

Maryland Scenic and Wild Rivers

# The Youghiogheny



This Document Has Been Developed By

THE YOUGHIOGHENY SCENIC AND WILD RIVER LOCAL ADVISORY BOARD

1996



*Technical assistance was provided by*

THE MARYLAND DEPARTMENT OF NATURAL RESOURCES



## STATE OF MARYLAND

The Honorable Parris N. Glendening, *Governor*

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### ACKNOWLEDGMENTS

The Youghiogheny River Local Advisory Board must be commended for the level of concern, dedication and experience they brought to this planning project. These individuals spent an extraordinary amount of personal time reviewing the study information, discussing issues and developing recommendations to protect the River. We must also extend our gratitude and thanks to those people who previously served on the board.

In addition to the board members, there were many citizens and local government officials who have contributed directly or indirectly to this document. The collective efforts of these people will help to ensure that future generations may enjoy and benefit from the resources of the Youghiogheny River.

Professionals from state and federal agencies such as the Maryland Department of Natural Resources, Maryland Department of the Environment, Maryland Department of Agriculture, Maryland Office of Planning, the National Park Service, also generously donated their expertise, editorial comments and time to help complete this project. Their diverse disciplines which vary from fisheries biology to forestry, are indicative of the multi-objective approach to river management. Special thanks needs to be extended to: Paul Durham and Karl Christensen for their help in the management of land as it was acquired along the river, Gary Yoder for sharing his office space for a number of years, Suzanne McCombs for the thankless and tedious task of typing verbatim meeting minutes and Josephine Thoms and Alexis Grant for their outstanding work preparing the document for publication.

This publication is dedicated to Derek E. Richerson and J. Glenn Eugster, who were both instrumental in stimulating my interest in conserving rivers through local planning efforts.

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**THE  
YOUGHIOGHENY SCENIC AND WILD RIVER  
STUDY AND MANAGEMENT PLAN**

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### *Purpose*

The Youghiogheny River and its tributaries possess unique natural, cultural and recreational resources that are unequaled by those of any other river in the State of Maryland, and quite possibly the East Coast of the United States. This uniqueness led to the designation of the river and its tributaries as initial components of the Maryland Scenic and Wild Rivers system. The entire river within Maryland is considered "scenic". A segment from Millers Run to the southern corporate limits of Friendsville is the only river section to be designated by the Maryland General Assembly as a "Wild" river. State designation requires the Secretary of the Department of Natural Resources (DNR) to formulate and implement a program that will provide for the wise management of the river resources and the conservation of the scenic and wild qualities.

This plan is intended to preserve and protect the river resources through a cooperative program between the State, Garrett County and local citizens. The purpose of the plan is not to limit all development or use of the Youghiogheny River, but to guide and direct activities to river areas which are appropriate for a particular use. It is the expressed intent of this plan to not expand the lawfully defined corridor of the "Wild" segment of the Youghiogheny River as set forth in subsection 8-408 of the Maryland Scenic and Wild Rivers Act. It is further intended that all land use regulations adopted pursuant to Title 08 Department of Natural Resources, Subtitle 15, Youghiogheny Wild River should be confined to the "Wild" segment of the Youghiogheny River. This study provides a holistic approach to river management. Future development will be carried out in a planned and orderly fashion and all forms of activity and land use will be compatible with the Scenic and Wild River designation.

The Youghiogheny River Management Plan is intended to guide everyone involved with the river. As a result, a citizens advisory board comprised of riparian landowners, County residents and a representative of the local government was appointed by the Maryland Scenic and Wild Rivers Review Board to guide the planning effort and make sure the final plan is responsive to those people most affected by its provisions. Working with the Department of Natural Resources Scenic Rivers staff, the Youghiogheny River Local Advisory Board has analyzed the full spectrum of river resources and concerns to identify realistic management options. This plan is the result of that effort.

The Management Plan is designed to address local concerns and to implement State policies to ensure effective river management. Therefore, emphasis was placed on several broad goals to guide the plan's development. The recommended plan for the management of the Youghiogheny River's resources was derived from the following ideas:

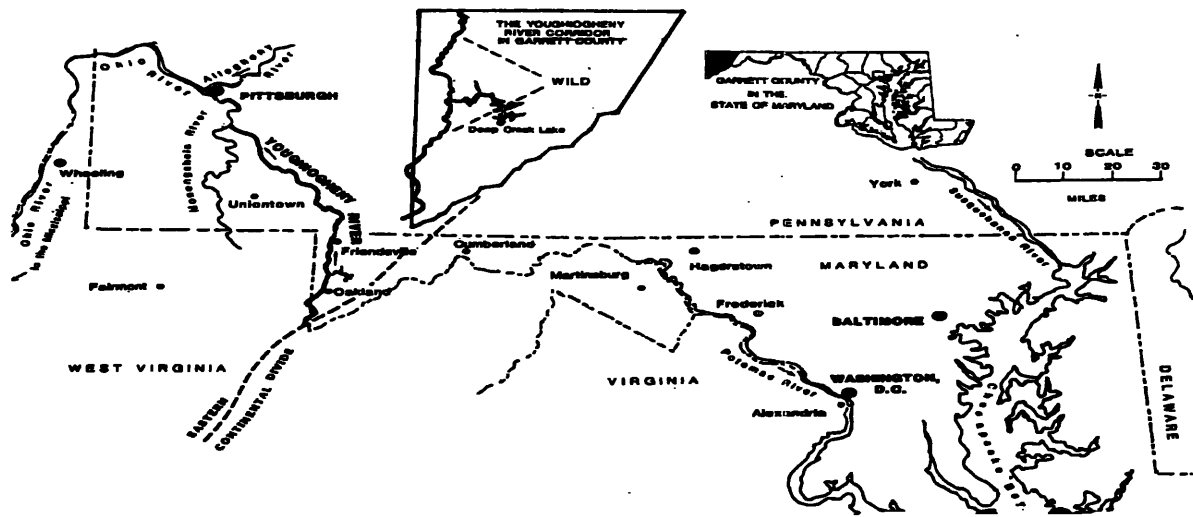
- *To provide for the cooperative management, preservation and protection of the Youghiogheny River and its outstanding scenic, geologic, historic, ecologic, recreational, agricultural, fish, wildlife, and cultural values.*
- *To develop a plan which is responsive to local concerns and retains local control over the management of the River, wherever possible.*
- *To examine competing uses of the River and provide educational and recreational opportunities while maintaining the integrity of the River basin.*



**B**ased upon the above goals, an analysis of the resources, resource use, and issues affecting those resources, and by listening to everyone involved with the River, the Scenic and Wild Rivers Program and the Youghiogheny River Local Advisory Board have formulated policies and strategies for a feasible program for the management of the Youghiogheny River.

However, this program is a dynamic model, and it is the responsibility of State government, County government and the residents of the Youghiogheny River Valley to make sure that this plan is periodically updated to reflect changes in the river corridor. Plan implementation is dependent on this dynamic character.





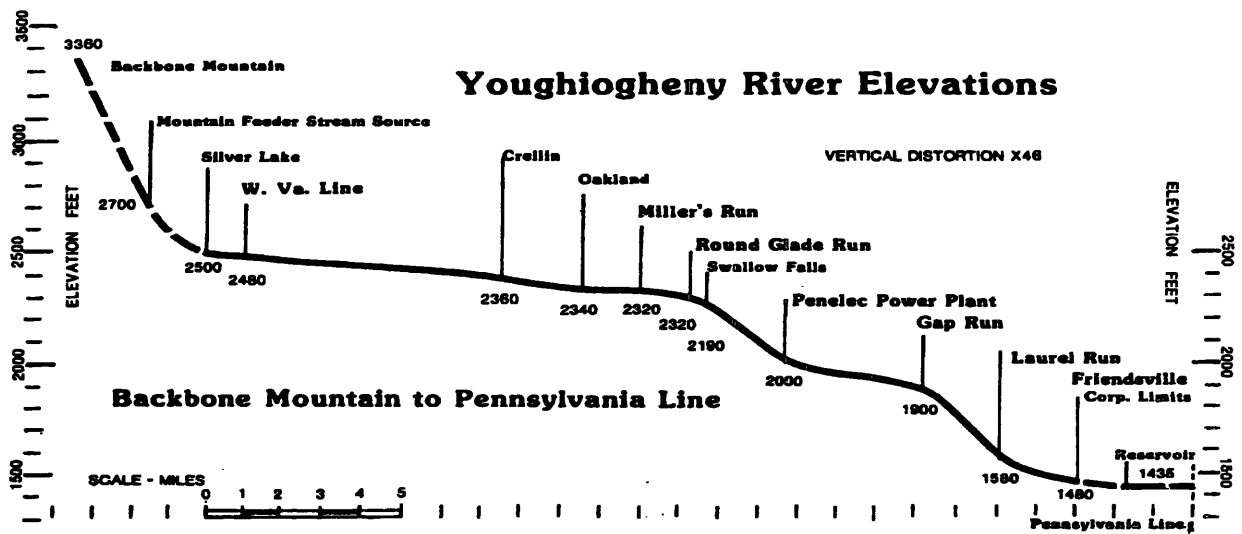
### ***Location and Description***

The Youghiogheny River is located in Garrett County, the western most county in Maryland with a land area of approximately 423,680 acres or 662 square miles. Garrett County has a population of 28,138 according to the 1990 census, and is the least densely populated county in Maryland. Oakland, the County seat and largest town, is situated along the Little Youghiogheny River. The County lies entirely within the Allegheny Plateau, a physiographic area which is characterized by deep forests, diverse wildlife, and rich river valleys. These natural resources combined with a close proximity to major metropolitan areas such as Pittsburgh, Washington, and Baltimore, attract a wide variety of recreational use from whitewater boating to hunting and fishing.

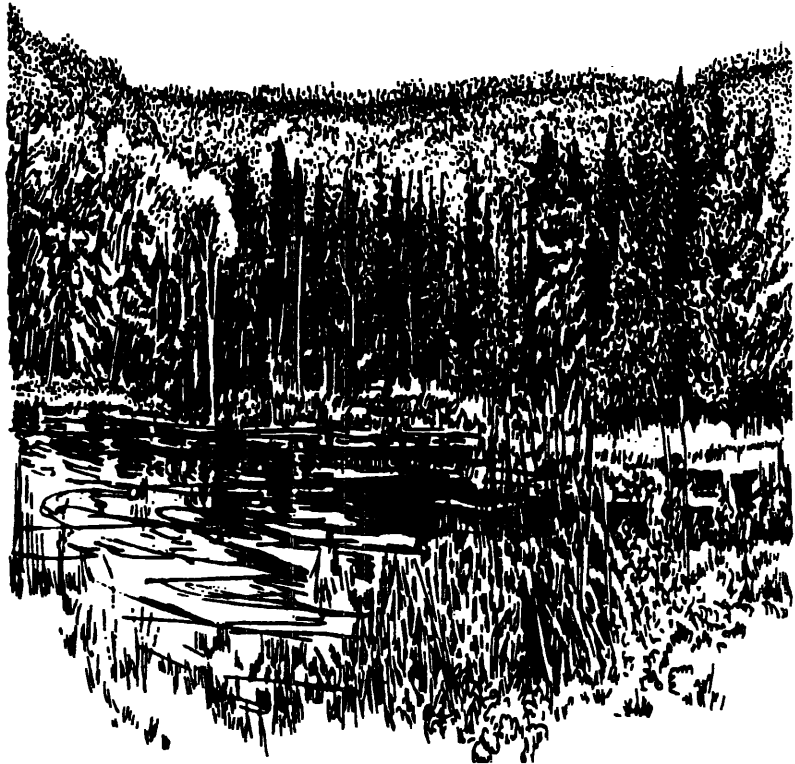
The River arises on the west side of the heavily forested Backbone Mountain in Preston County, West Virginia and Garrett County, Maryland. Backbone Mountain, Maryland's highest (3,360 feet above sea level), forms part of the Eastern Continental Divide separating land that drains to the Mississippi and to the Gulf of Mexico from land draining to the Potomac and the Atlantic Ocean. The Youghiogheny drains an area encompassing approximately 397 square miles in Maryland flowing through forests, farms, and small towns.

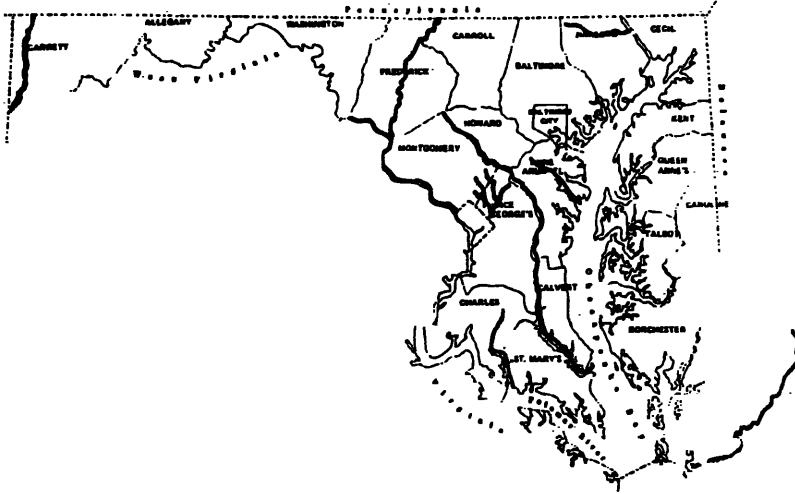
At its beginnings, the River flows from Silver Lake, West Virginia through the towns of Crellin and Oakland, Maryland. In its first 20 miles, the river meanders through a pastoral setting of farms and wood lots occasionally paralleled by roads or railroad tracks. West of Oakland, the character of the river begins to change. Roads become less obvious as the river valley narrows, deepens and becomes heavily forested. From Swallow Falls Road bridge to Hoyes Run, the Youghiogheny enters a stretch of falls and rapids with a drop in elevation of

280 feet in 4 miles. Swallow Falls State Park is located in this stretch. Muddy Creek Falls, Maryland's highest waterfall, is included in the Park. At Hoyes Run, the river's drop becomes less steep. From Hoyes Run to Gap Falls, the gradient is only 10 feet per mile making this the first segment navigable in an open boat. Near Gap Falls the rate of descent increases dramatically. In some areas, the gradient exceeds 100 feet per mile, making the Gap Falls to Kendall segment, classified as Class V whitewater, some of the roughest whitewater in the East. Downstream of Kendall, the valley opens slightly and the gradient decreases to 29 feet per mile for the remaining three miles to Friendsville. The river then flows through the corporate limits of Friendsville. Just north of Friendsville the river's free-flowing character is lost as its waters flow into the Youghiogheny River Reservoir.



This rugged River corridor has retained its outstanding natural and cultural characteristics through the actions of its local citizens and landowners. In recent years, the River corridor resources have renewed themselves following a period of frontier exploitation through logging and mining. This natural renewal can be attributed, in large part, to the area's steepness and remoteness as well as the actions of the current landowners. These qualities provide the isolation, natural beauty, and recreational opportunities which attract people to the Youghiogheny today.





### *History of Protection Efforts*

In 1968, the State of Maryland enacted the Scenic and Wild Rivers Act (hereafter referred to as "the Act"), which established the State Scenic and Wild Rivers Program (See Appendix A). The Act is a part of the Annotated Code of Maryland, Article - Natural Resources, Section 8-401 through 8-411. Originally, the Act designated five rivers as components of the Scenic and Wild Rivers system. The Youghiogheny is one of the rivers originally named in the Act.

The Act authorizes the Secretary of the Department of Natural Resources to formulate and implement a program to "provide for wise management of resources on the land and preservation of their scenic, agricultural, and wild qualities." In addition, the Secretary, in coordination with the Local Advisory Board and the Board of Garrett County Commissioners, is authorized to adopt rules and regulations necessary to: "implement the approved management plan for

the Youghiogheny River and regulate use and development in the "Scenic Corridor" where the use and development would affect the primitive qualities and characteristics of the wild river segment of the Youghiogheny River" (Section 8-409). These two mandates have provided the basis for Departmental involvement in planning for the wise use of the Youghiogheny River.

*The following statements provide a brief overview of the chronological sequence of protection efforts on the Youghiogheny River:*

1968 - *State of Maryland Scenic and Wild Rivers Act passed.*

1971 - *General Assembly designates the Youghiogheny River into the State system.*

1976 - *The Act is amended to designate the Youghiogheny from Millers Run to the southern corporate limits of Friendsville as Maryland's first "Wild River."*

1976 - *Regulations governing land use in the "Scenic Corridor" are enacted (Code of Maryland Regulations - COMAR 08.15.01. See Appendix G).*

1978 - *The National Park Service recommended the Youghiogheny River be included in the National Wild and Scenic Rivers System.*

1984 - *Section 8-408 of the Act is amended to require the Secretary to define the "Scenic Corridor" of the Youghiogheny by field investigation, notify each property owner with an opportunity for a field review and field survey if they so desire.*

1984 - *The Department of Natural Resources begins the field investigation.*

1986 - *Private property owners within the "Scenic Corridor" are notified by certified mail.*

1987 - *Local concerns prompt the Department and the Local Board to establish a set of criteria by which adjustments to the "Scenic Corridor" Boundary are made.*

1988 - *Emergency Whitewater Safety Regulations are published in the Maryland Register.*

1988 - *State begins the acquisition of river corridor lands.*

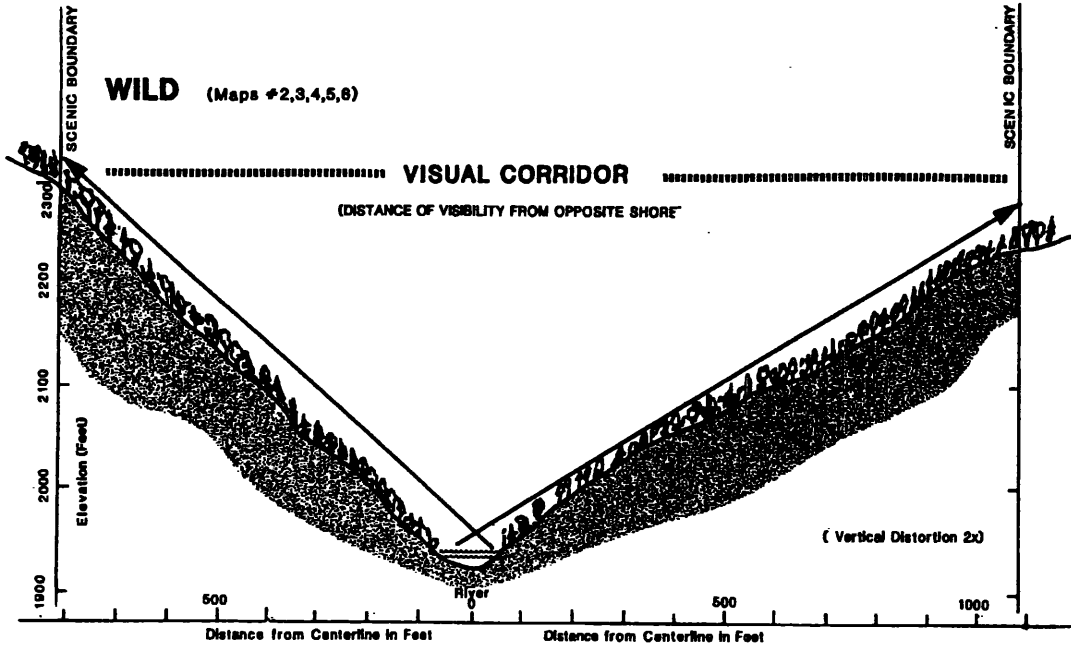
1992 - *State completes its identification of the "Scenic Corridor".*

