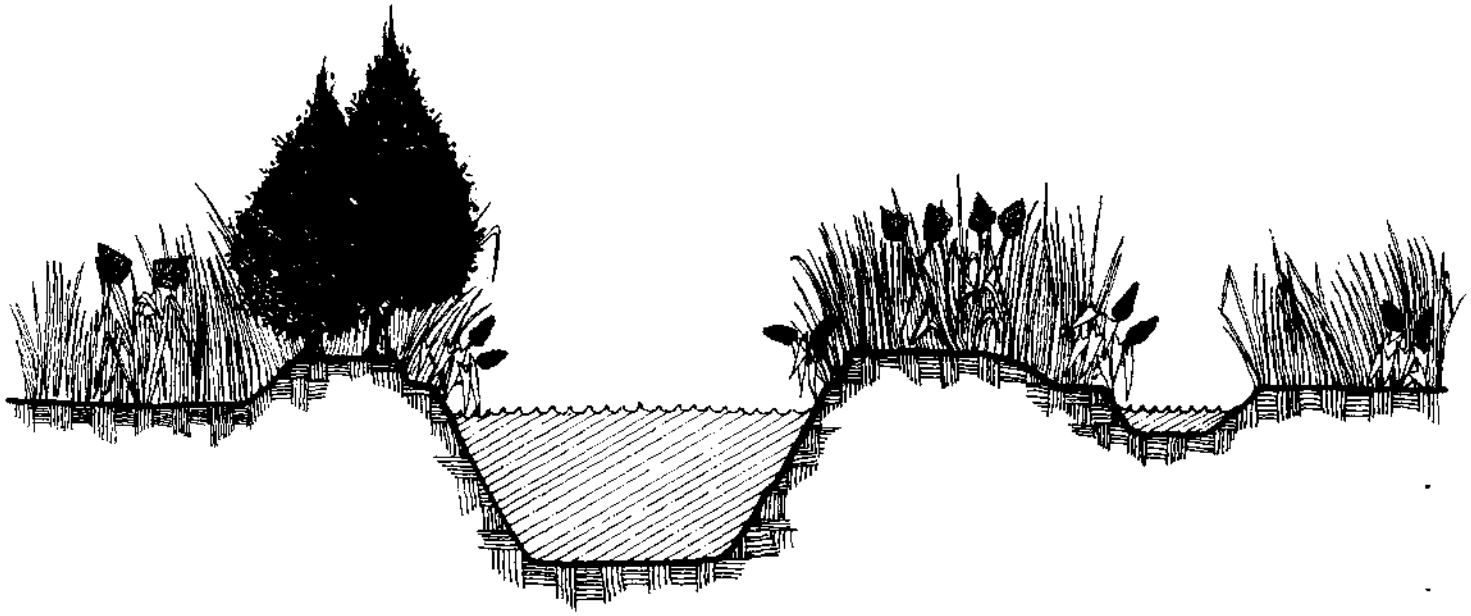
PINE UPLANDS	RIVER SWAMP	RIVER CHANNEL	RIVER SWAMP	PINE UPLANDS
• SOUTHERN PINE ARE THE MOST POPULOUS SPECIES; MUCH OF IT BEING MANAGED	• WIDER SWAMPS AND FEW ACCESS POINTS DISCOURAGE DEVELOPMENT ON RIVER • EVERGREEN OAK REGION, MAINLY OF LIVE AND LAUREL OAK (& CYPRESS) CANOPY • SLOUGHS AND PONDS ARE COMMON IN AREAS OF STANDING WATER	• LARGE MEANDERS WIND CONTINUOUSLY • CHANNEL WIDENS AND NARROWS UNPREDICTABLY	• TREES WITH SWOLLEN-BASED TRUNKS ARE TYPICAL HERE • SECONDARY CANOPY: WILLOW, RIVER BIRCH, RED MAPLE, SWEET GUM, WATER HICKORY, etc. • THICK UNDERSTORY CONSISTS OF PALMETTO, HORNBEAM, PRIVET, TRUMPET VINE, HOLLY, etc. • SAND RIDGE DIVIDES SWAMP	• WOODLANDS ARE MIXED WITH SWAMP COMMUNITIES



LOWER COASTAL PLAIN SEGMENT

TYPICAL OGEECHEE RIVER SECTION

TIDAL MARSH	LEVEE	RIVER CHANNEL	LEVEE	TIDAL MARSH
• SPARTINA IS THE PREDOMINANT CORD GRASS THAT MAKES UP THE MARSH	• A THIN NATURAL LEVEE SUPPORTS SPARSE POPULATION OF TREES (MAINLY CEDARS), UNTIL SALINE CONTENT BECOMES TOO HIGH NEAR SOUND	• CHANNEL IS MUCH WIDER AND DEEPER • MUD FLATS OCCUR FREQUENTLY • AVERAGE TIDAL DIFFERENCE IS 6 FT. NEAR SOUND	• THE GRAIN MILLET IS FOUND ON SLIGHTLY ELEVATED TIDAL AREAS • LEVEE IS CREATED BY DEPOSITION OF SEDIMENT FROM TIDEWATER'S RISE AND FALL	• FLOWERING PICKEREL WEED THRIVES NEAR THE WATER'S EDGE • THE TIDAL MARSH, TEEMING WITH LIFE, IS ONE OF THE MOST ACTIVE ECOSYSTEMS KNOWN TO EXIST • MAN-MADE CANALS OUTLINE HISTORIC RICE FIELDS



COASTAL MARSH SEGMENT

In recent years increased goundwater usage on the coast has caused a sharp decline in the coastal artesian water levels. To date in terms of the Ogeechee River basin, this decline has not caused a problem for the area's water users other than the necessity of installing pumps where artesian flow is no longer sufficient, and the lowering of pump intakes in those wells affected by the water level decline.

Soils

The soils of the Piedmont portion of the river area were developed from weathered igneous and metamorphic rock. Red soils with silt and silty clay textures predominate. Stained muddy waters are characteristic of Piedmont streams. However, since the Ogeechee only flows through about 45 miles of the Piedmont before crossing into the Atlantic Coastal Plain, it quickly loses any silt acquired in the Piedmont.

In the Upper Coastal Plain section of the river, soils are sandy due to the sandy nature of the parent material. These soils are well drained in the upland areas away from the river. Because the upland soils are capable of growing many types of crops, the Upper Coastal Plain is the most extensively cultivated in Georgia. In the immediate area of the river, flood plain soils are poorly drained and subject to seasonal flooding.

The nearly level terrain of the Lower Coastal Plain results in a wide flood plain swamp with poorly drained soils. While upland soils are sandy, the soils in swamps and low-lying depressions contain organic matter that stays wet much of the time.

Climate

The Ogeechee study region is characterized by long hot summers and mild winters. During a typical January day temperatures in the region will range from 40°F to 62°F, and in July from 70°F to 93°F. The frost-free growing season ranges from 220 days in the Piedmont to 280 days along the coast.

Rainfall averages 45 inches in the northern part of the region to 52 inches along the coast. Generally, rainfall is well distributed.

The mild climate and ample rainfall of the study region result in a highly productive agriculture and rapid timber production. The mild climate also makes outdoor recreation activities possible on a year-round basis.

Flow Characteristics

There are no storage reservoirs, hydroelectric plants or stream diversions on the Ogeechee River. Streamflow varies considerably within a year and is typically high in the winter and early spring. Flows remain generally low from summer through autumn. Tidal effects extend upstream to just above the junction of the Ogeechee and Canoochee. The salt-water wedge extends nearly as far.

There is one active U.S. Geological Survey gauge taking flow measurement on the Ogeechee. The gauge is located at Eden in Effingham County. In any given year average monthly flows, as measured at Eden, will approach 5,000 cfs and decline below 1,000 cfs. Average stream temperature ranges from 9°C in January to 28°C in July.

Water Quality

With no major towns and only a few industries along its banks, the Ogeechee River is noted as one of the cleanest rivers in Georgia. There are only 25 significant point source wastewater discharges in the entire Ogeechee Basin. Of these, 18 are municipal, 2 are private, and 3 are industrial discharges. There are two industries and two municipalities which discharge effluent directly into the Ogeechee River itself.

The State of Georgia has established water use classifications and water quality standards for the state's waters to guide the issuance of permits for discharges. Specific water quality standards apply to each of the nine classifications used. The Ogeechee is classified as "recreation" from its mouth to the U.S. Route 17 bridge in Chatham County. The remainder of the river is classified as "fishing." Waters classified as "recreation" are suitable for swimming and similar activities. Standards for waters classified as "fishing" are not as stringent, but are suitable for propagation of fish and other aquatic life.

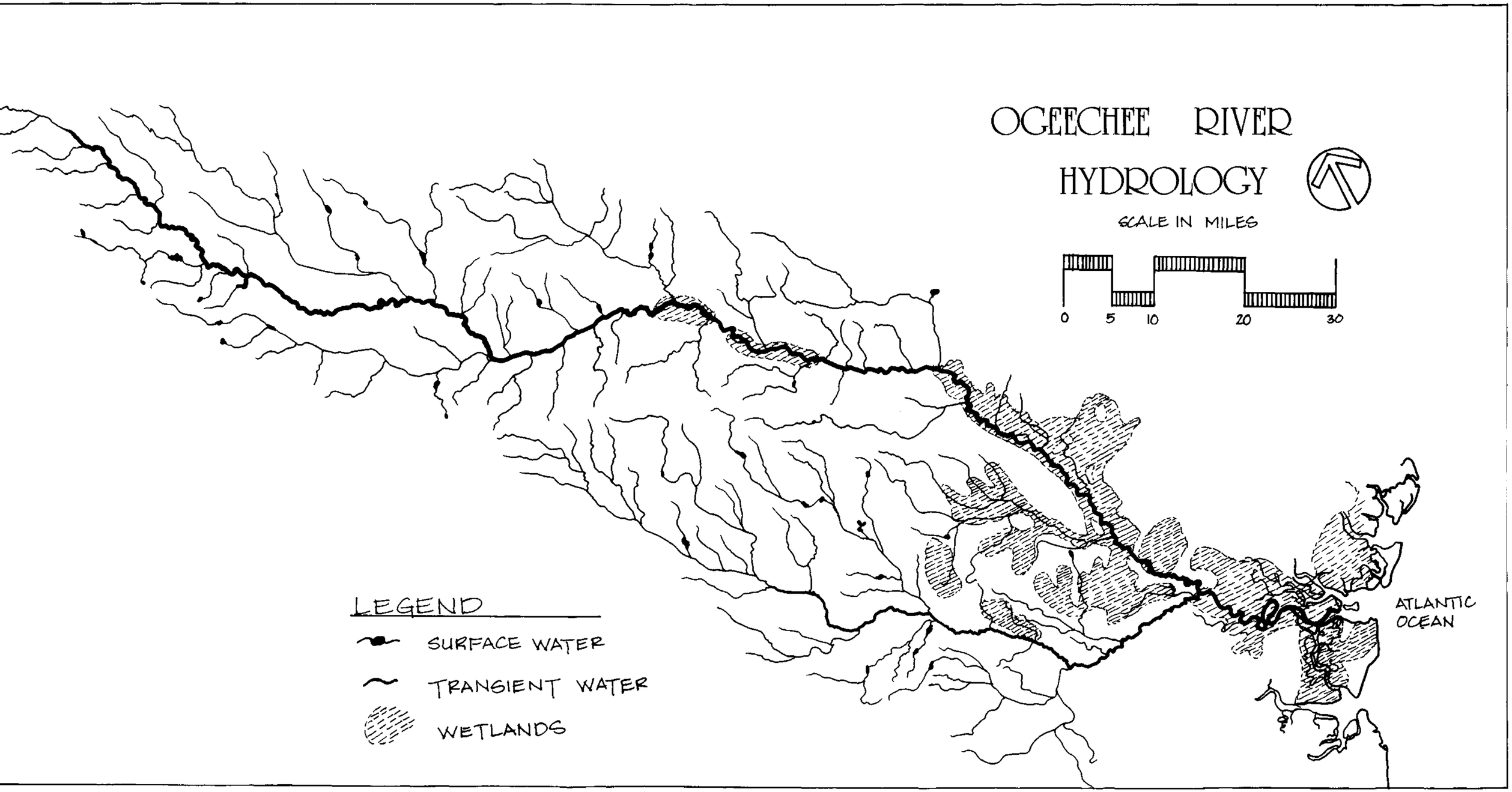
Based on intensive sampling surveys taken in 1977, as well as data from water quality monitoring stations, the actual water quality conditions of the Ogeechee are well within the classification standards.

Vegetation

The physiographic regions which the Ogeechee flows through are useful for identifying the major vegetation types as well as identifying geological and topographic features of the river.

Pine forests are the most extensive cover in the Ogeechee study region. The pine forests can be found anywhere in the study region except in the hardwood dominated river flood plains or areas of coastal marsh. The pine forest is a subclimax forest maintained by clearing, lumbering, burning and replanting.

After the Ogeechee crosses the Fall Line, it exhibits characteristics typical of both Coastal Plain blackwater and Coastal Plain alluvial streams. Like blackwater streams the river's water is the color of weak tea caused by tannic acid stains from tree roots and decaying vegetation. Unlike a typical blackwater stream, however, the Ogeechee flows between clay banks, 2 to 4 feet high. An occasional bluff rises from the streamside as the Ogeechee flows through extensive flood plain swamps of the very wet cypress-gum community.


OGEECHEE RIVER
HYDROLOGY
SCALE IN MILES
0
5
10
20
30
LEGEND
SURFACE WATER
TRANSIENT WATER
WETLANDS
ATLANTIC OCEAN

These swamps were created by the erosion of Piedmont soils and Coastal Plain uplands resulting in the deposit of a fine alluvium on the flood plain of the Ogeechee. Periodic inundation of these alluvial deposits has resulted in a dense hardwood forest along the river which is as much as 3 to 4 miles wide in places. This flood plain swamp extends from just above the coastal marsh to approximately 150 miles upstream. The most numerous species are cypress, black and tupelo gums, maple, ash, oaks, palmetto and Ogeechee Lime.

Tidal influences extend upstream for 30 miles, to just above the junction of the Canoochee and Ogeechee Rivers. The salt water wedge extends nearly as far depending on the flow of the stream. Large flat expanses of coastal marsh appear at the Seaboard Coastline railroad crossing (river mile 27) and extend to the Atlantic Ocean. Vast virgin gum-cypress tidewater swamps on the Ogeechee Delta were destroyed around 1800, and converted to rice plantations. Although rice production has long ceased, the dikes are often maintained so that old fields can be used as winter refuges for waterfowl.

The Ogeechee corridor includes the ranges of eight plant species considered to be endangered or threatened by the State or Federal Government. These species include:

Amphianthus pusillus (Amphianthus)
Elliottia racemosa (Elliottia, and Georgia Plume)
Hymenocallis caroliniana (Spider-Lily)
Litsea aestivalis (Pond-Bush and Pond Spice)
Sarracenia flava (Fly-catchers, Golden Trumpet, Trumpet Leaf)
Sarracenia minor (Hooded pitcher plant)
Sarracenia psittacina (Parrot Pitcher plant)
Sarracenia rubra (Sweet Pitcher plant)

Fish and Wildlife

Because of its excellent water quality, the Ogeechee supports a valuable sport and commercial fishery. The fish population is in an excellent balance composed primarily of largemouth bass, redbreast sunfish, black crappie, bluegill and channel catfish. The river is important to anadromous species including striped bass, sturgeon, and the commercially valuable American shad. The snags, roots and stems in the river support a tremendous insect fauna that serves to feed the river's gamefish. The estuary serves as a nursery ground for shrimp, blue crab, and many marine fish species.

Wildlife is abundant in the virtually undeveloped river corridor. Beaver, otter, raccoon, mink, deer, several varieties of turtles, numerous snakes and many birds, ranging from waders to songbirds, are common. Alligators are common in the wetlands, creeks and canals of the lower Ogeechee.

The State leases some 24,000 acres in Hancock County for wildlife management purposes. Most of the Ogeechee Wildlife Management Area either borders the river or is located in the immediate vicinity of the

river. An analysis of the entire Ogeechee River corridor revealed that virtually the entire corridor above I-95 offers excellent potential for wildlife management areas.

At the mouth of the Ogeechee, Ossabaw Island (including Raccoon Key and Egg Islands) has been designated a State Heritage Preserve. Ossabaw provides general habitat for various shorebirds, wading birds, and songbirds, as well as the bald eagle. The island also supports a concentration of wild turkey and whitetail deer.

There are 10 wildlife species and one fish species, whose ranges include the Ogeechee River, that are considered by either the State or Federal Government to be endangered or threatened.

Geomys fontanelus (Sherman's Pocket Gopher)
Trichechus manatus latirostris (Manatee)
Campephilus principalis (Ivory-Billed Woodpecker)
Dendroica kirtlandii (Kirtland's Warbler)
Falco peregrinus tundrius, Falco peregrinus anatum (Peregrine Falcon)
Haliaeetus leucocephalus leucocephalus (Southern Bald Eagle)
Pelecanus occidentalis carolinensis (Eastern Brown Pelican)
Vermivora bachmanii (Bachman's Warbler)
Alligator mississippiensis (American Alligator)
Drymarchon corais couperi (Indigo Snake)
Acipenser brevirostrum (Shortnose Sturgeon)

Species of "Special Emphasis" to the U.S. Fish and Wildlife Service that are present in the study area include wood ducks, mallards, black ducks, ospreys and stripped bass.