1994 - *Revision of Wild River Regulations.*

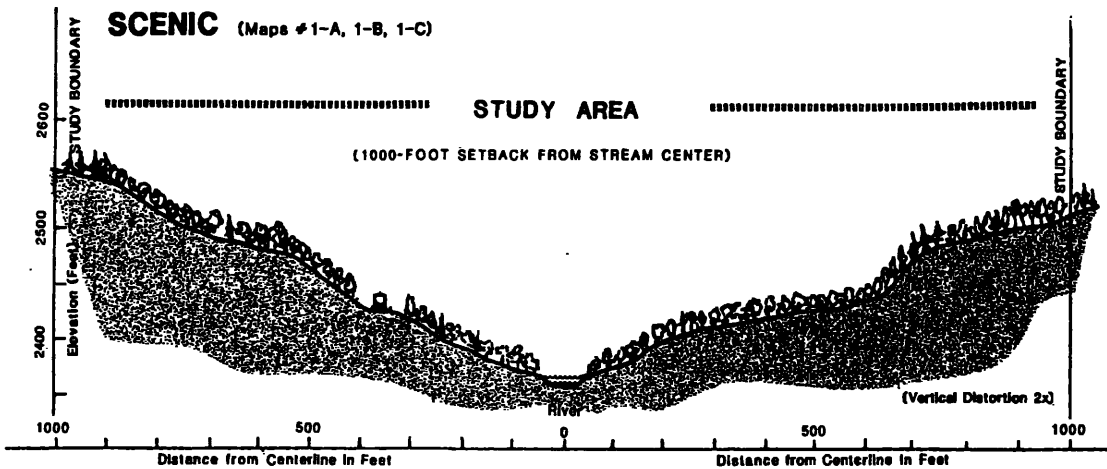
1996 - *Management plan is completed and adopted by Garrett County and the State Scenic and Wild Rivers Review Board.*

**FIGURE 1**

*Cross Section of Youghiogheny River at Gap Falls*



*Cross Section of Youghiogheny River 1/2 Miles South of Herrington Manor Road Bridge*



## ***Corridor Boundary Definition***

The 1984 amendments to Section 8-408 of the Act require a "Scenic Corridor" Boundary. *As defined by regulations, the "Scenic Corridor" means the visual corridor of the Youghiogheny River in that segment of the River designated as "wild" that: 1) An individual can see from the River or its contiguous shorelines, and; 2) The Secretary demonstrates by field investigation and defines by rules and regulations.*"

The Department began a field investigation in November, 1984, as a response to this mandate. The basic field work was completed by January, 1985.

To conduct the field investigation, the Department hired two Garrett County residents to work with the local Youghiogheny River planner and to serve as a survey team. This team used water-craft and the investigative procedures outlined in Appendix B to conduct the survey of the visual corridor. Where entry onto private property was necessary to verify river observations, the Department contacted each affected property owner to obtain permission.

Subsequent to this field investigation and as required by law, topographic maps indicating the boundaries of the "visual" corridor were mailed to all affected property owners. However, this mailing generated concern with the Local Advisory Board about the methodology used by the Department to define the boundary. The Board's concern centered around the lack

of consistent guidelines for making adjustments to the boundary. In response to this concern, the Scenic and Wild Rivers Program worked with the Local Advisory Board to develop a standard set of criteria to be used. Appendix C contains the list of criteria that was approved by the Local Advisory Board and the Department of Natural Resources.

The "Scenic Corridor" boundary displayed graphically in Figure 1 and the enclosed maps (*See Appendix D*) is the result of the cooperative efforts just described. This corridor includes the land areas which are visible from the river or its contiguous shore with a few adjustments based on the approved criteria.

These adjustments, which were discussed with the landowner during an on-site visit, reduced the impact of the wild river corridor on private property owners while accomplishing the goal of the wild river designation: "to protect and conserve the natural resources of the river and their related lands.". They also make the corridor boundaries more easily identifiable by conforming to physical features already existing along the river. This method produces a corridor delineated by an easily identified boundary. The river management boundary encompasses approximately 4,731 acres. The importance of this boundary is that it delineates the area where the Youghiogheny Wild River regulations (*COMAR .08.15.01 - .07*) govern land use activities.

*A "study area" has also been identified only for analysis and planning purposes within the "Scenic" section of the Youghiogheny River which runs from the headwaters to Millers Run. This "study area" includes all the land one thousand feet (1000') on either side of the centerline of the Youghiogheny River (See Figure 1).*



**RIVER RESOURCE  
ASSESSMENT**

This section identifies significant natural, cultural, and recreational features found within the Youghiogheny River Corridor. The identification of existing features allows one to determine land uses suitable to a given area and possible management strategies necessary for protection. This determination is critical and illustrates the land's capabilities for certain types of development and directs growth to appropriate areas.

**Natural**

The river corridor contains a complex set of natural features with different values as resources, which interact to create a system offering different opportunities and constraints. The order in which they are presented follows a logical progression from a description of the area's geology which leads to the landforms visible today; to the hydrology and soils which are, to a large degree, determined by topography; and, finally to a description of the vegetation, which influences the wildlife by creating certain habitats.

**Maryland  
Physiographic  
Regions**

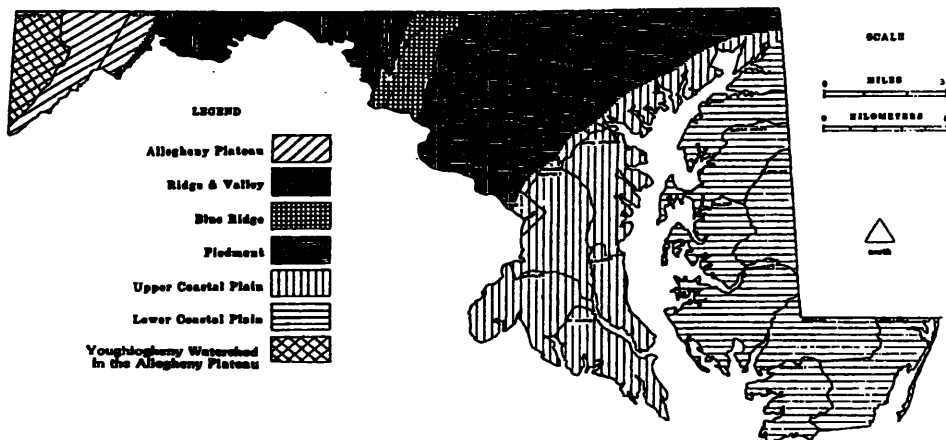
**Geology**

The geological history of the Youghiogheny region has determined the major landform features observed today, including rock outcrops, waterfalls, mineral deposits, and elevations. In addition, the weathering of geological material provides the ingredients for the development of soils. Geologic activity in the study area has produced a rugged landscape which contributes to the Youghiogheny's inaccessibility and scenic beauty.

The Youghiogheny River drains a portion of the Allegheny Mountains which are a subdivision of the Appalachian Plateau Physiographic Province (See Geologic Map of Maryland). The Alleghenies are, in geologic terms, old hills. They have a long, complex history that began more than 500 million years ago during the paleozoic era.<sup>1</sup> For more than 300 million years, the Appalachian area was a long trough filled by an arm of the ocean, and sediments from eroding uplands washed into the area, slowly adding to the accumulating debris of marine

skeletons. In later ages, due to the filling process, the trough became a low lying swamp teeming with primitive insects and reptiles. Two hundred million years ago, conditions changed and a geologic event known as the Appalachian Orogeny (mountain making) occurred. Pressures in the earth's crust caused the area to buckle and contort as the region was uplifted. The sea bottom and swamp sediments, thousands of feet thick, were pressed into high folds. Entombed were plant remains that became today's coal beds.

The minerals contained in the Youghiogheny region of the Alleghenies are all associated with the area's sedimentary rocks. They include limestone which has both agricultural and construction applications, fire clays for bricks, high silica sandstones (glass), peat, and coal. Coal is the most important mineral in the region. The Maryland segment of the Youghiogheny River contains approximately 11 million tons of coal according to the United States Bureau of Mines.



## Topography

The topographic elevations found within the Youghiogheny corridor are a reflection of the geologic history of the area and the varying erosive rates of different rocks. This physical activity has created elevations which range from 3,360 feet above sea level on Backbone Mountain to 1,480 feet above sea level at Friendsville, with an overall change in elevation of approximately 1,880 feet along the length of the river corridor. This overall change produces a staggering average gradient of 55 feet per mile.

The topography provides the foundation for understanding the other natural features which influence development and land use in the region. The topography determines the watershed boundaries and channels surface water into the Youghiogheny River. The level of the water table generally follows the surface topography and flows downgradient towards the River. In turn, the water table influences to a large degree the types of soils found on-site and their drainage characteristics which may impose constraints on development. Even the vegetation and wildlife observed are affected by the area's topography. Along the stream valley corridors, for example, the high water table, periodic flooding, and other environmental factors combine to produce a natural community known as a deciduous swamp woodland. Many tree species, shrubs and other plants have adapted to the organic soils and

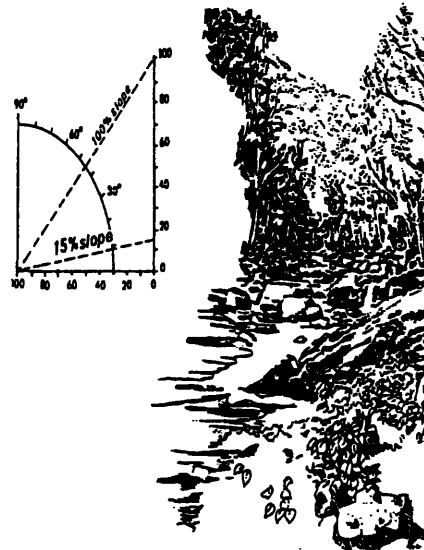
seasonally saturated conditions. Also, many species of wildlife are found in association with this floodplain habitat.

Slope is an expression of how rapidly the elevation changes. Slope is an important factor in determining the suitability of land for various uses. Level terrain is often poorly drained in temperate regions and this can increase development costs owing to surface drainage costs. Gentle slopes (3-8 percent) are prime areas for residential or industrial development. Steep slopes (25 percent or greater) increase development costs by necessitating additional grading. Steep slopes also intensify the erosion and sedimentation problems associated with development.

The Youghiogheny River valley slopes range from flat floodplain (the areas of the river in the vicinity of Oakland) to vertical rock cliffs (Swallow Falls area). Most slopes are in the 20% - 40% range. Probably the most rugged terrain is on the east slope from Gap Run to Trap Run and the west slope from White Rock to Laurel Run. There are also stretches of 20-30 foot cliffs downstream of Swallow Falls.

## Climate

In Garrett County, precipitation is the most important climatic factor. Everyone is aware that plants need a certain amount of precipitation to grow, but rain and snow also contribute to the weathering of rocks and the development of soils.



Garrett County's elevation and location combine to produce the greatest mean annual precipitation (47.3 inches), the highest average annual snowfall (82.0 inches), and the lowest mean annual temperature (47° F) among Maryland's 23 counties. The widely varying topography is also an important factor contributing to marked differences in climate within the county. On the southern facing valleys and slopes, for example, temperatures are generally warmer and precipitation is less than the northern facing areas of the county. These microclimatic differences can produce substantially varying vegetative types.

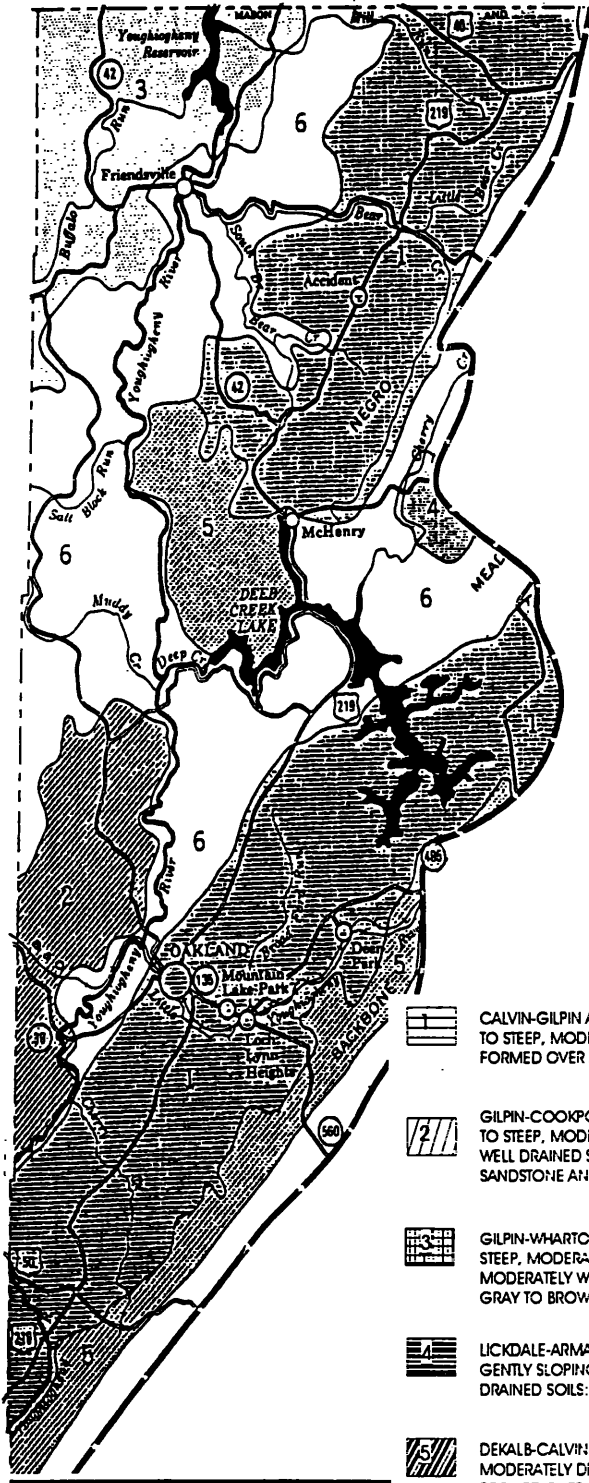
The period between the last freezing temperature in spring and the first in fall, defined as the growing season, averages only 122 days. However, this average can vary by as much as two weeks from place to place along the river corridor. This fact further influences the vegetative types found in this region.

# SOILS of the Youghiogheny River Watershed

## Soils

The five major factors in the formation of soils are climate, living organisms, parent material, topography, and time. Climate and living organisms, particularly vegetation, are the active forces. Their effect on parent material is modified by topography and by the length of time the parent material has been in place. The relative importance of each factor varies from place to place.

Climate is important in the formation of soils because it influences the weathering of rocks and minerals. Weathering is more rapid under a warm, humid climate than it is under a cold or dry climate. Since the climate is fairly uniform throughout the county, there are no significant differences among soils of the river corridor caused by climate alone. In addition, precipitation and length of growing season influence the type and abundance of vegetation.



**GENERAL SOIL MAP  
GARRETT COUNTY, MARYLAND**



CALVIN-GILPIN ASSOCIATION: GENTLY SLOPING TO STEEP, MODERATELY DEEP, WELL-DRAINED SOILS; FORMED OVER ACID, RED TO GRAY SHALE AND SANDSTONE.



GILPIN-COOKPORT-DEKALB ASSOCIATION: GENTLY SLOPING TO STEEP, MODERATELY DEEP, WELL-DRAINED AND MODERATELY WELL DRAINED SOILS; FORMED OVER ACID, GRAY TO YELLOWISH SANDSTONE AND SHALE.



GILPIN-WHARTON-DEKALB ASSOCIATION: GENTLY SLOPING TO STEEP, MODERATELY DEEP AND DEEP, WELL DRAINED AND MODERATELY WELL DRAINED SOILS; FORMED OVER ACID, GRAY TO BROWN, SOFT CLAY SHALE TO HARD SANDSTONE.



LICKDALE-ARMAGH-PEAT ASSOCIATION: NEARLY LEVEL TO GENTLY SLOPING, DEEP, POORLY DRAINED AND VERY POORLY DRAINED SOILS; FORMED OVER ACID CLAY SHALE TO HARD SANDSTONE.



DEKALB-CALVIN-GILPIN ASSOCIATION: GENTLY SLOPING TO STEEP, MODERATELY DEEP, WELL-DRAINED, VERY STONY SOILS; FORMED OVER ACID, RED TO GRAY SANDSTONE AND SHALE.



DEKALB-GILPIN-COOKPORT ASSOCIATION: GENTLY SLOPING TO STEEP, MODERATELY DEEP, WELL DRAINED AND MODERATELY WELL DRAINED, VERY STONY SOILS. FORMED OVER ACID, GRAY TO YELLOWISH SANDSTONE AND SHALE.



**N**ative plants have been and continue to be a major influence on the development of soils. Trees and other plants take up minerals from the soil and store them in their roots, stems, and leaves. When trees shed their leaves or needles or when plants die and decay, the plant nutrients are returned to the soil and are used by other plants. Soil development is also affected by plant roots. Roots penetrate soil material to various depths, generally increase soil porosity, and break course fragments such as stones. Organic acids produced by plants or released during the decay of plant material react on basic minerals contained in the parent material.

Differences in slope, especially in combination with differences in the position on the landscape, have a significant influence on the kind of soil that develops from a given parent material. Soils in steep areas where erosion is high tend to be shallow. In flat areas, soils are usually thick and well developed.

The varying characteristics of soils are important for two reasons:

- (1) They influence the type and abundance of vegetation;
- (2) They limit the possible uses of land. In general, soils found within the Youghiogheny corridor are shallow, steep and/or stony, and are better suited for woodland, wildlife habitat, and recreational uses rather than farming and residential development. The exceptions to this pattern occur at Sang Run and Hoyes Run, due to moderate slopes, and south of Swallow Falls. These soils generally have fewer use restrictions and are used primarily for agriculture.

The following chart lists the soil series found within the corridor, and identifies their limitations. These soil series are then combined to reflect similar limitations such as excessive slope or wetness, and then are illustrated on a map (*See Appendix H*). This information will be used to determine land use capabilities as is covered in Section IV of this Study.