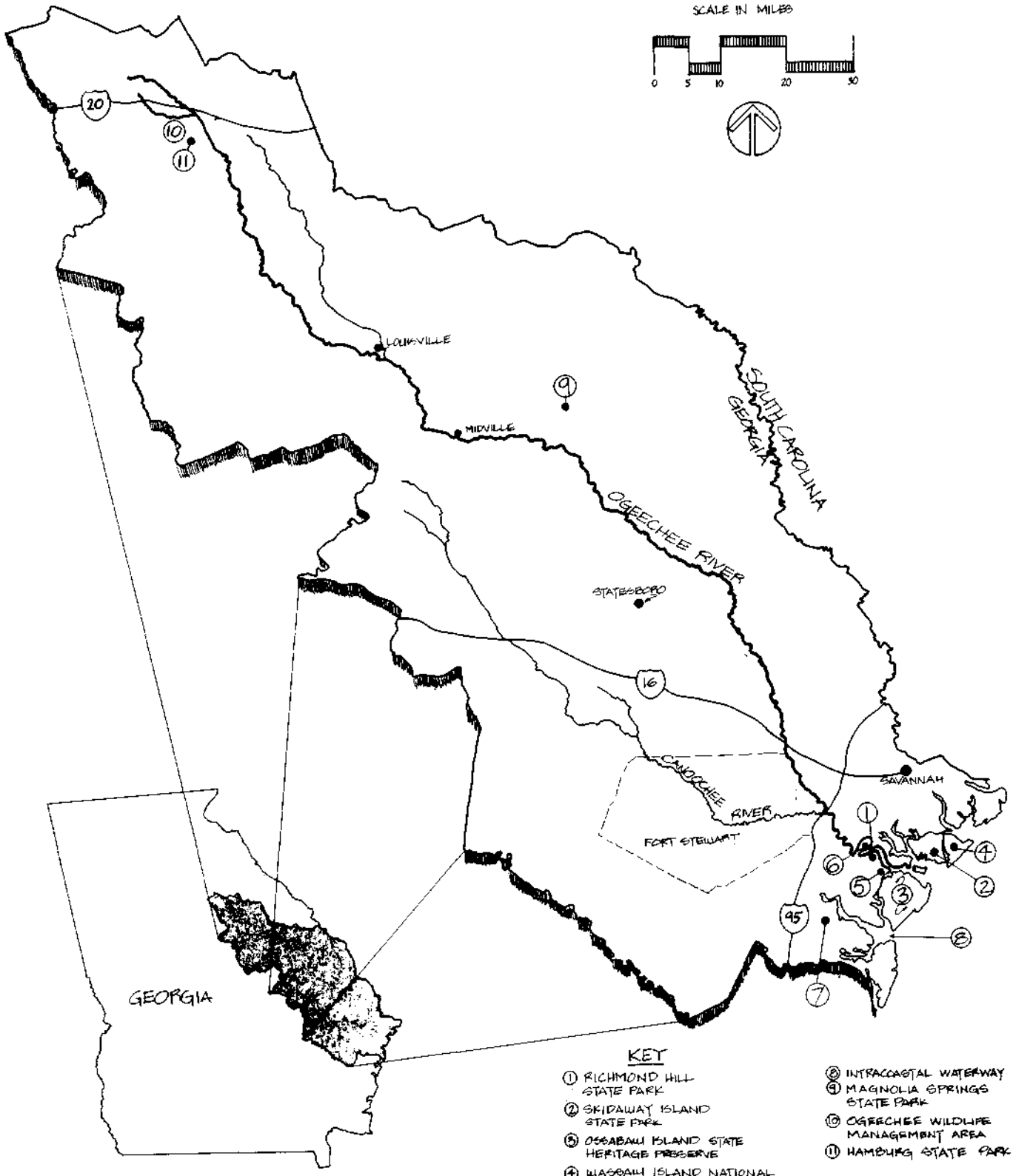
Recreation Resources

The primary recreational uses of the Ogeechee are fishing and boating, hunting, nature study, swimming and camping. The river has few recreation areas that are publicly owned. The Georgia Department of Natural Resources operates seven boat ramps at bridge crossings. Richmond Hill State Park and King's Ferry Park (Chatham County) are the only publicly owned outdoor recreation areas of any size that front the river. The State park's primary orientation is historical as it is the location of Fort McAllister, a Civil War fortification built to protect the southern approach to Savannah.

King's Ferry Park at the U.S. 17 crossing provides river access with a multiple lane boat ramp and a small swimming beach. Several privately-owned campgrounds and fish camps provide additional river-oriented recreation opportunities. Unspecified areas used for fishing, boating, swimming and nature study form an important part of the public recreation accommodation.

Some canoeing takes place on the white water section (Class I and II) of the river near Jewell in Warren County. This is limited to periods following substantial rains. Recreational use of the section between

OGEECHEE RIVER SIGNIFICANT FEATURES



KEY

1. RICHMOND HILL STATE PARK
2. SKIDAWAY ISLAND STATE PARK
3. OSSABAW ISLAND STATE HERITAGE PRESERVE
4. WASSAW ISLAND NATIONAL WILDLIFE PRESERVE
5. FORT McALLISTER
6. SEVEN MILE BEND HISTORIC SITE
7. FORT MORRIS RECREATION AREA
8. INTRACOASTAL WATERWAY
9. MAGNOLIA SPRINGS STATE PARK
10. OGEECHEE WILDLIFE MANAGEMENT AREA
11. HAMBURG STATE PARK

USDI - NPS - April 1983

Jewell and Midville is primarily fishing. The small size of the stream combined with the numerous snags and fallen trees make boating difficult. Downstream of Millen boating use increases with the size of the river. Fishing remains the main activity, along with some canoeing. Sandbars and islands located in this lower section offer occasional opportunities for camping. Below the confluence with the Canoochee power boating also occurs on the river.

Hunting occurs throughout most of the Ogeechee River corridor, although the only public hunting area is the Ogeechee Wildlife Management Area leased by the State in Hancock County (see the discussion of Fish and Wildlife resources).

Cultural Resources

Prehistory

The coastal area of the Ogeechee has numerous archaeological sites showing that humans have occupied this area for the past 10,000 years. It is difficult to prove the length of human occupation in the coastal areas because changing sea levels quickly destroy archaeological remains. Evidence indicates that the aboriginal culture had an extensive agriculture, cultivating corn, beans, pumpkins and other crops before contact with Europeans. Shellfish were an important component of the Indian diet as shown by the presence of shell heaps and middens.

Seven Mile Bend, located in Bryan County, is the site of a large proto-historic coastal Lamar Village. Known locally as Bryan's Neck or Arnold's Point, the 1/2-mile long peninsula's prehistoric components represent one of the most extensive expressions of proto-historic Indian culture ever encountered on the Georgia Coast. Seven Mile Bend is listed on the National Register of Historic Places.

History

European influence reached the Ogeechee area in the 1560's as the Spanish established a series of forts, missions and settlements along the Georgia coast. These missions would preserve Spanish influence for more than a century, in spite of periodic destruction during conflicts with the Indians.

In 1685 the English forced the Spanish to leave Georgia and retreat to northern Florida. By the early 1700's English traders from the Carolinas were visiting the coastal and interior areas of the Ogeechee.

Oglethorpe arrived in 1733 establishing the colony of Georgia at Savannah. By the time of the Revolutionary War a number of thriving agricultural communities existed along the Georgia coast including Richmond Hill on the Ogeechee. Settlement of the upper Ogeechee began around 1773 when more than two million acres of Creek and Cherokee lands were ceded in payment of Indian debts to the traders. During

this period an Indian trail that traversed the belt of Fall Line Sand Hills crossing the upper Ogeechee was a major trading route for Indians and traders between what is now Augusta, Georgia, and the Creek Nation in Florida.

After the Revolutionary War farmlands and coastal plantations along the Ogeechee that had been abandoned during the war were quickly reestablished. Some of the interior lands along the Ogeechee were distributed to soldiers who fought in the War. The 1785 Treaty of Galphinton obtained the remaining Indian lands in the Ogeechee watershed for American settlement.

As a result of the westward population shift the State capital was moved to Louisville on the upper part of the Ogeechee in 1796. Louisville was the capital until 1804, when continuing population shifts resulted in another change.

In the early 1800's the lower Ogeechee became a prosperous agricultural center. Riverfront plantations along the lower part of the river produced rice and cotton. Cotton production increased in the upper Ogeechee area as well, after the invention of the Cotton Gin in 1793.

Railroads were constructed to the interior portion of the Ogeechee in the 1830's and 1840's providing additional stimulus to the areas agrarian economy.

The Civil War devastated much of the Ogeechee area, as Sherman crossed through the region on his march to Savannah. After the War the region's agricultural economy was severely depressed. Sharecropping became a dominant method of farming, lasting until well past the turn of the century.

The boll weevil invasion after World War I caused a severe economic setback to the area as well as the rest of the South. This setback encouraged migration away from the area's farms, a trend that has continued throughout the 20th century.

Agriculture still dominates the economy of the Ogeechee area today, with the principal crops being corn, tobacco, cotton, peanuts and soybeans. Livestock and poultry production have become increasingly important sources of farm income. Much of the Lower Coastal Plain portion of the Ogeechee has become an important pulpwood producing area.

V. A GUIDE TO RIVER CORRIDOR PROTECTION

Although there is strong public opposition to federal or State management of the Ogeechee, there is nevertheless substantial interest among many landowners and other private citizens in preventing industrial pollution, and in preserving the river's outstanding scenic and recreational values. Based on the public input received during the course of the study it is obvious that local government and private initiatives are the most viable means of protecting the Ogeechee River at this time.

Local goverments can provide some measure of protection for the river through their planning and zoning authorities. Because the Ogeechee is located in a primarily rural area, most of the counties through which the river flows do not have zoning ordinances. Most of the development along the river is occurring near the coast. Effingham , Bryan and Chathan Counties do have zoning ordinances and subdivision regulations which can, to some degree, guide development along the river.

However, since the type of protection that zoning provides is limited and since most of the river has no zoning, preservation of this river will have to rely heavily on private initiatives.

The Georgia Conservancy, and to a limited extent, the Nature Conservancy, are actively pursuing the acceptance of donated conservation eastments for lands adjacent to the Ogeechee River.

A conservation easement (sometimes called "scenic easement") is a legal tool which is available to landowners to insure that their land will be kept in its natural condition when they are no longer in a position to manage it personally. The conservation easement is a legal restriction that property owners place on their land. The restriction is legally binding on present and future owners of the land.

Under the Georgia Conservancy's program, conservation easements that would prevent the degradation of the Ogeechee River's outstandingly remarkable scenic and recreational values would be negotiated with individual landowners along the river. Restrictions on certain kinds of activities such as dredging and filling, cutting timber along the edge of the river and the location and extent of construction activities would be flexible so long as such activities do not contribute to the degradation of the river's resources.

By accepting such conservation easements, the Georgia Conservancy intends to provide protection for the river's resources in perpetuity. An endowment fund has been established to insure the long-term oversight of the easement. Such a program should help local landowners protect their property rights while simultaneously protecting the river for the benefit of present and future generations in this country.

One of the incentives for landowners to voluntarily donate conservation easements is the potential tax benefits that could be derived under applicable Federal, State or local regulations. Donated easements may qualify as charitable contributions if they meet the terms of Internal Revenue Service regulations.

A 145-mile segment of the Ogeechee River has been found to have outstandingly remarkable scenic and recreational values of national significance. A non-profit management agency or similar organization such as the Georgia Conservancy could serve as the vehicle to protect the river's existing natural, cultural, scenic and recreational resources for future use and enjoyment by the general public. Such protection of the Ogeechee River could provide a significant public benefit.

Following is a general description of different approaches which can be used to provide protection for a river. This description is included to stimulate discussion and to aid private landowners, citizens and organizations in analyzing the options available to them for preserving the Ogeechee River.

A. River Management Approaches

The following discussion describes how one or more public and private interests might work together to protect the values of the Ogeechee River. The approaches are not mutually exclusive but can be combined and changed to provide the best possible management approach. They are presented to demonstrate concepts used for river corridor planning and management and to stimulate further interest in protecting the Ogeechee River.

Public Agency - River protection could center around public agency initiative at either the State and/or local level. Existing laws could be applied as the authority for such action. Multi-county agreements could promote parallel regulations and controls, taking into account each jurisdiction's own development goals and needs, existing land use, and natural and scenic features deserving attention. Such agreement would create uniform standards for the preservation, management, prudent development and use of the river corridor.

Interagency Authority - An intergovernmental organization, composed of a combination of concerned state or local agencies could be set up to manage the river. This could be a River Corridor Commission composed of representatives from the counties, representative private landowners, local interest groups, the regional planning and development councils, and the State of Georgia.

The Commission would administer the corridor and be empowered to adopt, prepare and implement a river management plan; establish a planning and zoning commission; levy taxes and/or user fees; enter into contracts and agreements and accept all funds; acquire, dispose of and encumber real and personal property; participate in federal/state loan and grant programs; operate and maintain areas and facilities to serve the purposes of the commission; appoint citizen advisory committees; control erosion and water pollution; approve, implement and enforce land use controls such as zoning ordinances and subdivision regulations; and hire and retain employees and consultants.

Nonprofit Agency - A nonprofit management agency or similar organization could serve as an open-minded mediator between the numerous diverse interests of landowners, industry and government. This approach could be realized in the form of a River Corridor Foundation, a nongovernmental, tax-exempt, nonprofit corporation organized and operated for the benefit of the general public. Generally a foundation is supported by donations, grants, gifts, loans, fund-raising efforts, and membership fees.

A foundation could offer permanent protection to selected areas along the river by accepting gifts of land or rights in land, offering tax benefits to those who donate land or rights in land, rendering technical assistance to landowners by helping them develop long-range plans for the conservation of part or all their property, accept gifts of land or rights in land, and then transfer them to a public managing agency, using gifts for matching purposes in obtaining grants, and setting up a revolving fund where the foundation purchases land, holds it for a time, and then sells it with certain restrictions.

Private Partnership - A compact between private interests in the river corridor would provide mutual notification of any resource protection or development actions. Concerned public officials would also be kept informed.

If there is enough interest, landowners and user groups could volunteer their time to clean up the river. Any selling of second-home lots could have covenants designed to ensure that future development will be environmentally compatible. Homeowner associations could police development activities. Existing associations could tighten their codes and new associations could be formed.

B. Preparation of a River Management Plan

Management Objectives

Under any of the above management approaches, a management plan for the Ogeechee River would be developed with specific objectives in mind. In order to protect the river's outstandingly remarkable values the following objectives or goals for preservation, prudent development and use are suggested for inclusion in a management plan.

1. To preserve the river and its immediate environment in its natural setting.

2. To preserve the free-flowing condition of the waters.

3. To maintain and upgrade water quality.

4. To provide high quality recreational opportunities for present and future generations.

5. To provide for a level of recreation use and distribution of use that minimizes deterioration of land and water resources and safeguards the rights of private landowners.

6. To assure the preservation of geologic features.

7. To maintain and enhance fish and wildlife resources.

8. To assure landowner and local citizen participation in development of the management plan.

Establishing a River Corridor

A river corridor is usually determined by line-of-sight from the river, but also includes special natural or cultural features needing protection. In the case of the Ogeechee, which is bordered by wide flood plain swamps, this corridor consists of land on either side of the river, the river itself, and any islands that require protection to preserve natural, scenic, cultural, and recreational values. A specific boundary should be mapped to document the major jurisdictional area of the plan. Some problems outside of this corridor could be addressed in the management plan, but most of the management approaches should be focused within the boundaries.

In flat to gently sloping areas such as the Ogeechee, where the line-of-sight is not a great distance from the river, other boundary criteria should be considered, such as jurisdictional or property lines, approximately a one-quarter mile setback from the river, and the inclusion of critical resource areas.

Greatest protection should encompass the river and the immediately adjacent lands. Management strategies should also consider impacts from outside the immediate river corridor to insure prudent development and encourage compatible agricultural and forest practices. Maintenance and enhancement of the current natural conditions should be encouraged.

Inventory and Analysis of Critical Resource Values

With this study as a basis, a management plan should include an inventory of natural, scenic, cultural, and recreational resource information. This information base should develop a clear picture of current river conditions, identify critical areas, and identify political actions affecting the river. The inventory should be conducted through careful study, mapping, fieldwork, and consultation with knowledgeable parties.

Critical areas would be identified as specific sites within the corridor requiring special attention and protection for their ecological, cultural, recreation, and economic values. Generally these critical areas include habitats of rare and endangered species, potential archeological sites, fragile ecological areas, potential sites of incompatible land uses, historical sites, public use areas, pollution sources, and areas of special interest.

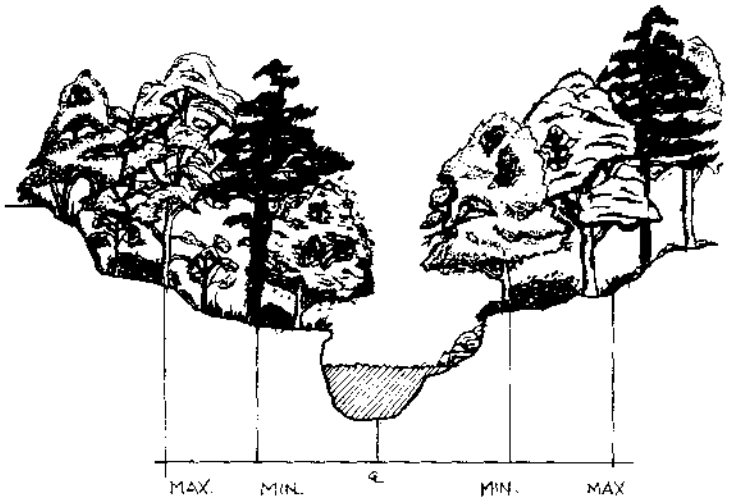
Protection of the River Environment

Following the inventory the managing agency should prevent the destruction or deterioration of the river's critical resource values. Generally, the Ogeechee and its immediate environment should be protected from recreational overuse, air and water pollution, incompatible land uses, excessive vehicular traffic, unacceptable noise levels, or other threats to environmental quality.