<i>Soil Series</i>	<i>Symbol</i>	<i>Parent Material</i>	<i>Slope</i>	<i>Limitations</i>	<i>Native Vegetation</i>
<i>Albright</i>	<i>AbB</i>	<i>reddish shale and sandstone</i>	<i>0 - 8%</i>	<i>seasonal high water table</i>	<i>water-tolerant species -oak, maple</i>
<i>Allegheny</i>	<i>AhB</i>	<i>acid shale and sandstone</i>	<i>0 - 8%</i>	<i>moderate erosion hazard</i>	<i>mixed hardwoods</i>
<i>Alluvial</i>	<i>Ao</i>	<i>variable material</i>	<i>level</i>	<i>floodplain</i>	<i>water-tolerant species</i>
<i>Brinkerton</i>	<i>BsC</i>	<i>local alluvium</i>	<i>0 - 15%</i>	<i>high water table</i>	<i>water-tolerant hardwoods, some hemlock</i>
<i>Calvin</i>	<i>CaC2, CaD2, CIE</i>	<i>reddish shale, siltstone and sandstone</i>	<i>10 - 50%</i>	<i>slope and erosion hazard</i>	<i>native hardwoods, mostly oak</i>
<i>Cookport</i>	<i>CuB, CuD</i>	<i>acidic sandstone</i>	<i>0 - 25%</i>	<i>very stony, seasonally high water table</i>	<i>hardwoods - oak, hickory and maple</i>
<i>Dekalb</i>	<i>DbB, DbC2, DbD2, DcD, DcD, DgC, DgD</i>	<i>acidic sandstone</i>	<i>0 - 25%</i>	<i>very stony, erosion hazard</i>	<i>mixed hardwoods - largely black oak</i>
<i>Ernest</i>	<i>Erb, ErC2</i>	<i>acid, shale material</i>	<i>3 - 15%</i>	<i>seasonal high water table</i>	<i>water tolerant hardwoods</i>
<i>Gilpin</i>	<i>GnB2, GnC2</i>	<i>acid shale and sandstone</i>	<i>0 - 20%</i>	<i>stony</i>	<i>hardwood and some pine</i>
<i>Laidig</i>	<i>LaB, LaD</i>	<i>acidic sandstone</i>	<i>0 - 25%</i>	<i>very stony</i>	<i>hardwoods - largely oak</i>
<i>Philo</i>	<i>Ph</i>	<i>acidic alluvial</i>	<i>level</i>	<i>floodplain</i>	<i>water tolerant hardwoods</i>
<i>Pope</i>	<i>Ps</i>	<i>acidic alluvial</i>	<i>level</i>	<i>floodplain</i>	<i>water tolerant hardwoods</i>
<i>Stony Land</i>	<i>SrF</i>	<i>lacks soil development</i>	<i>25%</i>	<i>stony and steep</i>	<i>native hardwoods</i>
<i>Ungers</i>	<i>UcB</i>	<i>reddish shale, sandy shale, and fine grained sandstone</i>	<i>0 - 10%</i>	<i>moderate erosion hazard</i>	<i>native hardwoods (oak and maple) and some pine (Virginia and white)</i>
<i>Very Stony Land</i>	<i>VsF</i>	<i>reddish brown hard sandstone with some siltstone or shale</i>	<i>25%</i>	<i>stony and steep</i>	<i>scrub type hardwoods</i>

**MAP OF THE  
YOUGHIOGHENY  
SUB-BASIN**



## Hydrology

This section on hydrology will cover surface waters, wetlands, and floodplain areas. These physical areas all have water as a key component.

### Surface Waters

Rivers and streams are conduits for carrying water which drains off of the earth's surface. The Youghiogheny River is unique to Maryland due to its northward flow. In addition, the Yough is one of the few rivers in Maryland which does not drain into the Chesapeake Bay, but rather into the Monongahela-Ohio-Mississippi Rivers system.

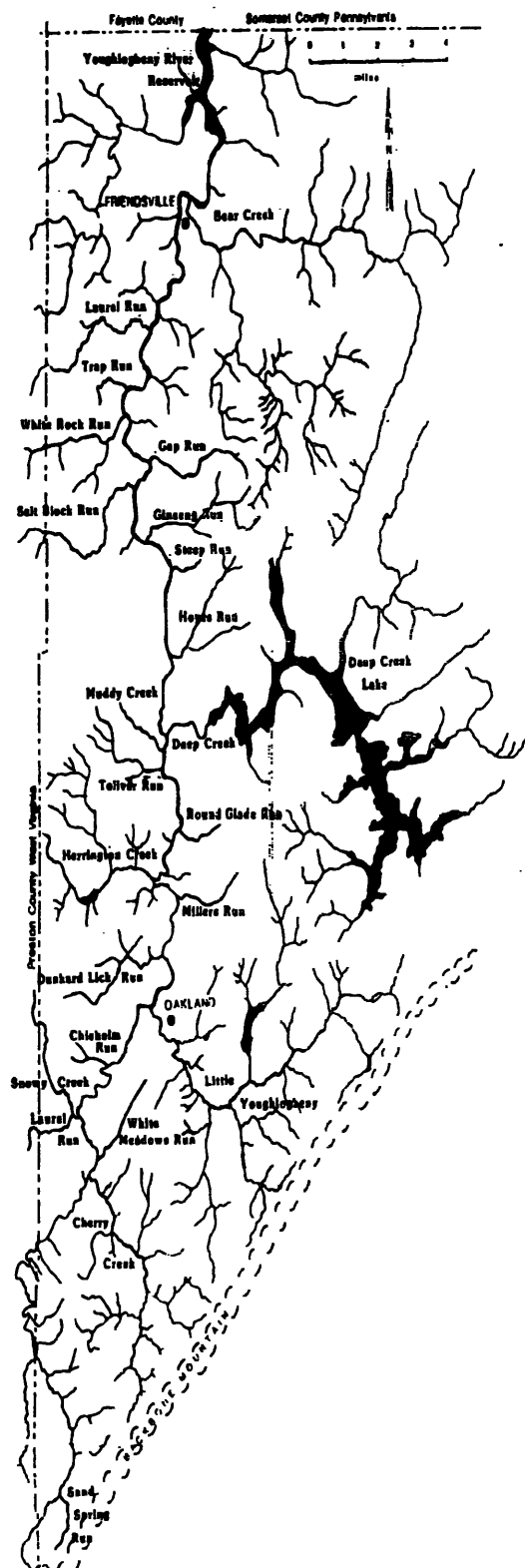
The Youghiogheny River system is divided into four drainage basins within Maryland. (Note: The Casselman River drainage basin is not included since it joins the Yough in Pennsylvania.) The Youghiogheny River basin drains an area of approximately 172 square miles. The Bear Creek drainage area is approximately 50 square miles, while the Deep Creek basin and the Little Youghiogheny River basin drain approximately 67 and 40 square miles respectively.

The Youghiogheny watershed has an extremely dense network of tributaries. In fact, over 50 streams drain into Youghiogheny River within Maryland, including the major tributaries listed below (See Map: Major Tributaries of the Youghiogheny River).

## Major tributaries to the Youghiogheny River

*Sand Spring Run  
Cherry Creek  
White Meadows Run  
Laurel Run  
Snowy Creek  
Chisholm Run  
Little Youghiogheny  
Dunkard Lick Run  
Millers Run  
Round Glade Run  
Herrington Creek  
Toliver Run  
Muddy Creek  
Deep Creek  
Hoyes Run  
Steep Run  
Ginseng Run  
Salt Block Run  
Gap Run  
White Rock Run  
Trap Run  
Frazee Run  
Laurel Run  
Bear Creek*

The topography is generally mountainous with the flow characteristics of streams reflecting this pattern of relief. Comparatively fast velocities in the streams due to steep channel gradients can cause pronounced erosion, but most of the stream beds are quite rocky and relatively free from silt.



One of the major man-made influences on the surface hydrology of the Youghiogheny is the hydroelectric dam located on Deep Creek. During periods of low flow in the summer, water releases of 600 cfs (cubic feet per second) from the dam augment the natural flow of approximately 60 cfs. This additional volume of water allows recreational boaters the opportunity to float the River during non-navigable times. There is also presently a continuous "leakage" of approximately 7 cfs through the power station. This leaking water provides relatively cold water which appears to help provide trout habitat.



## Wetlands

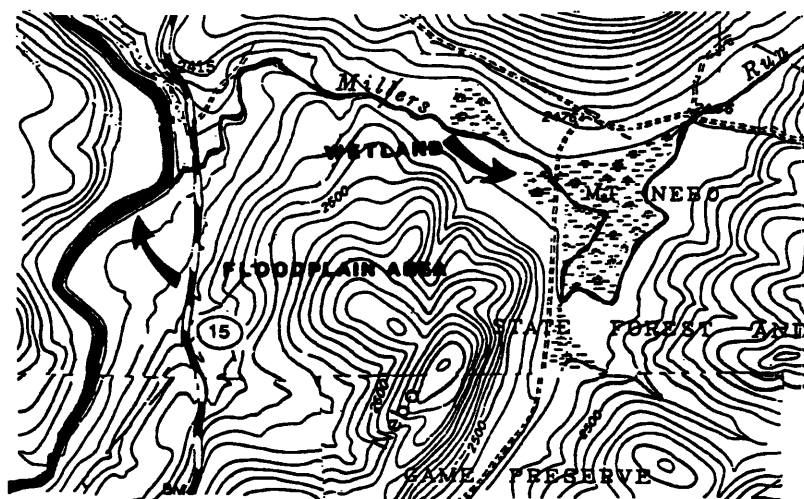
Anyone studying a map of Garrett County cannot help but notice the large number of names which contain the words "glade", "swamp" or "bog". The topography, climate, and hydrology of the area have combined to create over 6,000 acres of nontidal wetlands within the county, of which many are mountain bogs containing plant

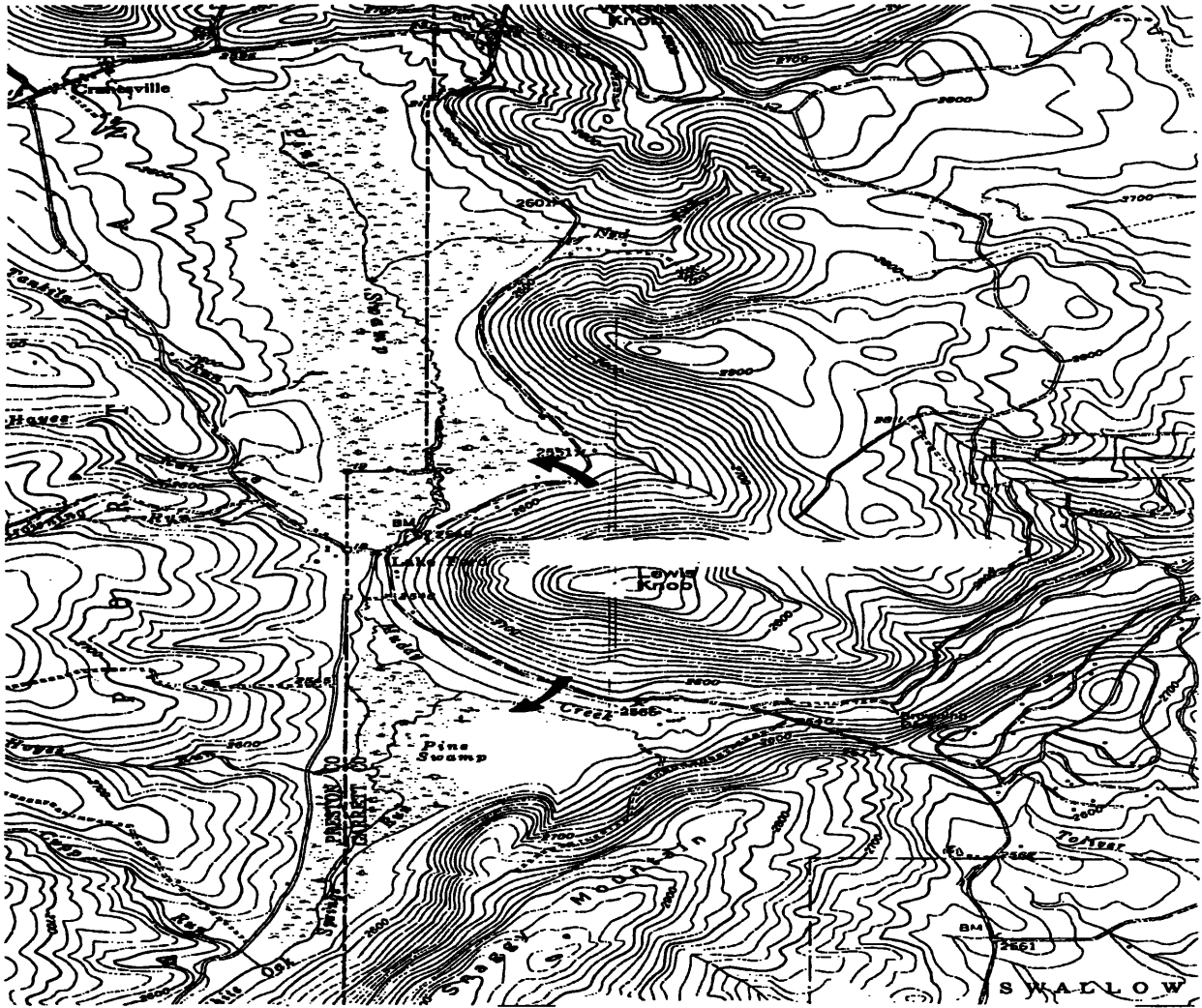
and animal life more commonly found farther north in sub-arctic or glaciated regions.

The U.S. Environmental Protection Agency and the State of Maryland define "nontidal wetland" as "an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support and that under normal circumstances does support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation." Research has recently demonstrated the important role wetlands play in the hydrogeological cycle as groundwater recharge areas and water purifiers. They also

perform other valuable functions by acting as "sponges" to control stormwater, providing diverse habitats for both plants and animals including many endangered species, and offering recreational opportunities for hunting, fishing, and nature appreciation. As a result of the decline of this important part of the ecosystem, the State passed legislation in 1989 which protects these areas by using various management techniques.

One of the most noted wetland areas within the Yough drainage is the Cranesville-Pine Swamp. This swamp, which lies on the Maryland-West Virginia border at an elevation of 2600 feet, has received recognition as a National Natural Landmark. It is believed that this site possesses exceptional value as an interpretive illustration of the Nation's natural history. Cranesville-Pine Swamp occupies a natural, high elevation frost pocket and contains plant and animal life more commonly found in sub-arctic or glaciated regions. Some of the plant and animal species found in the swamp include: Eastern larch (*Larix laricina*), Creeping snowberry (*Gaultheria hispidula*), Round-leaved sundew





*(Drosera rotundifolia)*, Bog holly (*Nemopanthus mucronatus*), Water shrew (*Sorex palustris punctulatus*), Nashville warbler (*Vermivora ruficapilla*) and Saw-whet owl (*Aegolius acadicus*). Cranesville-Pine Swamp drains sluggishly into Muddy Creek which flows over a six mile course into the Youghiogheny at Swallow Falls State Park. Another noteworthy wetland area occurs at the headwaters of Millers Run within Mt. Nebo Wildlife Management Area. Other smaller wetland complexes can be found in a number of poorly-drained sites along the River. Several of these areas support uncommon or rare plant life.

### Floodplains

Floodplains are periodically inundated portions of the land that adjoin watercourses. Floodplains are important for carrying and discharging floodwaters. Obstructions in a floodplain can create flooding problems elsewhere. It should be noted that the highest flood of record occurred on March, 1924, which reached a height of 14.2 feet at the Friendsville gaging station.

For the most part, the Youghiogheny River floodplains are confined by steep slopes to a relatively narrow area adjacent to the River. However, at its headwaters in Crellin and along Millers Run and Sang Run, the River does experience an expansion in the floodplain area.

*Birch*



*Beech*



*Oak*



*Maple*



*Poplar*



### Vegetation

The vegetation found along the Youghiogheny River reflect a combination of environmental factors - soils, climate, topography, and hydrology. These factors combine to create the necessary conditions for an individual plant's growth and survival.

More than two-thirds of the Yough study area is forested predominantly with northern hardwoods - oak, beech, birch, maple, wild cherry, hickory, ash, and elm. White pine and hemlock stands relieve the dominance of the broadleaf trees, while rhododendron and mountain laurel thickets are found in hollows and along streams.

The forest that appears today is much different from the tree cover that originally stood in the area. Timber cutting has changed the region from mostly pine and hemlock, mixed with some hardwoods, to an area of second and third growth hardwood forests. Gone also are the chestnuts, victims of the chestnut blight. The forests around the Youghiogheny were extensively logged in the period from 1900 to 1920. The area has recovered, but as recently as thirty years ago, the river corridor would not have shown its present unspoiled appearance; an appearance that is as much a result of the presence of nature as it is of the absence of man's development. Loggers reached almost all parts of the Youghiogheny valley with the exception of Swallow Falls, where virgin stands of pine and hemlock survive.



*Mountain Laurel Rhododendron*

In fact, the largest hemlock and white pine of record in the State of Maryland are found within Swallow Falls State Park.

The abundant forests that cloak the River corridor are an important resource. They provide food and shelter for wildlife and help maintain water quality. Some tree species located along the Yough which have high wildlife value are oak, maple, birch, cherry, pine, beech and poplar. Forests also act as a filtration system for precipitation falling in the watershed and reduce water runoff and soil erosion. In addition, timber harvesting provides a valuable source of revenue for the economy of Garrett County.



*Old-growth hemlocks in Swallow Falls State Park*

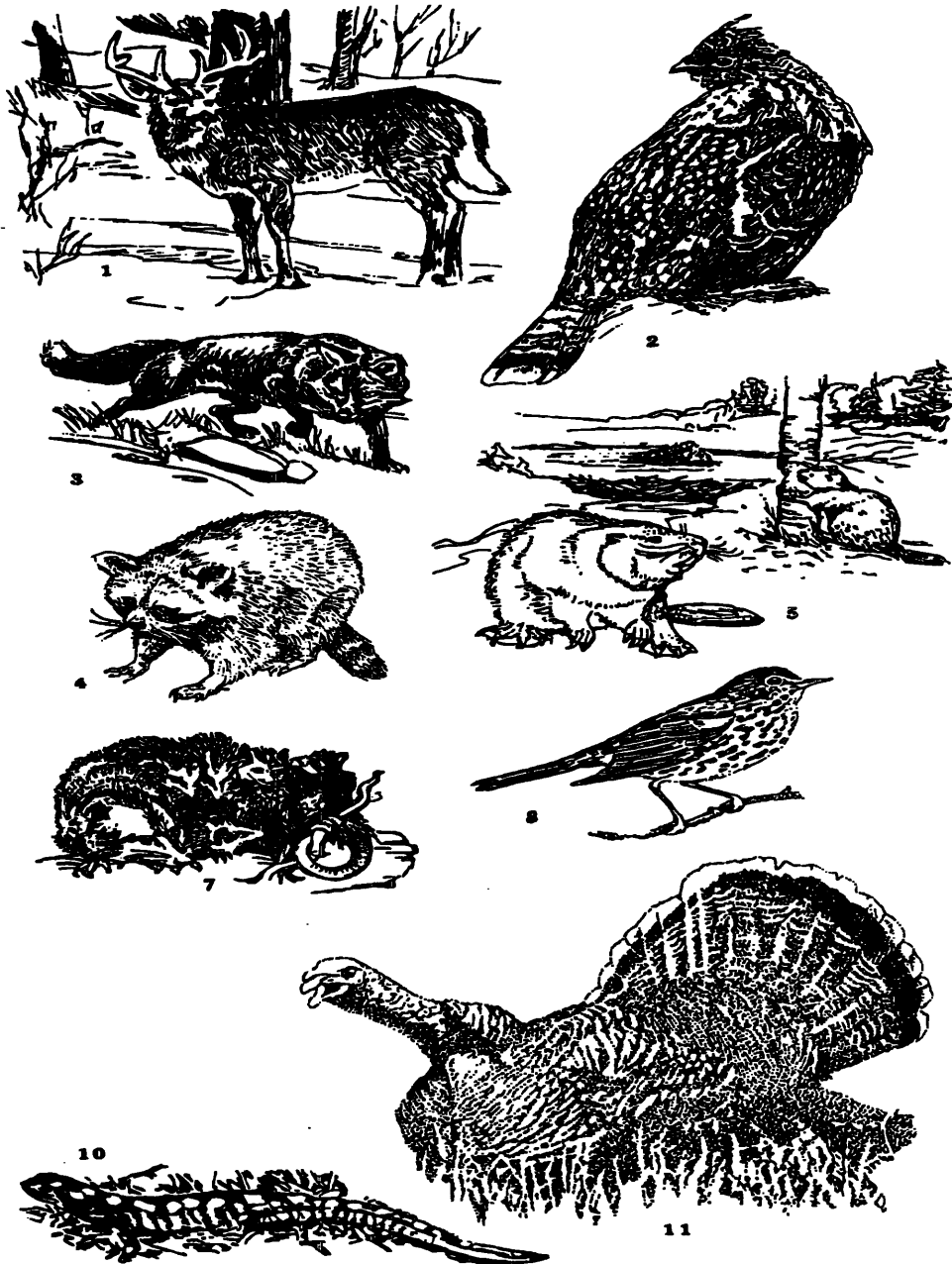
## Wildlife

The heavily forested habitat of the Yough Corridor supports abundant wildlife. The whitetail deer is one of the more numerous mammals found in this area. According to the Maryland Wildlife Service, more deer were harvested in Garrett County in 1988 than any other county in the state. Black bear and bobcat do inhabit the area, but are uncommon. There are also many smaller species of mammal such as: grey and red fox, raccoon, opossum, beaver, mink, muskrat, and woodchuck. There are several game birds located in the area, including: wild turkey, ruffed grouse, and woodcock. Numerous non-game species are present with songbird and hawk varieties being abundant. Reptiles and amphibians common to the Northeast are also plentiful. Reptiles present include snapping turtle, painted turtle, smooth green snake, timber rattlesnake, garter snake and black rat snake. Green frogs, pickerel frogs, wood frogs, American toads, spotted salamanders, and red spotted newts are a few of the resident amphibians.

*"The heavily forested habitat of the Yough Corridor supports abundant wildlife."*

1. *Whitetail deer*
2. *Ruffed grouse*
3. *Red fox*
4. *Raccoon*
5. *Beaver*
6. *Red-tailed hawk*

7. *Opossum*
8. *Wood thrush*
9. *Snapping turtle*
10. *Spotted salamander*
11. *Wild turkey*





## Rare, Endangered and Threatened Species

Since 1979, DNR's Maryland Natural Heritage Program has been conducting a continuous inventory of significant natural areas whose flora and fauna are threatened or endangered on a statewide or national basis. State naturalists have located over 31 sites within the River Corridor supporting plants and animals that are either considered rare in the state, or are officially listed as In Need of Conservation, Threatened or Endangered. The remote and rugged character of much of the River Corridor is, at least, partly responsible for the presence of viable populations of several rare species. The following page contains a list of rare, endangered or threatened species found in the Youghiogheny River Corridor.



1. *Green Salamander*
2. *Long-Tailed Shrew*
3. *Eastern Woodrat*
4. *Large Purple-Fringed Orchid*
5. *Long-Bracted Orchid*
6. *Rock Clubmoss*
7. *Appalachian Blue Violet*
8. *Tasselrue*
9. *Lettuce-Leaved Saxifrage*
10. *Loesel's Tway Blade*
11. *Ginseng*

COMMON NAME

SCIENTIFIC NAME

**Animals**

Green Salamander  
Common Mudpuppy  
Cheat Minnow<sup>2</sup>  
Wehrle's Salamander  
Long-Tailed Shrew  
Southern Water Shrew  
A Planarian  
A Planarian  
Hellbender  
Stonecat<sup>3</sup>  
Eastern Wood Rat

**Animals**

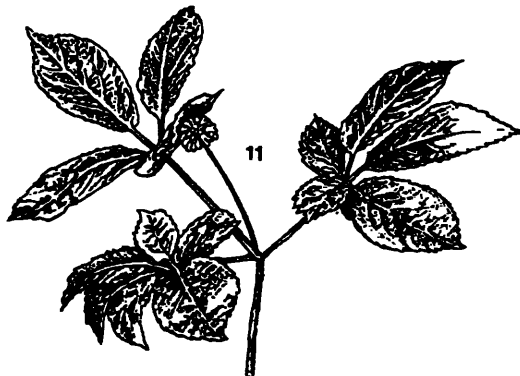
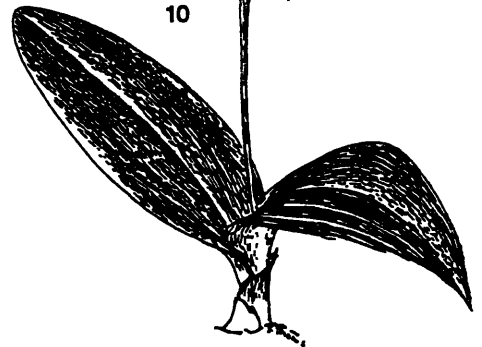
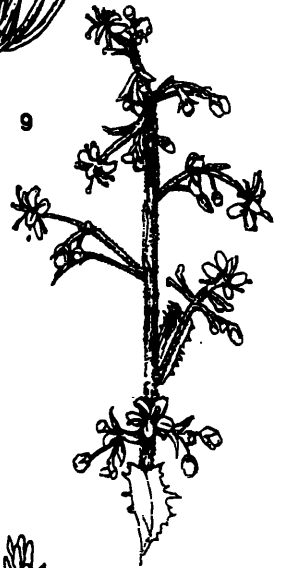
Aneides aeneus  
Necturus maculosus  
Rhinichthys bowersi  
Plethodon wehrlei  
Sorex dispar  
Sorex palustris punctulatus  
Procytyla typhlops  
Planaria dactyligera  
Cryptobranchus alleghansis  
Noturus flavus  
Neotoma floridana

**Plants**

Blue Monkshood  
Small Purple-fringed Orchid  
Long-bracted Orchis  
Northern Beech Fern  
Rock Clubmoss  
Appalachian Blue Violet  
Tasselrue  
Thyme-leaved Bluets  
Lettuce Saxifrage  
Mountain Spleenwort  
Loesel's TwayBlade  
Ginseng  
Smooth Rose  
Pale green orchid  
Umbrella magnolia

**Plants**

Aconitum uncinatum  
Platanthera psycodes  
Coeloglossum viride  
Thelypteris phegopteris  
Lycopodium porophyllum  
Viola appalachiensis  
Trautvetteria caroliniensis  
Houstonia serpyllifolia  
Saxifraga micranthidifolia  
Asplenium montana  
Liparis loeseli  
Panax quinquefolius  
Rosa blanda  
Platanthera flava  
Magnolia tripetala



**Fish**

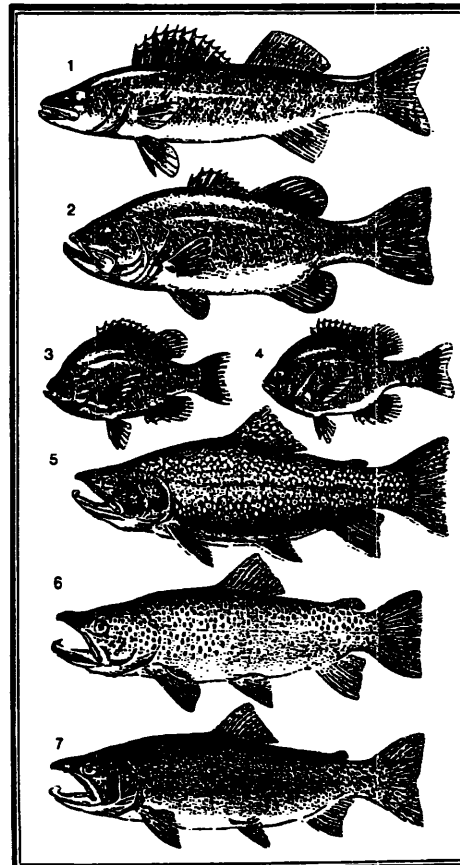
The variety of fish species found within the Youghiogheny River are important both as a food source for other wildlife and as a recreational resource. However, the health and reproductive success of many fish species depend on good quality surface waters. Other phenomena that can adversely affect fish populations are the Yough's variations in water levels and temperature.

DNR's Fisheries Division has been working to renew the fishery resource within the River through extensive stocking efforts and research. Their investigation suggests that the Yough does provide acceptable environments for increased populations of brown (*Salmo trutta*) and rainbow trout (*Oncorhynchus mykiss*), and the slower river stretches could support smallmouth bass (*Micropterus dolomieu*). Previously, declines in water quality as a result of acid drainage from abandoned mines, domestic and industrial sewage and sediment from farming and logging have impacted fish populations.

Recent research by the Fisheries Division has documented improvement in water quality and the presence of naturally reproducing brown and rainbow trout populations in a few Youghiogheny River tributaries.<sup>4</sup> It has also been documented that trout distribution and survival is related to the availability of cool water during the summer months. Fish shocking efforts

have also indicated the presence of smallmouth bass and walleye (*Stizostedion y. vitreum*) in the deep pools along the River. In addition to the species mentioned above, field investigations<sup>5</sup> indicate the following species:

<u>Common Name</u>	<u>Scientific Name</u>
Largemouth Bass <sup>6</sup>	<u>Micropterus salmoides</u>
Bluegill	<u>Lepomis macrochirus</u>
Pumpkinseed	<u>Lepomis gibbosus</u>
Rock bass	<u>Ambloplites rupestris</u>
White sucker	<u>Catostomus commersoni</u>
Hog sucker	<u>Hypentelium nigricans</u>
Stoneroller	<u>Campostoma anomalum</u>
River Chub	<u>Nocomis micropogon</u>
Longnose Dace	<u>Rhinichthys cataractae</u>
Blacknose Dace	<u>Rhinichthys atratulus</u>
Creek Chub	<u>Semotilus atromaculatus</u>
Mottled Sculpin	<u>Cottus bairdi</u>
Fantail Darter	<u>Etheostoma flabellare</u>
Carp	<u>Cyprinus carpio</u>



*Some Youghiogheny River gamefish species:*

- 1-Walleye, *Stizostedion vitreum*
- 2-Largemouth Bass, *Micropterus salmoides*
- 3-Pumpkinseed, *Lepomis gibbosus*
- 4-Bluegill, *Lepomis macrochirus*
- 5-Brook Trout, *Salveinus fontinalis*
- 6-Brown Trout, *Salmo trutta*
- 7-Rainbow Trout, *Salmon gairdneri*

## Cultural Resources

Besides its outstanding natural resources, the Youghiogheny River Valley has contributed significantly to the history of Garrett County. The purpose of this section is to identify major historical factors which have influenced the development of current settlement patterns and their expression in the River Valley.



entryways for Colonial settlers and explorers. Among the more famous of travelers using the pathways was George Washington, who followed them while exploring the area during the French and Indian war.

The history of development along the River Corridor follows a pattern similar to other areas of Appalachia. Initial settlement was accomplished by farmers and woodsmen who established self-sufficient communities at Selbysport, Friendsville, Sang Run and Sunshine (Crellin). These early settlers cleared only enough land to provide for their own crops with a little left over for sale or trade. Small grist mills on several tributary streams provided grain milling services to the local farmers.

During the Revolutionary War, Maryland encouraged service in the Continental Army by offering a bounty of 50 acres of land to each of its soldiers who would serve at least three years. Colonel Francis Deakins surveyed approximately 2,774 "military lots" in Garrett County. It is interesting to note that no soldier settled upon his bounty lot, thus allowing most of the land to be sold to speculators for \$12 to \$15 each. Some Garrett County land still remains divided into military lots.

The development of the Cumberland Road (US 40) as the first national road spurred the growth of Friendsville as a

trade center for settlers west of Cumberland. In 1830, the Youghiogheny Iron Company began operating, indicating possible industrial expansion. Lumbering too was an important industry in the heavily forested area surrounding Friendsville. This period also saw the development of agriculturally-based settlements.



The coming of the railroad in 1852 and the scenic beauty of the area combined to promote the establishment of resort towns. The railroad brought many vacationers; among them were a number of presidents - Grover Cleveland, Ulysses S. Grant, and Benjamin Harrison. Camping, too, became a popular pastime. Henry Ford, Thomas Edison, and Harvey Firestone used Muddy Creek as their campsite.

## History of Settlement

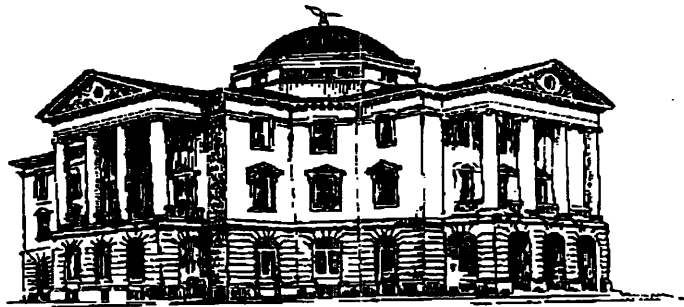
Indian tribes known to have inhabited Garrett County include the Monogahela - who apparently disappeared around 1600 - the Shawnee, the Delaware and the Iroquois. Records of early explorers and surveyors and archeological evidence suggest that the Youghiogheny River Valley was used extensively for hunting and fishing. Evidence also indicates permanent Indian settlements at Sang Run and Friendsville.

Settlement by European settlers and the subsequent displacement of the Indians began with John Friend in 1765, when his family constructed their homes at the site of a former Indian village. The small community later became known as Friendsville. Indian trails and footpaths in the area became the

**D**uring this period, Garrett County prospered and grew. Its economy was established on a threefold basis of agriculture, timber and coal extraction, and recreation. This growth precipitated the Governor of Maryland to sign a proclamation declaring Garrett a separate county on December 5, 1872.

Besides providing a form of transportation for vacationers, the railroad offered a means of moving timber to market. The River itself could not be used for transportation because of the multitude of falls, rapids, and other obstructions. Therefore, logging railroads were graded through the Yough valley, permitting the large-scale exploitation of timber and coal. In 1889, the Confluence and Oakland Railroad was built to reach timberlands held by the Yough Manor Land Company. The railroad followed the path of the river south from Confluence, Pennsylvania through Friendsville, to Kendall (originally called Krug).

Kendall was the headquarters for two major lumber companies. A. Knabb and Co. (organized by Henry Krug) manufactured barrel staves and oil and whiskey barrels from the white oak abundant in the river valley. At the same time, the Kendall Lumber Co. built a large sawmill at the site. As late as 1908, Kendall was described as a thriving town; however, operations at the mill ceased in 1912.



*Oakland Courthouse, 1907*

In the southern portion of the river, the Preston Lumber and Coal Co. established extensive timber cutting operations and built a large sawmill at Crellin in 1892. This sawmill had the capacity to produce 60,000 feet of lumber. In 1925, however, the Crellin operation sawed its last log and the railroad turned to hauling coal.

Logging railroads were also prevalent along Bear Creek and the Casselman River. The Meadow Mountain Lumber Company operated along Bear Creek and constructed a mill in Friendsville.

**G**arrett County experienced a decrease in economic prosperity during the early 1900's as the timber, coal and tourism industries declined. However, the construction of Deep Creek Dam and subsequent creation of Deep Creek Lake in 1924 brought a revival in tourism. Acquisition of State Forest lands has also contributed to the recreational potential in Garrett County. Current citizens of the County are employed in a variety of economic sectors including timber harvesting, mining, agriculture, manufacturing, retail, tourism and government service.



*Lumbering was an important industry in the heavily forested area surrounding Friendsville.*

## Historical and Archaeological Sites

### Historical Sites

*There are no registered historic structures located within the Youghiogheny River Corridor. However, the town of Oakland contains two sites worthy of note:*

#### 1) B&O Railroad Station

*This is one of the oldest railroad stations in the country having been built in 1884. It is a large brick structure of architectural interest.*

#### 2) Courthouse

*This structure was built in 1907. The courthouse's architectural importance stems from its neo-classical renaissance revival masonry construction in the form of a latin cross with a central rotunda.*

*The towns of Oakland, Crellin and Friendsville have identified historic districts within their respective boundaries which contain a number of structures of historical significance. The Crellin Historic District is significant as a well-preserved example of a company town which served the lumber, railroad and coal industries in the late 19th and early 20th centuries. The Sang Run community also contains a number of historical structures. The most noteworthy are:*

#### 3) Sang Run Election House

*This building was built in 1872 and served the Sang Run community as an election house for many years. It is a one story, wood frame structure.*

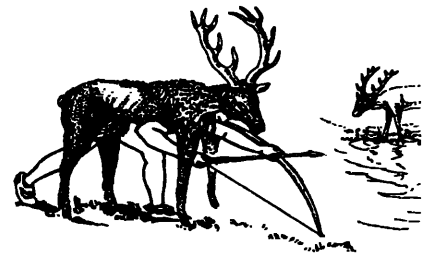
#### 4) Sang Run Post Office

*This building served as a store and post office for many years. The store was established in 1837 and still operates today. It is a one story, wood frame structure.*

### Archaeological Sites

The Youghiogheny Valley has been extensively occupied by man for more than 10,000 years. There are many sites of archaeological interest along the river, including stone burial mounds, rockshelters, small hunting stations, and village sites (Friendsville and Sang Run). These sites encompass both the Archaic and the Woodland periods.

Archaeological survey work has determined that most sites occur in the level upland areas of the tributaries to the Youghiogheny where adequate supplies of surface water were available. Settlements were restricted to these areas due to the lack of floodplain development and the preponderance of steep slopes along the River. However, excavations near Sang Run have disclosed evidence of occupancy by Monogahela Indians during Middle and Late Woodland intervals (900-1600 AD), but they unaccountably disappeared during the early 1600's, leaving the land unoccupied. Test excavations by a local amateur archaeologist have revealed post molds, refuse pits, a fireplace, and two house pits. Farming activities have also turned up a few Indian graves.



Although the Garrett County region has not been extensively surveyed, a predictive model has been developed to define possible archaeological site locations based on features of the physical environment.<sup>7</sup>

This model establishes relationships between human needs and environmental factors. For instance, the model predicts that the preferred locations for settlement occurred either in large floodplains or in upland areas adjacent to headwater streams. These locations represent landscapes where water, food, and level space for shelter could be most readily found. This model can be useful in making management decisions concerning possible prehistoric sites. Some of the natural features which influenced prehistoric human settlement are listed below.