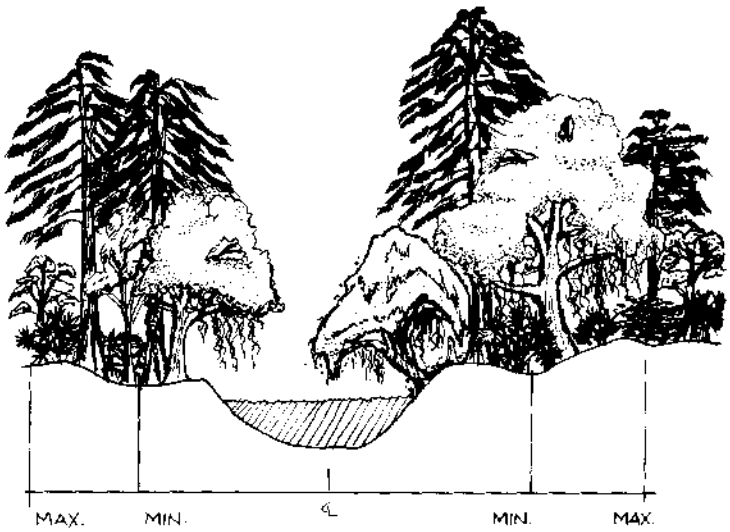
Efforts should be made to maintain only compatible land uses. The good stewardship exercised in the past by private landowners suggests that voluntary efforts might continue to be an effective tool for protecting the river corridor's aesthetic appeal.

The State has laws and programs that provide some protection for the Ogeechee River. The State is authorized to maintain and enforce reasonable standards of water quality consistent with public health and enjoyment, and the propagation and protection of plant and animal life. The State enforces a permit system to ensure that any development that discharges effluent into a river does not pollute the river above acceptable standards; water quality is monitored, and offenders are penalized according to the severity of their infraction.

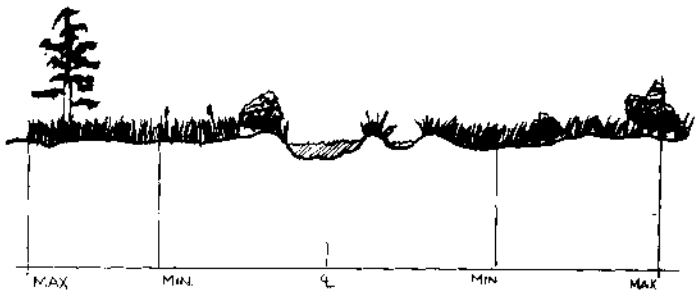
LINE-OF-SIGHT FROM RIVER



LOWER PIEDMONT SEGMENT



COASTAL PLAIN SEGMENT



COASTAL MARSH SEGMENT

Land Use Management

A land use management program should be designed to protect the land within the river corridor from activities that would alter its visual, ecological, and cultural values. Special attention should be given to maintaining natural conditions, protecting critical areas from degradation, and preventing visual intrusions. Management strategies for critical areas should protect their special values, prohibit overuse and degradation of the environment, and provide guidelines to maintain and enhance their natural condition. In addition, strategies for solving problems should call upon State, regional, and local decision makers to coordinate their activities with respect to the ecological and cultural values of the river corridor.

There are several legal and administrative tools that could be incorporated in this program to effectively protect and guide land use activities in the river corridor. Many of these tools are described in the following section dealing with river preservation techniques.

Land in the corridor would normally be protected by land use controls, agreements with landowners, and other less than fee acquisition measures. Normally, there would be only two situations where it might be necessary for a managing agency to acquire real property: (1) Where a specific parcel is threatened by development that would seriously threaten the river's special values and there is no other way to prevent development, and (2) where a specific parcel of land is needed for public access or use.

It is possible that there will be some areas along a river that cannot be protected from incompatible development through land use controls, agreements, or similar techniques. In such cases it may be necessary to acquire a scenic easement or full title to the land. A priority list for acquisition of lands or interests in lands may be desirable but there may be occasions when less critical parcels of land become available for acquisition. An evaluation would then be needed to determine to what extent, if any, a parcel would help protect the river corridor.

Visitor Use

Recreational experiences are possible for canoeists, fishermen, hikers, sightseers, swimmers, and others in a manner consistent with protection of the scenic values of the river. Therefore, the plan should call for securing appropriate, but limited areas of public use and access, but prevent the deterioration of natural values through overuse. It is important that recreation use be controlled to prevent trespass on private property.

Recreation management could include also educational efforts by the managing authority through instructional brochures.

Recreation facilities should be located with primary emphasis upon retention of existing environmental conditions at selected sites and should not disrupt the scenic values of the corridor. The local managing authority would establish a code of conduct for recreation use of the corridor and promote information on river conditions, safety equipment requirements, facilities, and the location of access points.

C. Implementation of a River Management Plan

1. River Preservation Techniques

There are a number of ways to protect the river's natural values while providing for residential, agricultural, and recreational uses. Methods selected will depend on the capabilities of local and State government; the natural, scenic, recreational, and cultural values of the river area; and the degree of impact of proposed development within the river area. It is suggested that a variety of the following preservation techniques could be implemented by individual owners, land trusts, foundations, and local and state government.

Land Trust Foundation

A land trust foundation is a nonprofit, tax-exempt, corporation organized and operated for the benefit of the general public. A foundation can accept gifts, purchase, manage, sell or lease property. It is adminstered by private citizens whose interest in this instance would be river preservation. Generally a foundation is supported by donations, grants, gifts, loans, fund-raising efforts, and membership fees. The foundation could work closely with the counties, the State, the Nature Conservancy, and an established river commission.

Factors to be Considered - A land trust foundation could offer permanent protection of selected areas along the river by performing the following functions: accept gifts of land (fee simple) or rights in land; through the tax codes offer tax benefits to those who donate land or rights in land; render technical assistance to landowners by helping them develop long-range plans for the conservation of part or all of their property; accept gifts of land or rights in land, and then transfer them to a public managing agency (county or state government, river commission, etc.); use gifts for matching purposes in obtaining grants; and set up a revolving fund whereby the foundation purchases land, holds it for a time, and then sells it to another party with certain

restrictions, preferably at a profit. In addition, it can act quickly without red tape and can work effectively to coordinate complicated transactions. A land trust foundation can help local landowners decide what types of land preservation would be most workable.

Easements

An easement is a limited or less than fee interest in property created by a conveyance. It can be acquired by purchase or donation. Easements do not affect basic ownership of the land—the owner may sell or lease land with an easement at any time, subject to the terms of the easement. Depending upon the type of easement, no changes in right of access necessarily occur. Examples of easements are giving up the right to build structures taller than a given height or the right to put structures closer than a given distance to the water.

Factors to be Considered - An easement can be extremely flexible --it may be written to particular specifications; reduce tax burdens; greatly increase the probability of long-term preservation of current use or preservation of open space; keep land under private control; and allow land to be sold, leased, or inherited and used in any manner consistent with the terms of the easement. Although an easement may restrict intense future development, it may also increase the marketability of the tract by preserving its natural and scenic values if adjacent tracts are also protected.

Donations

An outright donation occurs when the owner gives the land in fee-simple to a nonprofit organization or governmental agency for its use. Easements can also be donated outright.

A donation by the execution of a standard deed with the reservation of life estate allows the owner or member of his or her family to occupy and use the property during their lifetime with possession passing to the nonprofit organization or governmental agency at a later date.

The owner can donate land, money, or other valuables to the organization in his will.

Factors to be Considered - Donation offers potential for preserving land in a desired condition, when a donor no longer has the individual means to do so. This can be a tool for realizing substantial tax benefits. However, restrictions on the donation can limit the extent of the tax benefits. Donations can reduce estate taxes and provide significant savings if they qualify for deductions from taxable income.

Bargain Sale of Land

A bargain sale combines the advantages of a gift and a sale. Because the land is sold in fee-simple at a reduced price, the difference between the fair market value and the actual selling price to a nonprofit organization or public agency represents a charitable contribution.

Factors to be Considered - A bargain sale may allow the seller to realize a charitable tax deduction in addition to a cash return. Like donations, bargain sales can reduce estate taxes and provide other tax benefits. Restrictions written in the transaction, however, can limit the extent of the tax benefits.

Zoning

Zoning is a method of controlling the use and development of land so as to yield the greatest benefits to the people in a community. Its aim is to protect the community from haphazard and careless development that may destroy land values. A variety of zoning techniques include traditional zoning, subdivision ordinances, trailer park zoning districts, cluster zoning, performance standards, special natural area districts, and scenic view districts.

Trailer park regulations dealing with design criteria, minimum and maximum density requirements, and encouraging innovative site layouts could encourage development that would be beneficial to property values and the general welfare.

River-edge setback requirements could be useful for reducing damage from flooding and storm water runoff, as well as for providing a buffer zone from development along the river's edge. These setbacks would ensure also a certain amount of open space.

Cluster zoning is a variation of traditional zoning regulations that assigns a fixed number of dwelling units per acre in a particular land use classification. Through clustering, the same number of units is maintained, but the standard lot and yard size are reduced and sometimes eliminated; this leads to placement of dwelling units in a way that will maximize open space. The resulting open space is generally owned and shared by the homeowners. One type of clustering is the farm colony concept, intended to keep land in farming while using some for residential purposes.

Performance standards are another way to guide land use activity in environmentally sensitive areas along the river's edge and throughout a jurisdiction or watershed. They permit existing land use activities to continue up to the point at which they interfere

with or begin to inhibit the functions of the natural process. Development of performance standards requires selection of natural resource areas and description of their key functions related to the public health, safety, and welfare. This approach offers greater flexibility to the landowner or developer, as long as the standards are met.

Special natural area districts can be delineated in conjunction with established zoning to protect and conserve high-value natural lands such as wetlands, woodlands, flood plains, and old fields along the river edge. These districts could focus on a specific natural resource such as wetlands in a wetland conservancy district. The use of these areas can be regulated through ordinance, in addition to existing zoning, and can focus on the unique qualities and functions of that resource. Uses compatible with the functions of the special area could be permitted, and density transfers (see next section) would allow landowners to shift their development rights from the special resource area to a less environmentally sensitive part of their land.

Factors to be Considered - Zoning regulations are locally decided and administered, can be designed to meet local needs, and are widely known and used. However, they require consensus in development and establishment, can sometimes be rigid and inflexible, and can be used to promote undesired development if not properly administered. Zoning and subdivision regulations can be very useful in managing land along a river and provide a good basis for more complicated land management techniques.

Transfer of Development Rights

Transfer of development rights is based on the same idea as easements -- that landownership is a bundle of separable rights. Thus it is possible to separate development rights from any given parcel of land and apply them to another parcel of land. Under transfer regulations, the piece of land that has had its development rights transferred away will remain "undeveloped" while the piece receiving the development rights becomes eligible for higher density development than it would have been without those extra rights. This transfer is noted in the deeds to the respective parcels of land.

Factors to be Considered - A transfer of development rights offers the potential for preserving open space in desired areas while allowing higher density development in more suitable areas, thereby producing benefits for everyone—the open space is protected, the landowner receives compensation for his loss of potential development, and the potential for expanded growth is allowed in another area. A transfer, however, is a rather complex concept to put into practice and requires strong public planning and zoning

powers as well as a firm commitment by local officials to the objectives of the transaction. Also, a transfer may be more useful at a later stage of planning after some basic land management mechanisms are already functioning.

Agricultural District

An agricultural district, often a State-approved program, involves the creation of locally initiated districts designed to encourage agricultural operations and to discourage intensive non-farm development, regulations hampering agriculture, and prohibitive taxation. It is designed to preserve and protect viable agricultural land by providing special tax relief to farmers. Agricultural districts are created in response to local initiative, whereby individual landowners who collectively own substantial acreage of agricultural land submit an application to the county legislative body for approval of the district.

Factors to be Considered - Usually, an agricultural district limits nuisance ordinances that affect the right to farm, keep property taxes low, limit special service tax assessments, and restrict public funds for nonfarm development. It must be locally initiated and supported and would require an initial enabling act by State legislature and time and effort to pursue through necessary steps. Agricultural districts could help preserve farmland in large sections by reducing development pressures.

Public Education and Information

Different methods such as the following, can facilitate intelligent land use and make alternative land use preservation techniques widely known to the public:

More informative signing concerning littering, river use, and identifying private lands;

local land use workshops featuring topics that affect everyone;

technical assistance consisting of advice to landowners about the value of natural, scenic, or cultural resources, and sound management and construction practices;

registration program leading to formal recognition of natural or historic landmarks to encourage voluntary protection;

cooperative agreements consisting of formal or informal contracts for cooperation in management, maintenance, or operation of valuable resources.

2. Coordination

One of the most important functions of the river area management plan would be to establish a means of coordinating planning and various regulatory activities.

The management authority would develop positions on such issues as bridge crossings, road access, road improvements, mineral extraction, timbering, and landowner rights.

D. Consideration for the National System

The State may at some future time decide to nominate all or part of the eligible 145-mile segment of the Ogeechee for inclusion in the National Wild and Scenic Rivers System under Section 2(a)(ii) of Public Law 90-542. In the procedures for adding a river to the National System under State or local management, the following requirements should be normally met:

1. The outstandingly remarkable values that qualify the river for inclusion in the National System must be assured of permanent protection and management by or pursuant to State statute. As a means to this end, the State must adopt a program of action that will provide permanent protection for the natural and cultural qualities of the river and adjoining lands.

2. Protective devices for the river corridor may include, but need not be limited to, fee acquisition, scenic easements or other than fee acquisition, zoning, limitations on building permits and other regulations. The intent is to provide for regulation of the uses of private lands immediately abutting or affecting the river to preclude changes in use that would alter substantially the character of the river corridor. The State must prohibit adverse impacts on the river resources by licensing requirements. If local zoning will be a major tool, it must either be in place or expressions of local intent must be included in the application.

The procedures for designation are as follows:

1. The Governor of the State must make application to the Secretary of the Interior requesting that the river be added to the National System and documenting the actions taken to comply with requirements 1 and 2 above. The application shall indicate the extent of public involvement in the decision to protect the river. The application should include sufficient environmental data to permit the Secretary to assess the environmental impact of adding the river to the National System.

2. Coordination

One of the most important functions of the river area management plan would be to establish a means of coordinating planning and various regulatory activities.

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1. The Governor of the State must make application to the Secretary of the Interior requesting that the river be added to the National System and documenting the actions taken to comply with requirements 1 and 2 above. The application shall indicate the extent of public involvement in the decision to protect the river. The application should include sufficient environmental data to permit the Secretary to assess the environmental impact of adding the river to the National System.

2. The Secretary's determination as to whether requirements 1 and 2 above have been met adequately would be based on:

   a. An evaluation of the program of action prepared by the State and a field reconnaissance to observe the manner in which the State is implementing its program, or

   b. If a federal study has been completed, the extent to which the conceptual plan, as contained in that report, is being implemented.

3. The Secretary must determine that the river possesses outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values and that it qualifies for inclusion in the National System.

4. The Secretary must submit the proposal to the Secretaries of Agriculture and Army, the Chairman of the Federal Energy Regulatory Commission and the administrators of other affected federal agencies for review and comment as required in Section 4(c) of the Act.

5. Finally, if the State's request is approved by the Secretary, the river would be added to the National System by publishing notice in the Federal Register.

VI. LIST OF STUDY PARTICIPANTS AND CONSULTANTS

A. Principals

Sharon C. Keene, Chief, Rivers and Trails Division, National Park Service, Southeast Regional Office

Sarah H. Zimny, Rivers and Trails Division, Southeast Regional Office

John J. Fischer, National Park Service, Southeast Regional Office

B. Consultants

Jeff Chidlaw, Office of Planning and Special Studies, National Park Service, Washington

John Haubert, Office of Planning and Special Studies, National Park Service, Washington

Harvey Young, Issues Analyst, Georgia Department of Natural Resources

Carl Hall, Regional Supervisor, Coastal Region Game and Fish Division, Georgia Department of Natural Resources

William Lovejoy, Ph.d., Department of Biology, Georgia Southern College

John Boole, Ph.d., Department of Biology, Georgia Southern College

George Rogers, Ph.d., Department of History, Georgia Southern College

Sturgis McKeever, Ph.d., Department of Biology, Georgia Southern College

Donald Drapalik, Ph.d., Department of Biology, Georgia Southern College

C. Coordination

As a part of the Ogeechee Wild and Scenic River Study, representatives from the National Park Service have consulted with or gathered information from the following individuals, organizations, and agencies:

Altamaha Georgia Southern Area Planning and Development Commission (APDC)

Central Savannah River APDC

Coastal Area APDC

Oconee APDC

Chatham County - Savannah Metropolitan Planning Commission

Department of Defense
- U.S. Army Corps of Engineers, Savannah District

Department of Agriculture
- U.S. Forest Service, Southeast Regional Office
- Soil Conservation Service, Athens, Georgia

Department of the Interior
- U.S. Fish and Wildlife Service, Southeast Regional Office
- U.S. Geological Survey, Reston, Virginia

State of Georgia
- Department of Natural Resources
  - Game and Fish Division
  - Coastal Resources Division
  - Environmental Protection Division
  - Parks, Recreation and Historic Sites Division

APPENDIX

LETTERS OF COMMENT

REVIEW COMMENTS

Written comments on the Ogeechee Wild and Scenic River Study were received from the following agencies and organizations.

State of Georgia

Governor of Georgia

State Agencies

Georgia Department of Natural Resources
Altamaha Georgia Southern Area Planning and Development Commission

Local Planning Agencies

Central Savannah River Area Planning and Development Commission

Conservation and Private Organizations

Georgia Conservancy

Federal Agencies

Department of Agriculture

Forest Service

Department of the Army

Assistant Secretary
Corps of Engineers

Department of the Interior

Fish and Wildlife Service

Environmental Protection Agency

Department of Energy

Department of Transportation

STATE OF GEORGIA

OFFICE OF THE GOVERNOR

ATLANTA 30334

Joe Frank Harris
GOVERNOR

January 16, 1984

Honorable G. Ray Arnett
Assistant Secretary for Fish
and Wildlife and Parks
Office of the Secretary
U. S. Department of the Interior
Washington, D.C. 20240

Dear Assistant Secretary Arnett:

The Ogeechee Wild and Scenic River Study is a capably researched and well presented evaluation of this river's potential for national designation as a wild and scenic river. Most of the persons who attended the three public meetings concerning the study voiced their strong beliefs that state and local management are currently adequate to protect the river's natural values. The report accurately reflects public opinion as expressed at those meetings.