*Topography -  
degree of slope and availability of level space.*

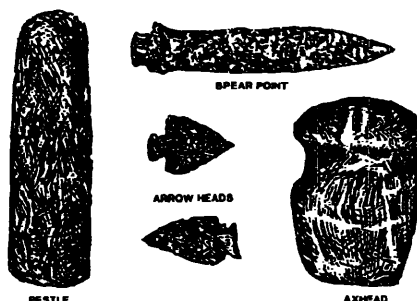
*Geologic -  
availability of rock for tool making, presence of fertile soils, suitable conditions for rockshelters.*

*Hydrologic -  
availability of surface water, navigability of rivers*

*Biotic -  
availability of plants and animals*

*Climatic -  
areas of maximum sunlight exposure, severity of winter, length of growing season.*

STONE IMPLEMENTS MADE BY MARYLAND INDIANS



## Current Land Uses

Land use along the Youghiogheny River reflects past settlement patterns and has changed little in recent years. This lack of change and development has left the river banks in their natural condition and has resulted in State river designation.

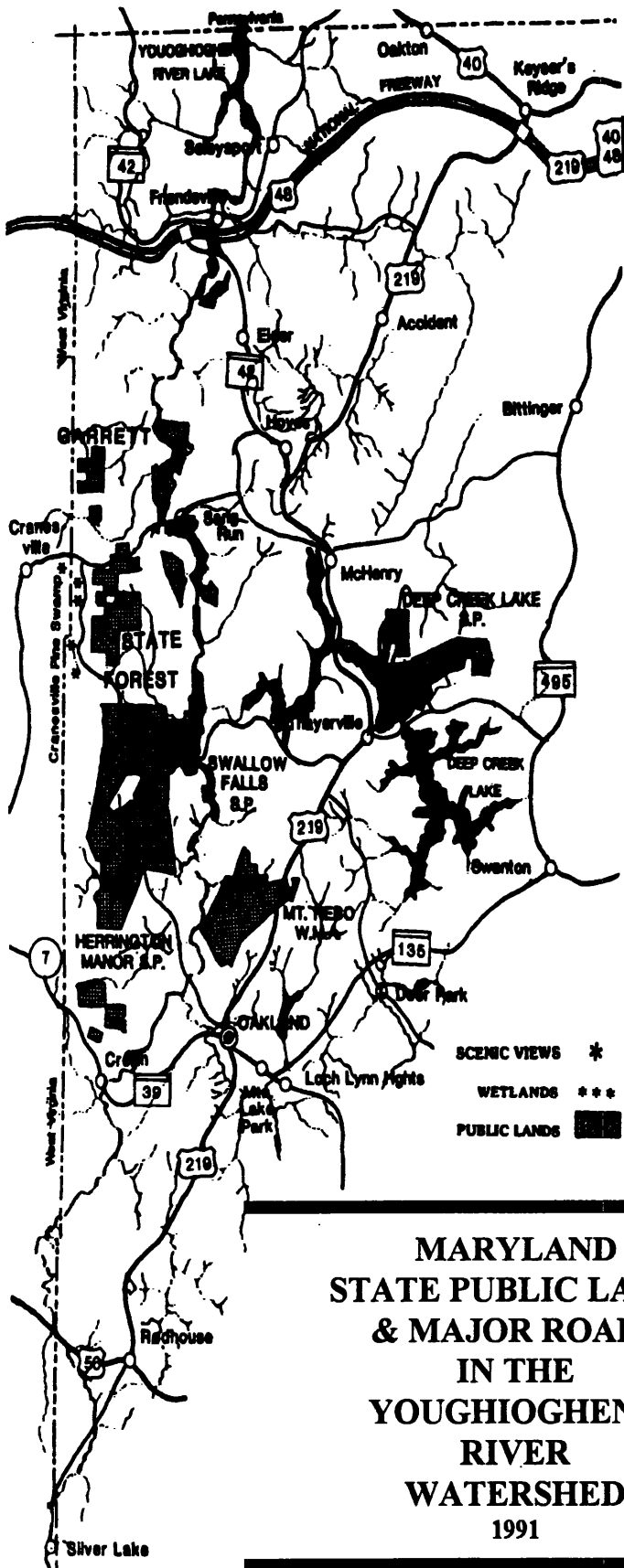


The towns of Oakland, Friendsville, and Crellin still exist along the River, but they do not enjoy the economic prosperity they once experienced. Farming occurs in the Pleasant Valley region around Oakland and in the Sang Run area; however, industrial use is minimal. The Penelec Deep Creek Power Plant is located at Hoyes Run, and an inactive gravel quarry can be found at Sang Run.

Currently, the State of Maryland is one of the largest landowners with approximately 2000 acres.

The bulk of the land is concentrated around Swallow Falls State Park. Selective timber harvesting does occur sporadically along the River corridor. However, the Youghiogheny River Valley remains predominantly forested with scattered single-family homes.

The construction of Interstate 68, combined with the increased notoriety of the area, particularly after the Canoe/Kayak World Championships held on the Savage River in 1989, and the lack of lots that can be developed around Deep Creek Lake may focus attention to the Youghiogheny River area.



## Recreational

The Youghiogheny River offers excellent opportunities for diverse forms of recreation ranging from whitewater boating to hunting. These opportunities contribute to the resource value of the River and should be encouraged in areas where it is felt they are compatible with the River's character.

## Public Lands

Recreational activity along the Youghiogheny is focused on existing State lands such as Swallow Falls State Park, Herrington Manor State Park and Mount Nebo Wildlife Management Area. Day-use in these parks has increased since 1980, while overnight camping has remained relatively stable.<sup>8</sup>

### Swallow Falls State Park

Swallow Falls State Park is one of the most beautiful and picturesque spots in Maryland. Nestled along the Youghiogheny River between Swallow Falls and Muddy Creek Falls, it is a mountain paradise of scenic beauty, a place of rushing water and towering trees, of cliffs and rocks and wildflowers.

Several noteworthy features are found within this Park. Muddy Creek Falls is the largest waterfall in Maryland with a drop of approximately 52 feet. The land beside the falls contains forty acres of giant pines and hemlocks rising to heights of more than 100 feet, and is the site of the 1918 camp

of Henry Ford, Thomas Edison and Harvey Firestone. Canyon Trail, between Muddy Creek Falls and Swallow Falls, provides an excellent view of the turbulent Youghiogheny.

The Park has a number of hiking trails and a picnic shelter. It also features 65 campsites with washhouses nearby.

### Herrington Manor State Park

Herrington Manor State Park is located along Herrington Creek, a tributary to the Yough. The development of recreation at Herrington Manor began in the 1930's, when, with the aid of Civilian Conservation Corp labor, a 53-acre lake was formed by damming Herrington Creek. Some of the recreational features include hiking trails, 20 rental cabins, picnic tables, picnic shelter, and rental boats for the lake. Swimming and fishing are permitted on the lake, and in the winter there is cross country skiing. Herrington Manor and Swallow Falls combine to provide 10 miles of hiking trails.



### Mt. Nebo Wildlife Management Area

Another piece of State land along the River is a 1,763-acre forested tract north of Oakland. The Mt. Nebo Wildlife Management Area, an oak-hickory hardwood forest, includes a large glade at the head of Miller's Run and a five-acre lake stocked with bass and bluegill. This area is actively managed for a number of game species including deer, turkey, grouse, squirrel and rabbit and is open for seasonal hunting.

### Deep Creek Lake State Park

Although somewhat removed from the River, Deep Creek Lake State Park does provide recreational activities within driving distance of the Youghiogheny. This Park is located on a lake formed by a dam located approximately 1 1/2 miles above the junction of Deep Creek and the Youghiogheny River. This State Park affords many opportunities for outdoor recreation for both the day visitor and the vacation camper. The Park has about one mile of shore frontage on the lake, providing access for fishing, boating, swimming and water skiing. The Park also contains a number of picnic areas and hiking trails as well as 112 campsites with nearby sanitary units. Hunting is permitted in the undeveloped areas of the park.



## Boating

The Youghiogeny River is noted as one of the most outstanding whitewater rivers on the East Coast. Its impressive whitewater coupled with a location within a few hours drive of major metropolitan areas have increased the popularity of this area with both commercial outfitters and private boaters.



The pristine Youghiogeny River offers a true wilderness experience as it cascades through a narrow, boulder-strewn gorge surrounded by undeveloped forests teeming with wildlife. The whitewater segment has an average rate of descent of 88 feet per mile. In some places, it exceeds 100 feet per mile, which is four times steeper than some of the East Coast's other premiere whitewater rivers. In fact, the Gap Falls to Kendall Run section of river is almost one continuous rapid where a boater must navigate over twenty class IV and V<sup>9</sup> rapids, with such ominous names as "Eddy of Death", "Bastard", "Meat Cleavers", and "Fat Man's Squeeze" (See Map: Upper Youghiogeny River).

### *Commercial Use*

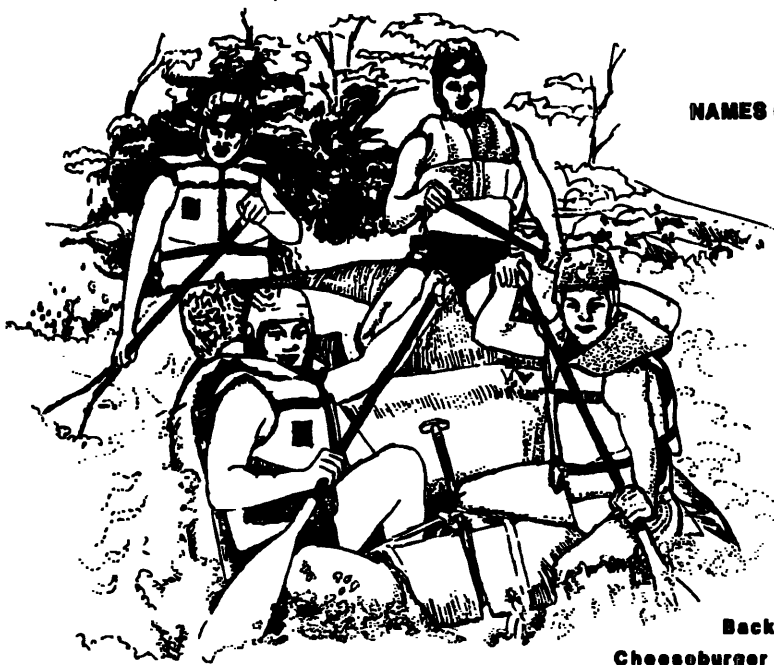
The section of whitewater between Sang Run and Friendsville was, until recently, considered by most whitewater boaters to be too difficult to navigate. However, several pioneers began to run commercial float trips in the early 1980s. Commercial use then increased dramatically each year during the 1980's (See Graph). This growth of the rafting industry is not dissimilar from those of other eastern rivers such as the New, Gauley, lower Youghiogeny in Pennsylvania, and Chattooga, and has paralleled the public's demand for outdoor adventure-oriented recreation. The growth has created the potential for overcrowding on an already extremely dangerous river segment.

Data of river use generated by Pennsylvania State University indicates that rafters account for approximately 64 percent of all river users with an estimate of 6,401 rafters during the 1988 boating season.

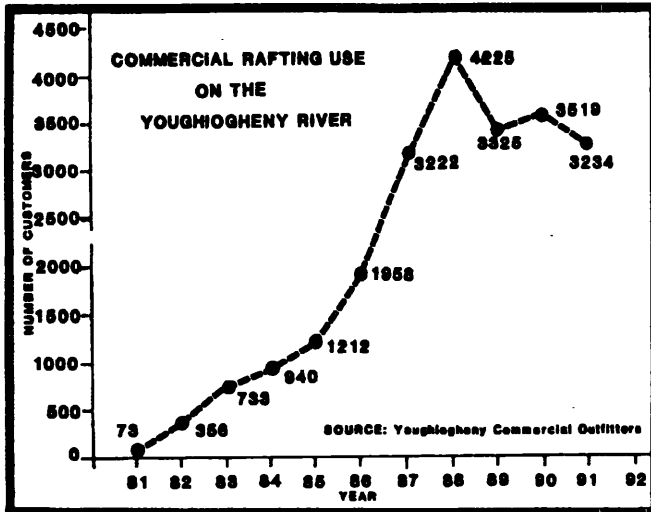
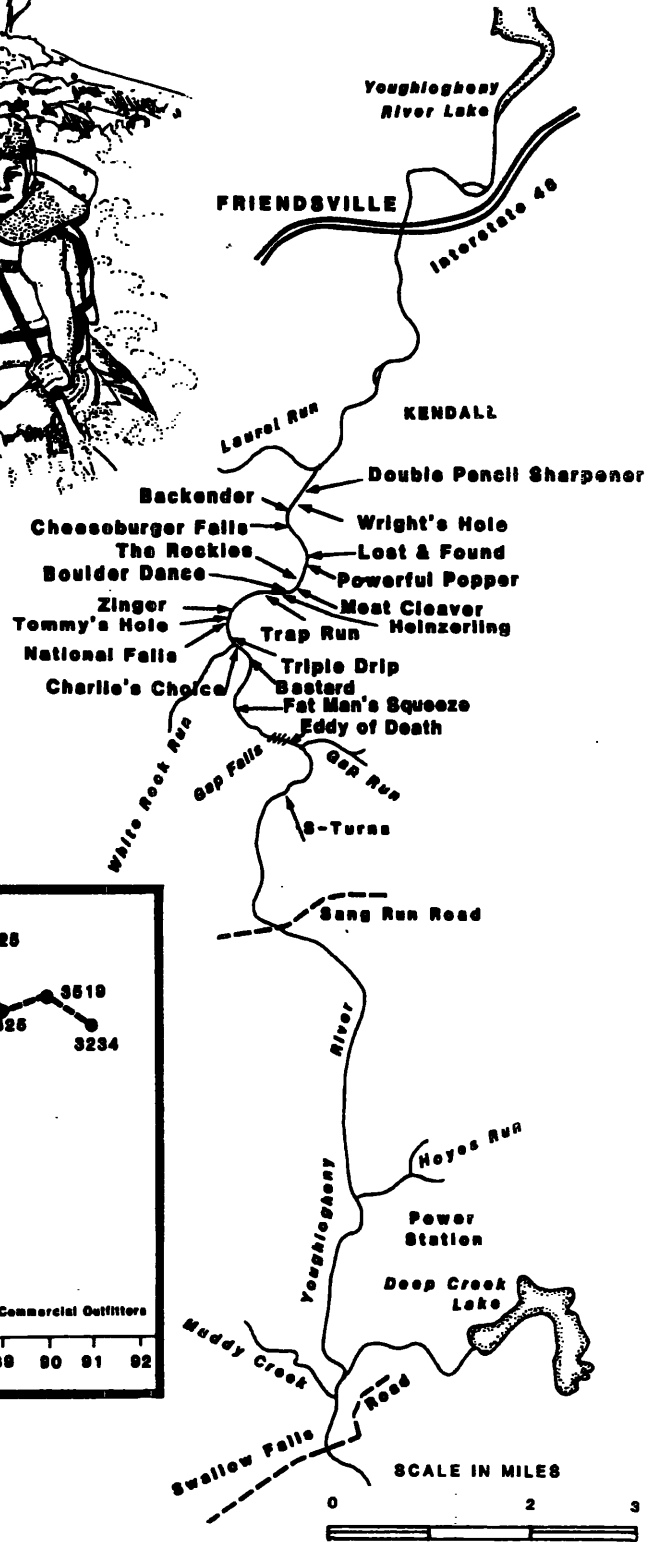
The number of rafts on the river averaged about 17 per day for both the 1988 and 1989 boating season. In 1988, the economic value of recreational boating activities on the River was estimated to be \$1.2 million.<sup>10</sup>

### *Private Use*

In 1988, Pennsylvania State University estimated that 3,600 people were users of single-person craft (Kayaks, Canoes, and duckies-essentially inflatable kayaks) with a majority using kayaks. These individuals navigate the "Upper Yough" (Sang Run to Friendsville) whenever there is sufficient flow or the "Top Yough" (adjacent to Swallow Falls State Park) during the high flows of spring. The economic value of this activity is included in the estimate of \$1.2 million.<sup>11</sup>



**NAMES OF WHITEWATER RAFTING FEATURES**



## Fishing

The Youghiogheny River sustains a trout fishery. For the past several years, the State Freshwater Fisheries Division has stocked the river with brown and rainbow trout fingerlings. Studies indicate the presence of reproducing trout populations in every major tributary. The Yough is also known as an excellent bass fishery, in fact, the Yough and the Casselman rivers are the only native smallmouth bass streams in Maryland.

While no firm statistics have been compiled on the number of fisherman taking advantage of this opportunity, an estimate by Pennsylvania State University indicates that over 6,800 trout anglers and 9,500 combined trout and warmwater anglers were present during 1987. The majority of this fishing occurs on Muddy Creek and Bear Creek.



Interviews with knowledgeable area resource management personnel provide some understanding of the more popular fishing locations along the Yough and their relative magnitudes of use.<sup>12</sup> In general, much of the angling pressure on the Yough is focused in the Swallow Falls State Park area where river access is plentiful. Rainbow trout are stocked twice during the spring at the park. Opening days draw hundreds of anglers. During the remainder of the year, particularly during the summer, an average of 2-25 anglers can be found fishing during weekdays. Weekend fishing pressure is significantly higher than weekday use during spring and summer months.

Fishing activity does not extend much beyond the northern boundary of the park because of poor streamside access. A few dedicated anglers willing to wade the river can be found fishing downstream from the park.

Fishing activity is generally light downstream from the park to Hoyes Run, although some waders from the park as well as riparian property owners and their friends utilize this portion of the River. Fishermen have gained access on a state-owned property at Hoyes Run. Fishing activity below Hoyes Run is again limited by the lack of public access to the river. Anglers do have access to the river at the property near the Sang Run bridge, however relatively little fishing activity occurs in this area. Angling activity between Sang Run and Friendsville is again limited by the absence of public access. Some anglers do walk up-river from Friendsville to fish but their numbers are not known.



## ISSUE ASSESSMENT

Issues are concerns, needs, problems and opportunities as seen by the local residents. The Youghiogheny River Local Advisory Board has been instrumental in identifying issues affecting the watershed. Throughout the planning process, issues were identified and discussed by the Board and one meeting was specifically devoted to this subject. Numerous issues have been identified by the Board (See Appendix E), but most relate to four categories:

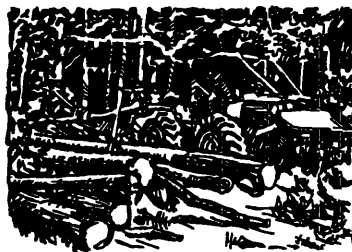
1. *Maintenance of Water Quality;*
2. *Impacts to Private Property;*
3. *Impacts of Recreational Use and Public access;*
4. *Impacts of Commercial Use and Development of the River.*

These four major issues will be discussed in this section of the management plan.

### 1. Water Quality

The overall quality of water in the Youghiogheny River is chemically, physically and biologically good. In fact, the waters are good enough to support trout. There are some portions of the river corridor and its tributaries that have been degraded by acid discharges, sewage, inputs of excessive nutrients and sediment and low oxygenated water.<sup>13</sup>

Good quality water is extremely important to the maintenance of a healthy riverine system. Many aquatic species, particularly trout, are dependent upon water of good quality for their survival. Wildlife which drink from the river or use it as a food source are impacted by poor water quality. Human use of the river for both drinking and recreation is also dependent on pollution-free water.



All surface waters in Maryland, including the Youghiogheny River, are protected by State water quality standards for two basic uses:

1. *water contact recreation;*
2. *aquatic life propagation and fishing.*

In addition to these uses, the Youghiogheny River and most of its tributaries are also designated for protection of natural trout populations and public water supply.<sup>14</sup> The water quality standards applied to protect these uses delineate maximum and minimum in-stream levels for various water quality parameters including coliform bacteria, dissolved oxygen, pH, turbidity, temperature and toxics. In order to protect human health, additional standards for specific toxic substances also apply for drinking water and fish consumption.

Water quality can be degraded by either point source discharges or nonpoint source contributions. Point source discharges are those that can be traced to a single point, such as a sewage outfall pipe, as opposed to nonpoint sources that can not be traced to a single point, such as fields or forest.

#### **a. Point Sources**

Control of point sources occurs through a permitting system created by the Federal Clean Water Act known as the National Pollutant Discharge Elimination System (NPDES). In Maryland, each discharge must be permitted by the Department of the Environment in cooperation with the U.S. Environmental Protection Agency. There are 14 permitted discharges that drain directly into the Youghiogheny watershed above Friendsville. Three additional

permits are currently pending. Each discharge is less than one million gallons per day. Several of these discharges have contributed to water quality problems along the river and are discussed below.

Historically, raw sewage discharges from the towns of Oakland and Crellin have contributed high bacteria counts and made nearby waters unsafe for swimming. Fortunately, two major steps toward correcting this problem have already been taken. Oakland's new sewage treatment facility began operation in 1988. The town of Crellin opened a new treatment plant during the summer of 1990.

Discharges from the Deep Creek Reservoir have also impacted the waters of the Youghiogheny. Dam releases greatly modify river temperatures in the summertime. Previously, dissolved oxygen levels were depressed by releases of anoxic water from the bottom of Deep Creek Lake. In the fall of 1994, Pennsylvania Electric Company, the owner of Deep Creek Dam, installed a weir below the dam. The weir has increased dissolved oxygen levels by physically churning the discharge water before it flows into the Youghiogheny River.

The Garrett County Landfill has also contributed pollution to the river but two improvements should minimize potential pollutant discharges:

- 1) *the old landfill was closed and a new state-of-the-art landfill designed by the Maryland Environmental Service began operation in August of 1994, and;*
- 2) *beginning in March of 1996 leachate from the landfill will be collected and transported to Deep Creek Sewage Plant for treatment. A wetland treatment system be also be constructed to filter migrating groundwater flows.*

## **b. Nonpoint Sources**

The effects of nonpoint sources of pollution within the river corridor are more difficult to monitor. Some problems identified by the Maryland Department of the Environment are acid mine drainage, sedimentation and nutrient enrichment.

Acid drainage from abandoned coal mines is often characterized by excess acidity, sediment and dissolved metals. Two areas of abandoned mine drainage identified by Maryland's Bureau of Mines, where in-stream pH's of 5.0 or lower have been measured for periods lasting at least several weeks, degrade the Youghiogheny River in the scenic and wild corridor:

- 1) *near Crellin, Laurel and Snowy Creeks carry drainage from mines in West Virginia;*
- 2) *southwest and south of Friendsville, White Rock Run, Laurel Run and Trap Run carry drainage from mines in Maryland.*

**S**edimentation stems from land use activities such as agriculture, construction and logging which expose bare ground to precipitation and allow soil to leave the site. Excess nutrients (nitrogen and phosphorus) from nonpoint source run-off can cause large growths of algae and other aquatic plants. When these plants die and decompose, dissolved oxygen in the water column is depleted. This situation can contribute to fish kills. Agricultural activities have been identified as a major source of elevated nutrient and suspended sediment levels in the Youghiogheny River watershed.<sup>15</sup> Population, physiography and land and water use all contribute to existing water quality conditions throughout the Youghiogheny River Basin.

## **2. Private Property Rights**

The extent to which private property should be regulated and managed in order to protect the River is still the major concern of most landowners. The residents of the Youghiogheny River Valley, as with most private property owners, highly value their privacy and want to be able to use their land as they see fit. These same individuals, according to a landowner survey conducted by Penn State, are concerned about the environmental quality of the river area and want to see the river remain in its natural condition.

Ever since the designation of the Youghiogheny, the local community has been resistant to the State's management of this resource and the private lands adjacent to the River. The focus of their concern has centered around the potential loss of property value due to any regulations the State might impose and the potential use of eminent domain to acquire their land.

The State, in particular the Department of Natural Resources, has tried to be sensitive to these concerns throughout the planning process. First, the Scenic and Wild Rivers Act provides for the protection of property owners' rights (Section 8-411) by ensuring that any rule or regulation will not constitute a taking of a right of property ownership that violates the Constitution of the United States. The use of eminent domain shall be limited as outlined by the Scenic and Wild Rivers Act. The Board does not recommend or support the use of eminent domain to acquire private property in the "Scenic Corridor". The Act also provides for the purchase of land and the State has developed a Land Acquisition Program to acquire interests in property from willing sellers. To date, approximately half of the defined "Scenic Corridor" has been acquired from willing sellers.

The Department has also tried to be sensitive to local concerns through the creation of a Local Advisory Board. The purpose of the Board is to provide local input into the development of the river management plan. This input ensures that the plan will be responsive to the local needs and desires. The Department has also involved the landowners in the corridor boundary definition process. As the plan is implemented, the State must continue to involve local citizens in decisions regarding the use of the Youghiogheny River.

## **3. Recreational Use and Public Access**

The Youghiogheny River offers excellent opportunities for diverse forms of recreation, but as the demand for recreational activities has increased so have the conflicts between private landowners and recreational users. Some of the issues surrounding recreational use include trespass, vandalism, litter, the limits of landowner liability, the lack of facilities at public access points and water safety and emergency evacuation.

The most dominant recreational activity on the Youghiogheny River is whitewater boating. The growth of whitewater boating has created the potential for overcrowding on an already extremely dangerous river segment. Several other factors have contributed to the problems associated with rafting and boating on the Youghiogheny River. First, the Upper Yough, during periods of low flow, is totally dependent on water releases from a hydroelectric facility. This release essentially creates a "bubble" of water which all boaters must try to float. Second, there is little public access or egress to the river or the provision of any public facilities such as restrooms, changing areas, or parking. The lack of facilities has led boaters to change clothes and relieve themselves in public and to unload and load

equipment in the middle of public roads. These aforementioned items have stressed the environment and created conflicts between commercial rafters and private boaters and landowners.

Fishing has also been a popular recreational activity on the Yough River. For many years, fisherman obtained permission from private landowners for river access and few problems resulted. Fishing has increased each year and more people not locally known and not requesting permission from landowners are visiting the river. There have been problems with litter and some individuals keeping catches above legal limits. Other recreational activities, including hunting and ATV use, have contributed to conflict between the public and the private landowners.

The Department has taken several steps to address these recreational problems including conducting a Recreational Capacity Study, promulgating "*Commercial Whitewater Boating Safety*" regulations, hiring a river manager and developing a boater put-in at Sang Run. The purpose of the Capacity Study was to establish use limits and to evaluate various management alternatives and develop recommended strategies for the management of recreational activities within the river corridor. The "*Commercial Whitewater Boating Safety*" regulations were issued in order to address three major management concerns:

1. *Public safety;*
2. *User conflicts;*
3. *Maintenance of the "Wild" quality of the River.*

In response to these concerns, sections of the regulations set minimum standards for the commercial outfitters including a limit on the number of rafts traveling the Upper Youghiogheny River (*COMAR 08.15.03 and 08.15.04*), set minimum standards for whitewater guides (*COMAR 08.15.05*), require

certain safety equipment (*COMAR 08.15.06*), and make it unlawful to participate in certain activities which could impact private property or the river corridor (*COMAR 08.15.07*) (See *Appendix F*). The Youghiogheny River Manager was hired to oversee the management of the River and its use. In addition, the Youghiogheny River is now listed as a unit of the State Park system. As a result of this inclusion, recreational activities on State owned land are now subject to the rules of *COMAR 08.07.06 (Use of State Parks)*.

#### **4. Commercial Use**

Another concern by the local community is the impact of commercial activities and the extent to which these activities should be allowed along the Youghiogheny River. In 1976, in response to its concern that commercial development could impact the "wild" section of the Yough, the Department imposed regulations which banned surface mining in the corridor, prohibited commercial activities except in Zone 3 and limited timber harvesting to selective cutting and only with an approved plan which had been reviewed by various government agencies (See *Appendix G*). Since some sections of the "wild" corridor contain timber which will reach harvest size and are underlain with coal deposits, the individuals owning these pieces of land feel unjustly deprived of a source of income. There are also questions as to what uses constitute a commercial activity (e.g. rafting) and should be prohibited. The issues presented above are those matters whose solutions are of public concern and which involve some difference of opinion about how they should be resolved. Understanding these issues is a challenging task because it involves not only a knowledge of the resources but of the local community and its economy. This issue information will be used to develop river management recommendations which respond to local needs and attempt to resolve local problems.

## **SUITABILITY ANALYSIS**

The Youghiogheny River is a prime candidate for residential development. The flowing river as well as the other natural resources will attract people to build their homes along the River. However, the same natural resources which attract people to the area can present limitations to development. For the purpose of determining the suitability of the "Scenic Corridor" and the "study area" for residential development, two factors were analyzed: (1) *the soils, and (2) ecologically significant & sensitive natural resource areas.*

### **Soils**

Soil delineation and analysis play a major role in defining constraints to development along the Youghiogheny River. Land exists within the "Scenic Corridor" and the "study area" that exhibit soil qualities that limit its suitability for septic development. The land along the River is either steep, has permeability or flooding problems or has a high water table. These properties tend to restrict, and in some instances can prohibit, residential development.

For analysis purposes, the Garrett County Soil Survey was used to identify the soils and their respective category limitation for all land within the "Scenic Corridor" and the "Study area" (See *Table*). The area of analysis included the defined corridor within the "wild" section of the Youghiogheny and one thousand feet (1,000') on either side of the River for the "Scenic" Section, which has been identified as the "study area". The soil survey maps were consulted to determine the locations of the various soils and these maps were reduced by eighty-five percent (85%) to allow the information to be transferred to the plan maps (See *Appendix H*). The following table is a list of the soils found adjacent to the Youghiogheny River and their limitations for filter fields:

Soil Series	Map symbol	Limitation for Filter Fields
Alluvial	Ao	Severe; flood hazard
Albright	AbB	Severe; slow permeability
Albright	AbC2	Severe; slow permeability
Albright	AgC	Severe; slow permeability
Alluvial	An	Severe; flood hazard
Atkins	At	Severe; flood hazard
Brinkerton & Andover	BrA	Severe; high water table
Brinkerton & Andover	BrB	Severe; high water table
Brinkerton & Andover	BsC	Severe; high water table
Calvin-Gilpin-Ungers	CaC2	Severe; slope
Calvin-Gilpin-Ungers	CaD2	Severe; slope
Calvin & Lehew	CIE	Severe; slope
Calvin, Ungers and Lehew	CnC2	Severe; slope
Calvin, Ungers and Lehew	CnD2	Severe; slope
Cookport	CtB	Severe; slow permeability
Cookport & Ernest	CuB	Severe; slow permeability
Cookport & Ernest	CuD	Severe; slow permeability
Dekalb	DbB	Severe; depth to bedrock
Dekalb	DbC2	Severe; depth to bedrock
Dekalb	DbD2	Severe; slope
Dekalb-Calvin-Lehew	DcD	Severe; slope
Dekalb-Gilpin	DgC	Severe; depth to bedrock
Dekalb-Gilpin	DgD	Severe; slope
Ernest	ErB	Severe; slow permeability
Ernest	ErC2	Severe; slow permeability
Gilpin	GnB2	Severe; depth to bedrock
Gilpin	GnC2	Severe; depth to bedrock
Gilpin	GnD2	Severe; slope
Laidig	LaB	Severe; slow permeability
Laidig	LaD	Severe; slow permeability
Lickdale	Lc	Severe; high water table
Meckesville	McB4	Severe; slow permeability
Meckesville	McC2	Severe; slow permeability
Philo	Ph	Severe; flood hazard
Pope	Ps	Severe; flood hazard
Stony Land	SrF	Severe; slope
Ungers, Calvin & Lehew	UcB	Severe; depth to bedrock
Very Stony Land	VsF	Severe; depth to bedrock

*As can be seen from the table, the Garrett County Soil Survey indicates that the soils within the Corridor could be placed into one of five categories of suitability for filter fields<sup>16</sup>, based on one or more of the following characteristics:*

● **flood hazard** - alteration of these areas frequently leads to exacerbation of flooding conditions. Any obstruction of the existing floodplain by either fill or other means will alter stream behavior, both in cross section and along its length. In addition, the probability of seasonal flooding and their slow permeability limit their ability to effectively filter sewage effluent.

● **slow permeability** - permeability is the quality that enables the soil to transmit water or air. This property is extremely critical to the proper on-site disposal of sewage. If permeability is too fast, the nutrients are not absorbed and leach into adjacent waters. Too slow and the effluent remains saturated and nutrients are not absorbed.

● **slope** - is an expression of the vertical rise as we move along a horizontal distance, or the steepness of the landscape. Slopes above 15% are not suitable for filter fields, because they allow sewage effluent to drain too fast for nutrient absorption. Steep-sloping soils also present severe construction limitations.

● **depth to bedrock** - shallow depth to bedrock usually will not provide sufficient filtering of sewage using conventional on-site systems, because the sewage is deflected back towards the surface rather than filtering through the soil. The shallow depth to bedrock also limits the amount of excavation and basement construction possible.

● **depth to water table** - is the distance to the unconfined ground water or the highest part of the soil that is wholly saturated with water. This feature is seasonably variable. As a rule, a high water table indicates lateral movement of groundwater to adjacent surface waters, such as streams. These areas are highly vulnerable to pollution and should in effect be treated as surface waters if a health hazard is to be avoided.

Based on this analysis, and information depicted in both the chart and maps, all of the soils within the "Scenic Corridor" and the "Study area" exhibit properties which limit their suitability for conventional on-site sewage disposal. Although this situation does not necessarily preclude all future development, it certainly identifies the limitations and potential hazards to a developer. It is still necessary to evaluate each case on the merits of the specific proposal at a specific site. However, the burden is on the developer to provide greater detail about the location of each soil type and their limitations as well as the way in which a development proposal can overcome environmental problems and avoid impacting the resource values of the Youghiogheny River.

#### **Ecologically Significant and Sensitive Natural Areas**

The Youghiogheny River is nationally noted for its impressive array of unique natural resources. In response to this, the River's natural resources were identified and mapped. It was found that the Youghiogheny possesses numerous ecologically significant and sensitive natural resource areas which should be protected and deserve recognition in the land use decision-making process. The presence of these areas were mapped (see Appendix I) and include the following categories:

● **wetland areas** - are areas that are inundated or saturated by water at a frequency and duration sufficient to support, and that under normal conditions do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. They function as flood storage areas by withholding and gradually releasing water to the stream which drains it, thereby helping to moderate stream flow during flow and peak flow during storms. The biological activity of the wetland vegetation performs the function of absorbing nutrients and thus maintaining water quality. Any result in an increased hazard of flooding and higher nutrient concentration in surface waters.

● **endangered and threatened species habitats** - are areas which the DNR's Natural Heritage Program has found to contain irreplaceably unique and scarce species. These areas play a vital role by providing suitable living and reproducing conditions for these rare plants and animals and are extremely vulnerable to changes induced by development or extensive use.

● **scenic features** - are areas that contain rock promontories, waterfalls and scenic overlooks which contribute to the scenic quality of the River. The loss of these areas would certainly degrade the essential character and resource value of the Youghiogheny.

*As one can see from the maps in Appendix I, there is a predominance of ecologically significant and sensitive natural areas around Swallow Falls (Map Section 3) and from Gap Run to Laurel Run (Section 5). These areas of the River are extremely vulnerable to changes induced by development or extensive use. This information forms the basis for State land designations which are recommended in this plan on page 41.*



## **GOALS AND OBJECTIVES**

This document has identified river resource values which need to be protected and issues which need to be resolved. The suitability analysis has indicated the feasibility of development along the River. Before attempting to translate this information into specific recommendations, it was essential to establish an agreement among the individuals affected by this plan concerning the kind of action they would like to accomplish and the direction they should take in managing the Youghiogheny River. This was done by drafting a set of goals which were based on both the issues and resources and reflected the attitudes of the people who live and work in the river area, as well as those who have a responsibility to manage the resource or those who visit the area for recreation. These general statements then became the basis for future decisions about the River and serve as a reference point from which to evaluate and adjust the various management policies.

This section of the plan records the goals and objectives, in order of priority, which have been identified by the Youghiogheny River Local Advisory Board and others. The goals are general statements about a desired future for the Youghiogheny. The objectives describe some of the routes which might be taken to reach this future.

### **Goal 1 To maintain and enhance water quality.**

#### *Objectives:*

- Reduce inputs of organic wastes.
- Ensure the Oakland and Crellin sewage treatment plants meet their discharge requirements.
- Encourage the development and use of agricultural waste management systems on farms along the River.
- Encourage fencing of streams against livestock and the development of alternative water sources for livestock.

- Reduce excessive sediment inputs.
- Encourage the use of the best management plans to control run-off from farms.
- Provide for the Youghiogheny River to be a priority watershed for funding from the Maryland Water Quality Cost-Share program.
- Enforce the sediment control regulations applicable to earth disturbance activities such as construction, forest harvest, and mining projects within the Youghiogheny watershed.
- Reduce acidic discharges from abandoned coal mines.
- Encourage County and State roads Departments to follow proper sediment control procedures and best management practices.
- Identify stream bank protection measures and encourage landowners to implement them.
- Encourage cooperation between Maryland and West Virginia to eliminate acid discharges into Snowy and Laurel Creeks from abandoned coal mines.
- Continued efforts to reduce or eliminate acid discharges from abandoned mine sites.
- Identify areas that are in need of reclamation.



**Goal 2 To maintain and protect the scenic and wild character of the Youghiogheny River.**

*Objectives:*

- Encourage land uses which are sensitive to the scenic and wild qualities of the River.
- Permit new land uses and developments that do not adversely affect the scenic and wild character of the River.
- Establish management objectives with respect to development within the "Scenic Corridor" of the River.
- Protect and preserve the shoreline immediately adjacent to the River.

**Goal 3 To maintain and conserve existing agricultural lands in their current conditions.**

*Objectives:*

- Encourage the retention of agricultural lands through financial incentives to the property owners.
- Encourage participation in the Agricultural Lands Preservation Program.
- Protect agricultural lands from public policies that would have the effect of increasing pressure for conversion of prime farming areas.
- Support increased use of soil and water conservation practices.



**Goal 4 To allow for the use and enjoyment of the river corridor, while protecting private property rights.**

*Objectives:*

- Assure that no proposed rule or regulation constitutes taking of private property rights.
- Allow the continuance of existing land uses as long as these uses do not adversely impact the resource values of the River.
- Allow the continuance of public boating as long as this use does not adversely impact the resource values of the River.
- Develop procedures for compensating owners who have been financially impacted by regulations.
- Provide for planned growth that is consistent with local ordinances while maintaining and conserving the essential character of the Youghiogheny River Valley in areas outside of the scenic corridor.