I agree that federal designation of the Ogeechee as a national wild and scenic river is unnecessary at this time. Thank you for the opportunity to review this excellent study.

With kindest regards, I remain

Sincerely,

Joe Frank Harris

JFH/ef

Department of Natural Resources
270 WASHINGTON ST., S.W.
ATLANTA, GEORGIA 30334
(404) 656-3500

Joe D. Tanner
COMMISSIONER

January 9, 1984

Mr. Robert Baker
Director, Southeast Regional Office
National Park Service
U. S. Department of the Interior
75 Spring Street, SW
Atlanta, Georgia 30303

Reference L58 (SER-PT)

Dear Bob:

The Department of Natural Resources has reviewed the draft Ogeechee River Wild and Scenic River Study. It is a very thorough and clearly written evaluation of the Ogeechee River's potential for national wild and scenic river designation. We believe it takes fully into account the many concerns about such designation which Ogeechee corridor residents expressed at the public hearings earlier this year.

The Ogeechee River corridor has many valuable attributes. We believe that the property owners, working in cooperation with the State, can best manage the Ogeechee River for now. National wild and scenic river designation is not necessary at this time.

Thank you for the opportunity to review this fine document.

Sincerely,

Joe D. Tanner
Commissioner

J. Leonard Ledbetter
Director, Environmental Protection Division

cc Chuck Badger
Director, State Clearinghouse

RECYCLED PAPER

AN EQUAL EMPLOYMENT/AFFIRMATIVE ACTION EMPLOYER

Date: January 5, 1984

Mr. Charles H. Badger
Georgia Office of Planning and Budget
Room 610, Trinity-Washington Bldg.
270 Washington Street, S.W.
Atlanta, Georgia 30334

FROM: **Name:** Theodore L. Fortino

Title: Executive Director

Areawide Clearinghouse: Altamaha Georgia Southern APDC

SUBJECT: **RESULTS OF REVIEW**

Applicant: U.S. Department of the Interior, National Park Service

Project: DEIS - Ogeechee River

State Clearinghouse Control Number: GA 83-12-05-008
L 58 (SER-PT)

Areawide Clearinghouse Staff Contact: Bill Williams

The Areawide review of the above-referenced proposal has been completed. This proposal has been found to be consistent with Areawide goals, objectives, policies, plans, programs and fiscal resources. You should now proceed to complete the formal application for submission to the appropriate Federal agency. This statement and any enclosures must be attached to your formal application. Thank you for your cooperation.

Additional comments:

1. The U.S. Department of the Interior, National Park Service (DOI/NPS) has made an objective analysis of the Ogeechee River's potential for inclusion in the National Wild and Scenic Rivers System, and issued a draft "Wild and Scenic River Study" for review. The conclusion of this study is that while the lower 145-mile segment of the river is eligible for inclusion in the National System based on scenic and/or recreational values, it is not suitable for inclusion due to feasibility, costs, and lack of local support.

(continued)

2. The findings of this study are sound. The lower Ogeechee River does exhibit outstanding scenic and recreational values, as defined in the National Wild and Scenic Rivers Act and recognized by local residents. However the local citizens strongly oppose federal or state designation and/or management of the river, and actually view such designation and/or management as contrary to the aim of preservation of its character.

3. Although no formal local protection mechanisms are currently in force in Bulloch County, the study's findings are consistent with local and Areawide plans and policies.

4. This Commission endorses the finding of DOI/NPS in this study that the Ogeechee River is not suitable for designation as a part of the National Wild and Scenic Rivers System at this time.

cc: Mr. Denver Lanier, Chairman, Bulloch County Board of Commissioners
Mr. J. Thurman Lanier, Mayor, City of Statesboro
Miss Sharon C. Keene, U.S. Department of the Interior
Representative John F. Godbee
Representative Bob Lane
Senator Joseph E. Kennedy

BURKE - COLUMBIA - JEFFERSON
TALIAFERRO - McDUFFIE - GLASCOCK

JENKINS - EMANUEL - SCREVEN
WARREN - WILKES - RICHMOND - LINCOLN

CENTRAL SAVANNAH RIVER AREA PLANNING & DEVELOPMENT COMMISSION

2123 WRIGHTSBORO ROAD * AUGUSTA, GEORGIA 30904-0800 * BOX 2800 * TELEPHONE (404) 828-2356

January 10, 1984

Ms. Sharon C. Keene, Chief
Rivers and Trails Division
Southeast Regional Office
National Park Service
United States Dept. of the Interior
75 Spring St., S.W.
Atanta, GA 30303

Dear Ms. Keene:

The Central Savannah River Area Planning & Development Commission would like to comment on the Ogeechee River Wild and Scenic River Study, December, 1983.

Summaries of the study have been distributed to the County Commission of every county near the Ogeechee River. No county has any disareement with the study. Furthermore, the study has been examined by our staff, which also have no disagreements with either the findings or methodology.

Sincerely,

David Jenkins

David Jenkins
Principal Planner

DJ:wh

2370 Other Areas

FEB 15 1984

Ogeechee Wild and Scenic River Study Report

Chief

As USDA representative, we have reviewed the Ogeechee Wild and Scenic River Study Report.

We agree with the findings of the Study report that the 145 mile segment of the Ogeechee River is eligible for inclusion in the National Wild and Scenic Rivers System. However, as the report concludes, we agree that the river should not be considered suitable for designation as a Federal or State administered unit primarily because of public opposition, lack of State support for designation and the limited extent of public lands in the river corridor.

We conclude that this river is an example of a valuable natural resource that is worthy of protection at the local level through the establishment of a River Corridor Commission or similar organization. This commission could consist of a combination of local interest groups, private landowners, industry, regional planning and development councils. The commission could administer the corridor and be empowered to adopt, propose, and implement a river management plan. This management option is adequately expressed on page 12 of the report "Protection at the local level."

Although the river is apparently not under an immediate threat of major degradation, the possibility exists that future changes could occur such as major resource changes from forest to agricultural use. This would have significiant impacts on the immediate river environment. These patterns of use should be monitored and actions taken to protect the river corridor.

Our conclusions have been discussed also with the Soil Conservation Service. Their response is attached.

KEVIN C. MEIE

For JOHN E. ALCOCK
Regional Forester

Enclosure

cc: National Park Service
Southeast Regional Office
75 Spring Street, S.W.
Atlanta, Georgia 30303
Recreation - Tom Lennon
LMP - Dean Lundeen
State & Private Forestry - James Perdue

DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON, DC 20310

Honorable G. Ray Arnett
Assistant Secretary for Fish
and Wildlife and Parks
U. S. Department of the Interior
Washington, D. C. 20240

Dear Mr. Arnett:

This is in response to your recent letter requesting Department of the Army views on the draft report on the Ogeechee Wild and Scenic River Study, Georgia.

We have reviewed this report and concur in the conclusion that the Ogeechee River is not suitable for inclusion in the National Wild and Scenic Rivers Systems. Therefore, we have no comment which might delay submission of the report to the President and the Congress.

Thank you for the opportunity to review this draft report.

Sincerely,

William R. Gianelli
Assistant Secretary of the Army
(Civil Works)

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
P. O. BOX 889
SAVANNAH, GEORGIA 31402

REPLY TO
ATTENTION OF:

4 JAN 1984

Planning Division

Ms. Sharon C. Keene
Chief, Rivers and Trails Division
Southeast Region
U. S. Department of the Interior
National Park Service
75 Spring Street, S. W.
Atlanta, Georgia 30303

Dear Ms. Keene:

Reference is made to your letter of November 21, 1983, inviting our comments and suggestions on the Draft Ogeechee Wild and Scenic River Study. My staff has reviewed the study and offers the following comments:

a. The list of threatened or endangered plant species on page 31 contains two errors: the Spider-lily's scientific name is Hymenocallis caroliniana and the Golden trumpet's scientific name is Sarracenia flava.

b. The Cultural Resources section, beginning on page 35, does not contain a description of the significant areas along the river in the vicinity of Richmond Hill, such as Hardwick, Seven Mile Bend, the Ford Plantation, and the C.S.S. Nashville.

If you have any questions concerning our comments, please contact Michael Welsh of the Environmental Resources Branch at (912) 944-5840 (commercial) or 248-5840 (FTS). Thank you for the opportunity to review this study.