**Goal 5 To preserve and protect outstanding natural, cultural and recreational areas.**

*Objectives:*

- Preserve the naturally occurring ecological communities and the indigenous species in those communities. This effort will include identification and protection of habitat for plants and animals designated as rare, threatened or endangered on state land.
- Identify and protect areas with habitat for trout.
- Identify and protect wetlands of special state concern.
- Identify and protect areas that have local, state and/or national historical, cultural or archaeological importance.
- Encourage owners of such areas to preserve them by providing financial incentives.

**Goal 6 To provide mechanisms for implementing and updating the management plan:**

*Objectives:*

- Develop a formal mechanism for citizen participation in planning and decision-making, such as a permanent river advisory board.
- Develop multi-jurisdictional cooperation and coordination with respect to river corridor management and protection.
- Develop guidelines for cooperative implementation of the plan.
- Identify participants and define their roles and responsibilities.

**Goal 7 To increase public awareness about the River and its resources.**

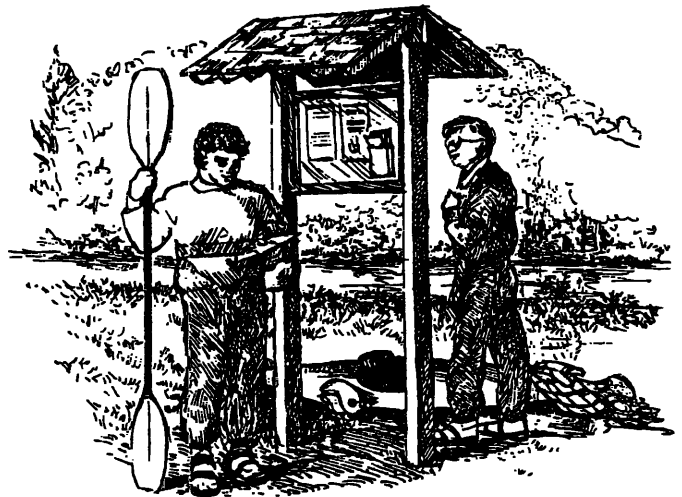
*Objectives:*

- Establish a continuing forum for the discussion of river related issues.
- Conduct special programs that educate and promote the resource values of the Youghiogheny River.
- Incorporate studies of the Youghiogheny River watershed into the curricula of the local schools and colleges.

**Goal 8 To provide for the continued public use and enjoyment of a full range of recreational activities, as is compatible with the other goals.**

*Objectives:*

- Allow public access on State land in areas where it has been determined this use will not adversely impact the resource values of the River.
- Encourage users of private property to seek written permission for recreation.
- Educate the River user and enforce water safety regulations to maximize safety and enjoyment while preventing conflicts with property owners.
- Realize the economic benefits of tourism while preserving the attractiveness of the natural features which are essential to this activity.



## **RIVER MANAGEMENT ALTERNATIVES**

In the process of developing a scenic and wild river plan, careful consideration was given to alternative resource protection and management measures. A description and assessment of the five (5) possible long-term protection options considered is presented below. It is from these alternatives that a particular resource management strategy for the Youghiogheny River was selected.

The first alternative considered is the no action alternative which assumes that no formal management would take place and private landowners would continue to decide the use of land along the River. To date, the State, Garrett County and local citizens through their participation on the Local Advisory Board have invested considerable time and effort into the management of the Youghiogheny River. Wild River and Commercial Whitewater Safety regulations have been implemented, a "Scenic Corridor" boundary has been established, land has been acquired and a River Manager has been hired to manage the State land and the River corridor. These actions have already rendered the no action alternative moot.

The second option assumes that the State would relinquish all of its current management responsibilities to Garrett County and the County is

willing to accept them. Under this management alternative, Garrett County would need to implement local zoning measures to protect the scenic and wild qualities of the Youghiogheny River. The County would also have to commit staff to develop and implement these zoning measures. This strategy has the advantage of leaving land use decisions in the hands of local government. However, this alternative does not appear to be feasible given the amount of River land the state currently owns.

The third alternative would continue the State role as manager. The primary land use determinant along the "wild" section of the River would be zoning under the Youghiogheny Wild River regulations (See Appendix G). These regulations are administered by the Department of Natural Resources and identify allowable and prohibited uses as well as minimum lot sizes and setbacks from the river for residential development. Since the "scenic" section of the River does not currently have any land use controls, the State will need to develop some management tool for this section of river. This strategy has the disadvantage of leaving land use decisions totally within the hands of state government.

The fourth alternative assumes the Youghiogheny River could be administered as a federal component of the national rivers system by an agency of the U.S.

Government. Federal management is possible because the Youghiogheny River is a federal study river and was found to meet the criteria for federal designation in a study conducted by the Department of Interior in 1978. If the Youghiogheny was designated into the national rivers system, a federal agency such as the National Park Service could be responsible for river management, land acquisition and recreational facility development. Given the reluctance at both the State and local level to encouraging any federal involvement, a realistic management approach would include a very limited federal role.

The final alternative involves combining individual management alternatives to create alternatives which exhibit a cooperative management approach. There are a number of possibilities such as state and local, state and federal, federal and local. Through a series of agreements, areas of responsibility could be defined for each agency involved. For example, the State could assume management duties for the "Scenic Corridor" of the "wild" section of the River, while Garrett County and private landowners manage the lands within the "study area" of the "scenic" section of the Youghiogheny River. This cooperative management approach would have the advantage of providing maximum flexibility, participation and protection.

*This plan recommends a cooperative state-local management approach with federal involvement limited to the provision of grants for river conservation.*

It seems appropriate to have the Department of Natural Resources manage the "Scenic Corridor", where this agency already owns and manages land and has implemented regulations. Garrett County should take an active role in managing growth in the "Study area". The role of the County could be formalized in an agreement with the State.

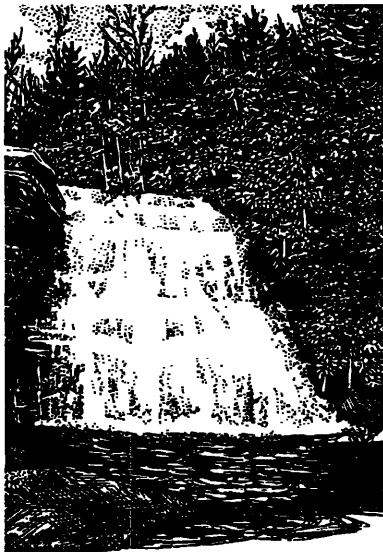
Although the land along the Youghiogheny River is included as a unit of the Park system, there is still a question as to how this area should be managed. DNR has a number of designations for the lands it owns, such as State Park, Wildlife Management Area, State Forest, etc. (see Appendix J). These designations reflect the character of the area and suggest an appropriate management strategy to protect this character. A comparison of the existing land designations and the resource character of the State lands within the "Scenic Corridor" suggests designation under the following management categories:

**Natural Environment Area**  
all State lands (See Appendix D Map Sections 2,3,4,5,6) with the following areas recognized as:

Sensitive Management Area  
Round Glade Run to Power Plant excluding the existing day use facilities at Swallow Falls State Park. (Map Section 3)

Sensitive Management Area  
Gap Run to Laurel Run  
(Map Section 5)

The Swallow Falls section of the "Scenic Corridor" should be designated as a Sensitive Management Area due to the presence of several



endangered species habitats as well as several scenic features. The Gap Run to Laurel Run section of the "Scenic Corridor" should be designated as a Sensitive Management Area due to its primitive, undeveloped character and the predominance of both endangered species habitats and important scenic features (See Appendix I, Sensitive Resource Area maps). Given the primitive, undeveloped character of the Gap Run to Laurel Run section, and the fact that the Youghiogheny River is Maryland's only river designated as "Wild", the state should evaluate this area for possible Wildland designation as more State land is acquired.

## IMPLEMENTATION

This section of the Study and Management Plan outlines a cooperative management arrangement among landowners and local, state, interstate, and federal agencies in the implementation of the legislative intent of the Scenic and Wild Rivers Act. This implementation strategy contains several components:

1. *Overall Management Program.*
2. *Specific Management Recommendations for Individual Resource Categories.*
3. *Roles and Responsibilities of Different Parties.*
4. *Mechanisms for Plan Review and Update.*
5. *Mechanism for Project Review.*

The strategy applies to both the "study area" of the "Scenic" section and the "Scenic Corridor" of the "Wild" section of the Youghiogheny River, unless stated otherwise.

### *Overall Management Program*

The resources of the Youghiogheny River will be protected and managed primarily through the use of existing federal, state and local authorities. This authority will be exercised in a manner that allows a significant level of public involvement in the decision making process. The major components of the Program are listed below.

### ***Youghiogheny River Advisory Board***

This plan recommends the creation of a permanent Youghiogheny River Advisory Board to provide input and advice on the implementation of this plan in a manner which preserves and protects the resource values of the Youghiogheny River. Section 8-403g of the Scenic and Wild Rivers Act establishes the authority for the creation of such a body. This group of individuals will provide a major element of public involvement in the future decisions affecting the River.

### ***River Manager***

This position will continue to provide the necessary resource and user management within the River corridor to ensure the goals and objectives of this plan are met. This individual serves as the primary representative for the State in matters pertaining to the River and as liaison between the State and private citizens. Therefore, the State must continue to fund this position at a level that ensures all responsibilities are instituted consistent with this plan. It is imperative for anyone serving in this capacity to familiarize themselves with the contents of this document and other pertinent information on river protection and be guided by its recommendations.

*(Note: The River Manager position is included under the Deep Creek Lake Recreation Area Project due to a Departmental reorganization in 1991.)*

### ***Corridor Boundary***

The boundary encompasses those land and water areas necessary to meet the objectives of the Scenic and Wild Rivers Act. These areas are delineated by the "Scenic Corridor" in the "wild" section of the River and the "study area" within the "scenic" section. The intent of the boundary under the Act is to identify the area to be conserved in order to protect the "outstanding scenic, geologic, ecologic, historic, recreational, agricultural, fish, wildlife, cultural, and other similar values" of the River and its immediate environment. This boundary will protect the River to the extent that the policies, plans, programs and regulations of all State and local agencies are implemented and enforced.

### ***Youghiogheny Wild River Regulations***

These existing regulations will continue to be a mechanism to ensure that development of private land within the "Scenic Corridor" is in a manner consistent with the intent of the Scenic and Wild Rivers Act. The Department of Natural Resources needs to consider providing for more flexible procedures for making decisions concerning proposed uses which account for the actual resource conditions found along the corridor.

### ***Commercial Whitewater Safety Regulations***

These existing regulations will continue to be the mechanism to ensure recreational boating is conducted safely and in a manner consistent with the intent of the Scenic and Wild Rivers Act. The guidelines established in these regulations and the information contained within the Recreational Capacity Study will continue to provide for the protection of the health, safety and welfare of the residents and visitors and the natural resources of the Youghiogheny River. There must continue to be a collective review of the regulations effectiveness at least every five years.

### ***Land Acquisition***

The State will continue to acquire land within the "Scenic Corridor" from willing sellers in order to protect the land and water resources of the Youghiogheny and to compensate landowners. The use of eminent domain shall be limited as outlined by the Scenic and Wild Rivers Act. The Board does not recommend or support the use of eminent domain to acquire private property in the "Scenic Corridor". The timing for acquiring the parcels or specific ownership rights will depend upon the availability of funds for the purchase price and the availability of willing sellers. The feasibility of other land transfer techniques, including trades and the purchase or donation of an easement will also be explored by the State if an individual landowner is interested.



### ***Conservation Easements***

A conservation easement is a voluntary legal agreement between a property owner and a trust or foundation which limits the uses and changes that can be made on a building or particular parcel of land. Property owners who donate conservation easements retain ownership of the land or building while receiving substantial income, estate and property tax credits.

Three statewide programs are currently working to protect land and historic structures through conservation easements. The goal of the Maryland Agricultural Land Preservation Foundation is to preserve farmland. Historic buildings are the focus of the Maryland Historical Trust. The Maryland Environmental Trust accepts easements on forestland, farmland, waterfront properties, rare or unique natural areas, scenic areas, endangered species habitat and lands containing historic structures. All of these easement programs will be strongly encouraged to target funds and resources to the Youghiogheny River area.

### ***Master Plan for State Lands***

The Department's Greenways and Resource Planning section will develop a Master Plan for all State land which has been or will be acquired along the Youghiogheny River. This Master Plan will reflect the culmination of a process which uses a site analysis of specific properties to determine environmental sensitivities and develop specific facility development and management proposals. This Study and Management Plan will provide the policy guidelines to direct the master planning efforts.

### ***Intergovernmental Coordination***

Implementation of this Study and Management Plan is envisioned as a combined effort on the part of various levels of government, the private sector, and the general public. Protection of the area's sensitive land and water resources will require the active involvement of all affected parties. The Department of Natural Resources must ensure that the management practices on State land are consistent with the goals and objectives of this plan. The comprehensive plans for Garrett County and the Town of Friendsville should lay the foundation for ordinances which protect the resources of the River and its adjacent land. Garrett County should also use its' Land Conservation, Open Space and Recreation Plan to promote wise management of the Youghiogheny River. Other State and federal agencies must recognize the intent of this plan and take whatever action is necessary to protect and enhance the scenic and wild qualities of the River.

### ***Education***

This Study and Management Plan is the first step in the process of educating the public about the resources of the Youghiogheny River and the actions which need to be taken to protect those resources. This education process is extremely important to the protection and preservation of the Youghiogheny River. All affected parties have a responsibility to educate the public and the river user.

### ***Specific Recommendations***

This section contains recommendations developed to provide directions for effectively managing the land adjacent to and the waters of the Youghiogheny River to protect and preserve its scenic and wild qualities. These recommendations have been arranged according to the resource categories to which they apply. In some instances, different recommendations have been made for public land versus private land and the "scenic" section versus the "wild" section.

### ***Scenic Resources***

#### **Overview**

There is a marked diversity of unique landforms within the Youghiogheny River corridor. Scenic resources such as rock promontories and waterfalls are examples of the outstanding geological features of a river valley which the state is required to protect under the Scenic and Wild Rivers Act.

## Recommendations

- The State, in cooperation with the County and the Advisory Board, will develop and implement a program to protect and interpret outstanding landscape features identified on State land.
- The State will make an effort to acquire an interest in any outstanding scenic resource currently located on private land.
- The Youghiogheny River Advisory Board will give advice in the development of a program to protect and interpret the outstanding landforms of the Youghiogheny River corridor.
- The County and private citizens are encouraged to assist in a landforms study by providing information regarding local landscape features such as waterfalls, rock outcroppings and rock shelters, and by suggesting ways in which these sites may be managed and interpreted, if appropriate.



## **Endangered, Threatened and Rare Species**

### Overview

Preservation of the Youghiogheny's endangered, threatened, rare and uncommon species is one central intent of the wild river designation. The large number of these species found in the Youghiogheny area, including significant populations of some species, is directly related to the remoteness, ruggedness and general lack of disturbance.

The recommendations listed here address direct management of these species. The recommendations found elsewhere in this plan that are aimed at improving water quality, preserving forest cover, and moist habitat areas are also very important in preserving these flora and fauna.

### Recommendations

- Endangered, threatened or rare species' populations and habitat should be protected on state land.
- State lands should be surveyed as soon as possible. Activities or land uses that have the potential to negatively impact the identified populations or habitat should be limited to areas where negative impacts can be averted. Protection measures for individual species should be developed by the Natural Heritage Program and should be incorporated into management plans for all State lands.



- Owners of land containing habitat or range of endangered, threatened or rare species should be encouraged to incorporate habitat preservation in management considerations for their property.
- Lands that contain habitat with species listed on the Natural Heritage List adjacent to the Youghiogheny and its tributaries may be protected by soliciting landowners for voluntary conservation easements. This effort should be coordinated with the Md. Environmental Trust, the Scenic and Wild Rivers Program and other applicable State and county agencies.
- Add locations of these species' populations that are found on private lands to the Maryland Natural Areas Registry. If those lands become available for sale, consider proposing land acquisition by nonprofit organizations such as the Nature Conservancy.



- Population monitoring / surveys should be given high priority as integral components of programs for rare species, game species and habitat management.
- Information on the status of existing populations and their reaction to any management efforts or activities that could potentially impact them should be collected at selected intervals.
- Surveys will be conducted only with landowner permission.
- Restoration of both aquatic and terrestrial plant and animal communities should be encouraged where practical.

### Recommendations

- As part of Penn Electric's WRA permit application, flow management procedures should be established that will enhance cold water fishery potential while also providing suitable levels for whitewater boating.
- Stocking should be limited to native fish species, as well as non-native brown and rainbow trout, to bolster naturally reproducing populations.
- Habitat areas will be protected, including significant areas for fish spawning, nursery, and feeding.
- Potential fish habitat creation in designated scenic segments of the river may receive consideration while also considering competing uses of the scenic river. In wild river segments of the Youghiogheny mainstem, a primary management goal is maintaining the primitive and pristine character of the river. Consequently, physical manipulation of the river to create trout habitat should be evaluated to determine if any impacts on the character of the river would occur.
- Restoration of aquatic plant and animal communities should be encouraged where practical. The use of management practices that sustain or improve such communities is encouraged, as long as such actions are sensitive to the scenic and wild qualities of the river.
- Trail establishment for fisherman access may be developed on the scenic portions of the river. Any river access trails, including those used by fisherman, should be maintained to prevent erosion. New trails to the wild river will be discouraged and existing ones will be limited to primitive foot paths.
- Designate the tail race of the Deep Creek Lake Power Plant as a fish propagation area. Fishing shall be prohibited in the tail race.



### **Fisheries** Overview

The Youghiogheny River has provided excellent habitat for trout, smallmouth bass and other species for many years. The treasured fishing spots along the river are part of this region's heritage. Consequently, the recommendations that follow are important components of the management plan's goal to preserve these outstanding areas. Recommendations addressing the quality of fish habitat associated with water quality are located in the water quality specific recommendations.



## Wildlife

### Overview

The wildlife inhabiting the Youghiogheny region is an important part of the outstanding natural heritage of Maryland's only designated wild river. In this plan, wildlife management is necessarily an integral component for preservation of the ecological community and perpetuation of the recreational value of the area.

### Recommendations

- An integrated approach to wildlife management is a necessary component of Youghiogheny River region management. Wildlife management should consider game species, nongame species and rare species with the aim of perpetuating the indigenous ecological community. Management of individual wildlife populations should be consistent with survival of all indigenous Youghiogheny region species, such as forest interior dwelling birds.
- Important wildlife habitat areas found within the natural forest community will be protected on State lands. These areas may include wintering habitat, nesting areas, den areas, foraging areas and food source areas. Mature trees containing dens and cavities will be retained on State lands.