Sincerely,

Wendell L. Barnes
Major (P), Corps of Engineers
Acting Commander

United States Department of the Interior
FISH AND WILDLIFE SERVICE
DIVISION OF ECOLOGICAL SERVICES
FEDERAL BUILDING, ROOM 334
BRUNSWICK, GEORGIA 31520

January 6, 1984

Ms. Sharon Keene
National Park Service
Southeast Regional Office
75 Spring St., SW
Atlanta, GA 30303

Dear Ms. Keene:

We have reviewed the draft Wild and Scenic River Study for the Ogeechee River dated December 1983. The section on fish and wildlife adequately describes the general resources of the Ogeechee River System. We offer the following additional information for your consideration.

General Comments

The lower Ogeechee River is a major spawning ground for striped bass and an important shad nursery. It also supports an active Atlantic sturgeon fishery.

The wetlands in the lower Ogeechee River are a prime waterfowl wintering area and a wood duck nesting area.

Alligators are abundant in the wetlands, creeks and canals in the lower Ogeechee River.

Species of Special Emphasis to the Fish and Wildlife Service (Federal Register, Vol. 47, No. 176, September 10, 1982) that are present in the study area include wood ducks, mallards, black ducks, ospreys and striped bass.

Specific Comments

On page 32, the scientific name for Eastern Brown Pelican should be *Pelecanus occidentalis carolinensis*.

We appreciate the opportunity to comment on this National Park Service document. Please contact us if we can be of further assistance.

Respectfully,

L. Glenn McBay
Field Supervisor

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET
ATLANTA, GEORGIA 30365

FEB 2 9 1984

4PM-EA/CJD

Ms. Sharon C. Keene, Chief
Rivers and Trails Division
Southeast Region, National Park Service
75 Spring Street, S.W.
Atlanta, Georgia 30303

Dear Ms. Keene:

We have reviewed the Draft Wild and Scenic River Study on the Ogeechee River, Georgia. We offer the following:

> The 145-mile section of the Ogeechee River under consideration for Wild and Scenic River designation does not qualify for this designation because the lower 30-mile segment contains recreational development and the 115mile segment above I-95 contains several access roads, 12 bridge crossings, and clusters of seasonal and permanent dwellings. Timber harvesting also occurs along the river. We believe a "scenic" classification is more appropriate than a "wild" classification. In addition, the project has strong local opposition, lack of public support, and budgetary constraints at the federal and state levels.
>
> We are in general agreement with the conclusion that the Ogeechee River is not suitable for designation as a Wild and Scenic River.

Sincerely yours,

Sheppard N. Moore

Sheppard N. Moore, Chief
Environmental Review Section
Environmental Assessment Branch

Department of Energy
Washington, D.C. 20585

FEB 13 1984

Honorable G. Ray Arnett
Assistant Secretary for Fish
and Wildlife and Parks
U.S. Department of the Interior
Washington, D.C. 20240

Dear Mr. Arnett:

Secretary Hodel has asked me to reply to you regarding your request of December 30, 1983, for comments on the Ogeechee Wild and Scenic River Study draft report. The draft report is well documented, with a clear evaluation of the characteristics used as criteria for inclusion in the National Wild and Scenic Rivers System. Throughout the public involvement procedures, there appeared to be strong public opposition to additional Government protection of the river. As indicated in the draft report, the Ogeechee River is not suitable for designation at this time since there is a limited amount of publicly-owned land along the river, there is no strong public support for designation, and protection and management of the river by Federal, state or local governments is not feasible because of budgetary constraints.

Thank you for the opportunity to review the draft report. If you have any questions, please call Mr. Ted Williams, Acting Director, Office of Environmental Analysis at 252-2061.

Sincerely,

Jan W. Mares
Assistant Secretary for
Policy, Safety, and Environment

U.S. Department of Transportation
Office of the Secretary of Transportation

Office of Assistant Secretary

400 Seventh St., S.W.
Washington, D.C. 20590

The Honorable G. Ray Arnett
Assistant Secretary for Fish
and Wildlife and Parks
Department of the Interior
Washington, D.C. 20240

Dear Mr. Arnett:

Thank you for your recent letter to Secretary Dole, enclosing a copy of the draft report on the Ogeechee Wild and Scenic River Study, Georgia. The study concluded that although the river is eligible for designation as a national wild and scenic river, it is not suitable for designation.

The Department of Transportation has no comment on the draft report. We appreciate the opportunity to comment.

Sincerely,

Matthew V. Scocozza
Assistant Secretary for
Policy and International Affairs

The Georgia Conservancy

COASTAL OFFICE 4405 PAULSEN STREET SAVANNAH, GEORGIA 31405 (912) 355-4840

February 16, 1984

Ms. Sharon C. Keene
Chief, Rivers and Trails Division
Southeast Region
National Park Service
75 Spring St., SW
Atlanta, GA. 30303

Dear Ms. Keene:

On behalf of The Georgia Conservancy, let me thank you for the opportunity to review the Draft Wild and Scenic River Study for the Ogeechee River in Georgia (December 1983).

We are in support of the Draft's findings that the lower 145 mile segment of the Ogeechee River is eligible for designation as a National Wild and Scenic River. There can be little argument advanced to counter the claim that this river segment exhibits outstandingly remarkable scenic and recreational values as defined in the Wild and Scenic River Act of 1968. The river has other outstanding features as well, including supporting an important commercial shad fishery and providing habitat for the bald eagle, Eastern indigo snake, shortnosed sturgeon and other species of special concern.

The Georgia Conservancy is also in agreement with the finding that protecting the outstandingly remarkable features of the river through the formal designation as a National Wild and Scenic River is not feasibile at this time. The cost of implementing such a designation, combined with the unwillingness of either the federal or the state government to acquire and manage significant acreage along the river make such a designation unrealistic.

We do feel, however, that the Ogeechee is in need of protection measures that extend beyond the scope of the present state regulatory structure. Options other than National Wild and Scenic River designation should be employed to implement that protection. One such deserving evaluation is that exemplified by the New Jersey Pine Barrens National Reserve (established by Congress in 1978, Sect. 502 of Public Law 95-625).

A second alternative is presently being actively pursued by The Georgia Conservancy and to a limited extent by The Nature Conservancy (a national organization unaffiliated with The Georgia Conservancy). It centers around the acceptance of

conservation easements for lands adjacent to the Ogeechee River. Because we feel that conservation easements represent the most viable method of protecting the resources of the Ogeechee, given present economic and attitudinal conditions, we ask that our program be incorporated into the National Park Service's final recommended plan.

The conservation easement is a legal tool available to landowners to insure that their land will be kept in its natural condition when they are no longer in a position to manage it personally. The conservation easement (often called a "scenic easement") is a restriction that property owners place on their land; the restriction is legally binding on present and future owners of the land.

Under The Georgia Conservancy's program, conservation easements that would prevent the degradation of the Ogeechee River's outstandingly remarkable scenic and recreational values would be negotiated with individual landowners along the river. Restrictions on certain kinds of activities such as dredging and filling, cutting timber along the edge of the river and the location and extent of construction activities would be flexible so long as it did not contribute to the degradation of the river's resources.

By accepting such conservation easements, The Georgia Conservancy intends to provide protection for the river's resources in perpetuity. An endowment fund has been established to insure the long term oversight of the easement. Such a program should help local landowners protect their property rights while simultaneously protecting the river for the benefit of present and future generations in this country.

There are, admittedly, drawbacks to the conservation easement approach to protecting the river. Probably the most serious is its patchwork nature. Because the success of the program depends on the willingness of the landowner to enter into an agreement, only certain parts of the Ogeechee are likely to be protected. Stretches of the river important for their scenic and recreational features will remain unprotected, and may be lost to development or other encroachments. Yet, the conservation easement offers opportunities to protect the river that are far preferable to doing nothing. Doing nothing will, in our view, result in the gradual decline of the quality of the Ogeechee to the point where its outstandingly remarkable features will be lost and no one will appreciate its features as we do today.

One of the incentives for landowners to enter into voluntary conservation easement programs is the potential

effect on taxes, including federal gift and estate taxes, state income taxes and in some cases real property taxes. Recently, the Internal Revenue Service published draft regulations in the Federal Register (May 23, 1983) to implement the "qualified conservation contribution" section of the 1980 Tax Treatment Extension Act. It is vitally important to the success of the conservation easement program that the final recommendations of the National Park Service clearly identify the protection of the Ogeechee as providing a "significant public benefit" so as to meet the terms of the IRS regulations for a charitable contribution. We ask that the final report carefully define the national interest in protecting the Ogeechee River (although not necessarily through designation as a National Wild and Scenic River), and make clear the benefits of protecting the Ogeechee's scenic, recreational and other resources to the general public.

In conclusion the, The Georgia Conservancy supports the findings contained in the Draft Study of the Ogeechee River, but recommends that the river's outstanding characteristics be protected through the implementation of a conservation easement program. Such an easement program would entail agreements in perpetuity between the landowner and private non-profit organizations such as The Georgia Conservancy to not degrade the resources of the river. The National Park Service should find that it is in the national interest to protect the river in such a fashion and, therefore, any such easement contributions would qualify as charitable contributions under the terms of the Internal Revenue Service code.

Thank you for your consideration of our views and recommendations.

Sincerely,

Hans Neuhauser

Hans Neuhauser
Coastal Director

HN/rrs