- In the "Scenic Corridor," forest clearing to encourage selected species will not occur on State lands and will be discouraged on private lands.
- In the Scenic River Area, indigenous species which have adapted to the mix of forest and farm land along the scenic river will generally be encouraged.
- Private land owners are encouraged to voluntarily manage their land so that local wildlife habitat can be enhanced. This includes preservation of den areas, tree cavities, nesting areas and ground cover where feasible as well as not clearing forests to promote selected species. The Maryland Fish, Heritage and Wildlife Administration is available to provide technical assistance to interested land owners.
- The "Scenic Corridor" boundary maps will include an overlay of important habitat areas. The overlay will be used to assist in corridor planning and project review as a means to reduce adverse impacts and encourage land use compatibility.
- Species that have insufficient information available to reasonably identify habitat areas will be listed and prioritized for additional study.
- Conservation and protection measures should be coordinated with other regulatory agencies and non-profit organizations that are involved with habitat protection. An up-to-date list of non-profit organizations as potential grant sources for land acquisition should be maintained.
- Population monitoring and surveys should be given high priority in the Youghiogheny corridor as integral components of an overall program for rare species, game species, nongame species and habitat management.
- Information on the status of existing populations and their reaction to any management efforts or activities that could potentially impact them should be collected at selected intervals.
- Surveys will be conducted with landowner permission.
- Hunting, trapping and other activities that may affect wildlife populations will be

managed to balance the continuing well-being of individual species and the ecological community as a whole. The needs of local residents and other users of the Youghiogheny area will also be an integral part of this consideration.

- Restoration of both selected aquatic and terrestrial plant and animal communities should be encouraged where practical. The use of unobtrusive management practices to sustain or improve such communities is encouraged as appropriate.



### **Forest Management and Alteration of Natural Vegetation**

#### Overview

Forests and woodland areas serve several important functions within the "Scenic Corridor." Forests help maintain the river's wild and scenic character; serve as noise and visual barriers; lower water temperature by providing shade for the aquatic environment; prevent nonpoint sources of pollution from degrading water quality and provide critical habitat for wildlife. For these reasons, it is extremely important to develop a forest management strategy which balances the consumptive demand for forest resources and the unique environmental character of the Youghiogheny River.

### Recommendations for Public Lands

- Publicly owned, forested lands within the "Scenic Corridor" shall be maintained in their natural state.
- Commercial harvesting of timber products will be prohibited in the "Scenic Corridor".
- Proposals for herbicide and pesticide applications in the "Scenic Corridor" will be accompanied by an environmental review. The proposals should include a pest management strategy and demonstrate that there are no feasible alternatives to control the situation. Biological controls should be the preferred alternative.
- Active forest management in the "Scenic Corridor" will occur only if the health of the entire forest system is threatened. An environmental review will examine and recommend management alternatives in such a situation.

- Acceptable forest management practices could include the following:
- Planting tree seedlings and other natural vegetative cover to correct erosion problems, unless natural succession is addressing the problem.
- Screening existing roads and structures from view; mixed, native tree species should be used and planted in natural groupings, as opposed to rows.

### Recommendations for Private Lands

- The Project Forester is encouraged to continue to approach all property owners within the "Scenic Corridor" to explain and advise them to participate in the voluntary, state-sponsored forestry programs that maintain and enhance these undeveloped resources. These programs primarily improve and protect forest resources and natural habitat, and include forest management planning; the Forest Conservation and Management Program; the Maryland Woodland Incentives Program; and the Water Pollution Abatement Program.

- Where stream crossings are necessary, bridges are preferable to culverts since there is less disturbance to stream channels.
- Crossings should be located, when possible, in areas where the stream channel is straight with an unobstructed flow of water.
- No skidding should be allowed in any stream channels.
- Fell trees, where possible, so they land away from the streams.
- Steep slopes should be logged during dry weather when soils are dry or when ground is frozen.
- Best management practices should be used to divert running water off roads and primary skid trails on steep slopes.
- Keep landings out of low spots and poorly drained places. (Wetland maps and soil surveys should be consulted)
- Locate landings on ground sloped between 3% and 15%, and behind natural screening from the river.

- Avoid unnecessary soil compaction and unnecessary changes in grade that may affect moisture regime.
- Avoid mechanical injury to trunk and roots that may reduce chances of survival.
- Grade and level landings after use and restore with vegetative cover as recommended in the *Standards and Specifications for Erosion and Sediment Control for Forest Harvest Operations*.
- Timber access roads should take advantage of existing, vegetative buffers so as to minimize their visibility from the River.



### Wetlands, Floodplains and Shorelines

#### Overview

Lands that are periodically inundated, including wetlands and floodplains, and all lands adjacent to the Youghiogheny River and its tributaries are important natural features of the designated wild or scenic river segments. These areas define the essence of the River and they often provide critical habitat for species sensitive to disturbance. As a consequence, preservation of the

Youghiogheny's wetlands, floodplains and shorelines is an important aim of this plan.

#### Recommendations

- Preserve natural conditions in the "Scenic Corridor" such as wetlands, floodplains and streambanks. Changes caused by human influence should be avoided or minimized except to correct degradation caused by unavoidable human influences such as pollutants transported into the watershed by air and water, and lawful activities within the watershed.
- Floodplain modifications, including new structures, that may affect 100-year flood-water flows beyond natural conditions should be prohibited in the "Scenic Corridor." Along the designated scenic river segments and Youghiogheny tributaries, development or placement of structures in the 100-year floodplain should be discouraged.
- Floodplain alterations must conform to Garrett County's Floodplain Management Ordinance. In addition, a permit from the Maryland Department of the Environment is

- Private landowners are encouraged to develop a set of goals and objectives which will guide their forest management decisions.
- If wood products and their income are a goal, then private landowners are encouraged to manage their forests via an uneven-aged silvicultural system. Uneven-age management should be promoted to encourage the forest's aesthetic values. Suggested forest management practices include the following:
  - The planting of native seedlings and natural vegetative cover to correct erosion problems, unless natural succession is addressing the problem.
  - The screening of proposed roads and residential structures from view with native tree species.
  - The replacement of forest cover loss due to construction and development.
  - The monitoring of vegetation for signs of pest infestation.
- Property owners are encouraged to retain a vegetative buffer by protecting all trees in proximity of the river's bank. DNR should consider purchasing, pending the availability of funds, the timber harvesting rights on private lands within the "Scenic Corridor" for the purposes of forest preservation.
- All landowners are strongly encouraged to harvest timber in conjunction with a Forest Management Plan prepared by a registered professional forester.
- Commercial harvesting of timber products by clearcutting should be limited to the silvicultural maintenance of the resource. The selection of uneven-age management systems is the preferred method of harvesting in the "Scenic Corridor", and should only be allowed as outlined in the guidelines presented in the Youghiogheny Wild River Regulations. Some general guidelines for selective harvesting to help protect ecologically sensitive areas include the following:
  - New forest management roads should not be developed within one hundred fifty (150) feet of the bank of the River.
  - Existing forest access roads should be utilized whenever possible.
  - The alignment of forest access roads should prevent straight line of sight with the River. Roads should also be kept to a minimum and should follow the natural contours of the landscape.
  - Retain trees on slopes according to the sediment and erosion control regulations for timber harvesting.
  - Trees within nontidal wetlands should be harvested in conjunction with the best management practices listed under *COMAR .08.05.04*.
  - Every effort should be made to keep heavy equipment away from streams or wetlands.
  - Forest access roads should be designed to keep stream crossings to a minimum.

required for any disturbance within the 100 year floodplain.

- Stream-side buffers consisting of natural vegetation should be implemented and preserved on public lands to protect water quality and provide shade to trout streams.<sup>17</sup> Agricultural operations on private lands are encouraged to implement stable, naturally vegetated buffer strips along the length of the Youghiogheny River and its tributary streams.



- A study to identify areas where streambank stabilization is warranted should be cooperatively conducted by DNR, MDE and the Local Soil Conservation District.
- In the "Scenic Corridor," projects related to stabilization and erosion control should only be undertaken to correct impacts by human activity or to restore an outstanding river value from significant long term degradation ascribed to natural causes. These projects should: 1) minimize

overall disturbance, 2) enhance natural vegetative recovery, 3) employ indigenous vegetative materials and other locally obtained natural materials to the greatest extent feasible, and 4) produce a final product that is unobtrusive and harmonizes with the surroundings.

- Along designated scenic river segments, vegetative stabilization is the preferred alternative. If nonvegetative stabilization is required, use of local materials should be encouraged. Aesthetics of the finished project and harmony with the surroundings should be included in project design.
- Wetlands disturbance in the "Scenic Corridor" on public lands is prohibited unless matters of public safety or reaction to significant environmental degradation requires action within the nontidal wetland or its buffer.
- Disturbances to wetlands on private lands in the Youghiogheny watershed should be avoided to the greatest feasible extent.
- A nontidal wetlands permit is required before regulated activities may occur within a nontidal

wetland or the minimum 25 foot wide buffer around it. This buffer is expanded to 100 feet for: 1) *Nontidal Wetlands of Special State Concern*; 2) *slopes greater than 15% adjacent to nontidal wetlands*; 3) *soils with erodability factors greater than 0.35 adjacent to nontidal wetlands*.



## Water Quality

### Overview

Maryland's Scenic and Wild River Act established that it is the policy of the state to enhance the water quality of designated rivers. This policy is particularly important for the Youghiogheny as Maryland's only designated "Wild River." The maintenance of excellent water quality is central to preservation of the natural conditions that make the Youghiogheny unique in Maryland as a scenic and wild river.

Though much of the Youghiogheny exhibits very good or excellent water quality, some areas suffer degraded water quality associated with organic wastes, sediment and/or acidic discharges from abandoned coal mines. Consequently, the recommendations listed below focus on reducing these pollutants and providing a healthy aquatic environment and apply to both public and private lands unless otherwise stated.

## Recommendations

- Ensure that sewage treatment plants, such as Oakland and Crellin, meet their discharge permit requirements. The effectiveness of these efforts should be monitored to determine if the designated uses of the river are being adequately protected. If additional enforcement or upgrades are found to be necessary, consider the scenic and wild designation of the Youghiogheny River when determining the priority for correction.
- Failing septic systems pose a public health threat and can contribute to nutrient enrichment problems. Areas of failing septic in the Youghiogheny River watershed should be corrected.
- Encourage the development and use of agricultural waste management systems on farms along the river.
- Encourage, as needed, fencing of streams against livestock and the development of alternative water sources for livestock.
- Encourage control of farm runoff via agricultural best management practices and soil and water conservation plans, minimize erosion and the sediment leaving the property, provide sufficient watering for cattle away from streams and fencing as needed for stream / riparian protection.
- The State and Federal Agricultural Cost-Share Programs should provide adequate funding for the Youghiogheny watershed.
- Enforce the sediment control regulations applicable to earth disturbance activities such as construction, forest harvest and mining activities in the Youghiogheny watershed. Logging operations should maintain stream-side buffers and adhere to sediment control plans.
- Encourage cooperation between Maryland and West Virginia to eliminate acid discharges from abandoned mines into Snowy and Laurel Creeks. Determine if Maryland may assist West Virginia in mitigating discharges impacting Maryland waters.
- Continue efforts to reduce or eliminate acid discharges from abandoned mine sites. Identify remaining areas that are in need of reclamation. Consider the scenic or wild river designation when prioritizing sites for funding and implementation of reclamation projects.
- Technical solutions, such as lime slurry dosers, should be considered as potential remedies and implemented at appropriate sites. A likely candidate location is on Laurel Run downstream of the Crellin Mine.
- Discharges or releases from water impoundments or hydro-electric generating facilities, including the Deep Creek Hydro-Electric Generating Station, should not cause violations of Maryland water quality standards. Dam releases should be timed with sufficient volume to counteract warm-weather solar heating of the river seven days a week. The new dam permit should include provisions to require this result.

- Temperatures appropriate for a cold water fishery should be maintained and enhanced via naturally vegetated stream-side buffers.
- A study of water quality impacts of the gypsy moth spray program should be considered by the State.
- Biological criteria in State water quality standards and/or discharge permits should be considered to protect the public water supply, water contact recreation and fish consumption uses of the river.
- Waste disposal or handling facilities are not compatible with the "Scenic Corridor" and should not be located within its boundaries. Monitoring of the Garrett County landfill for possible water quality problems should continue and measures should be taken to resolve any identified problems.



## Recreation

### Overview

Recreational use of the Youghiogheny River has and will continue to primarily include whitewater boating, fishing and hunting on public and private lands, and camping on State lands

adjacent to the "Scenic Corridor." The following recommendations suggest recreational management and related capital improvement strategies that maintain the natural, scenic and rural character of the area, while at the same time, are responsive to basic visitor needs.

It is not desirable to provide highly developed outdoor recreational support facilities in the "Scenic Corridor," or to encourage large scale, recreational activities. The major goal is to manage and ensure continued recreational use of the river, and to protect landowners from potential negative impacts associated with public recreation.

### Recommendations on Hunting

Hunting is a popular recreational activity in Garrett County and a contributor to the local economy. In the Youghiogheny River watershed, hunting occurs on both public and private land.

- Hunting and trapping for legal game animals will be allowed, during established seasons, on designated DNR land in the Youghiogheny River basin. The Master Plan for DNR property will identify locations suitable for hunting and trapping.

### Recommendations on Fishing

Public fishing primarily occurs at three areas in the "Scenic Corridor," including Swallow Falls State Park, Sang Run and Friendsville. Anglers usually walk a short distance up or downstream from the access points.

- The development of river access areas for public fishing should be allowed in the areas of Swallow Falls State Park, Sang Run, Friendsville and, if demand increases, at Hoyes Run.
- DNR should consider conducting a survey of existing and future, potential use of the river by anglers.

### Recommendations on Camping

The number of people who have camped at Swallow Falls State Park and Herrington Manor has remained relatively stable during the past few years. The Office of Economic Growth and Tourism has indicated that overnight camping in Garrett County will likely remain popular. Possible increases in the number of private boaters that may use the Yough in the future may contribute to greater demand for overnight camping facilities. Studies have indicated that overnight wilderness camping combined with food preparation is a recreational activity that has one of the most adverse impacts on the environment.



- Improvement and additional development of campground facilities at Swallow Falls should occur outside of the "Scenic Corridor."
- Development of any other future campground facilities should occur outside of the "Scenic Corridor."
- Primitive camping or the development of primitive camp sites in the "Scenic Corridor" should be discouraged. This is due to the adverse impact camping has on the river's resources, the lack of staff and equipment to provide search and rescue, and unsuitable and hazardous terrain. The principle objective is to protect and preserve the "Scenic Corridor" in its primitive state.

Recommendations on Trails

- In the development of a Master Plan for State lands, the State should consider the possibility of a trail system for public access as well as emergencies. This public trail system should be developed on State lands in such a way as to preserve the wild and scenic character of the River, and probably should be limited to a primitive hiking trail.

Special care should be taken when locating trails in the proximity of unique, environmentally sensitive regions such as Wetlands of Special State Concern.

- A trail management plan should be developed as part of the Master Plan for State lands to address existing or proposed trails to reduce the adverse environmental impacts from heavy visitor use. Trail proposals will be reviewed by an Interdisciplinary Team from the Department of Natural Resources. Trails should be managed and designed to reduce erosion and unnecessary destruction of vegetation.
- ATV use in the "Scenic Corridor" should be prohibited on State land, except for emergencies, because it adversely impacts the scenic and wild qualities of the River.

Recommendations on Whitewater Boating

Public and private boat access sites at Sang Run and Friendsville have been adversely impacted because of heavy visitor use in relatively small land areas. Signs of environmental impact include riverbank erosion due to whitewater crafts being dragged

to the river and destruction of natural vegetation due to soil compaction.

- DNR should maintain the relatively pristine character of the "Scenic Corridor" by minimizing the creation of additional access areas or facilities within its boundaries. Any areas that may be developed for recreation without suitable site hardening will become impacted like the existing access points. Boat access development and related facility improvement should be allowed in the areas of Sang Run, Hoyes Run, Swallow Falls and take-out areas at Friendsville. Garrett County, in cooperation with DNR, should consider the option of developing the county owned properties near Oakland and Crellin as access points.
- The Department of Natural Resources should continue to negotiate acceptable release schedules from Pennelec. DNR should encourage Pennelec to make the times of water releases available to the public in advance.

- Property owners who lease their lands to commercial outfitters or use the lands for the purposes of access should require outfitters to provide adequate facilities to meet the performance standards recommended under site design in order to protect the River's natural resources. Special care should be given to adequate vegetative screening and measures to prevent erosion.

- The Department of Natural Resources will continue to monitor public use of the river. If demands to use the river cause safety problems, degradation of the wild river experience, conflict between users, etc., these issues will be resolved to balance river use between groups to maximize their mutual benefit.

- Use of the river from Swallow Falls to Sang Run is increasing. DNR should study the need to include this area for whitewater regulation and management.

- The Department should initiate a study to evaluate the impacts of the private whitewater boater on the Youghiogheny Wild and Scenic River Corridor. The study should

evaluate safety, levels and patterns of use, levels of conflicts with private landowners and the projected carrying capacity of the Youghiogheny River. The scope of the study should also include a launch fee assessment to the private boater, a launch fee sharing arrangement with landowners within the corridor and local volunteer agencies, and economic impact review that private boating has on the local economy (positive and negative) and the effects other users of the river have on the river and the corridor surrounding it. This study should result in recommendations regarding the options and appropriate level of control and management of the private whitewater boater.

- An information pamphlet should be developed for distribution to private boaters. The pamphlet will discuss the outstanding and sensitive resources in the "Scenic Corridor", remind boaters that private property rights must be respected and explain regulations pertaining to fires, littering, personal exposure, camping and use of alcohol while on the river and in the corridor.

### Recommendations on Whitewater Boating and Emergency Services

The Youghiogheny River and "Scenic Corridor" have several significant physical features that compound normal search and rescue efforts. These include inclement weather such as air turbulence which prohibits helicopter rescue; extremely harsh, rocky and steep terrain that at times includes sheer cliffs; the scarcity of suitable stopping points along the river in case a boater or rafter is injured; and a very limited public road network that provides access to the river.

These physical features of the "Scenic Corridor" present several obstacles when someone is injured including sustaining and protecting the injured party until help arrives; signaling for help to identify ones location; limited radio communication; readily dispatching a rescue unit for assistance and safely removing the injured party. Therefore, it is recommended that:

- Prominent warning signs at river access points should be erected by DNR. These signs should indicate the extent of the hazards, varying water levels and the associated risks of whitewater boating on the Upper Youghiogheny. As part of the Master Plan, a signage component should be developed that suggests an attractive standardized sign design.

- DNR should continue to require minimum standards for emergency medical training for guides and trip leaders.
- DNR, Garrett County, commercial outfitters, regional whitewater clubs and town of Friendsville should actively pursue grants to purchase the following safety and rescue equipment: 4WD emergency rescue vehicle; VHF band radios mountain-rescue equipment; and backboards. Backboards should be cached along the river from Sang Run to Friendsville. Permission must be obtained from private property owners to store emergency equipment on their land.
- DNR and Garrett County need to negotiate a right-of-way agreement from the property owner to use the abandoned logging road that is located on the east side of the river from Friendsville to National Falls for search and rescue purposes only. DNR and Garrett County should consider jointly maintaining this road with funds from the park service operation budget and the County highways budget.



## Cultural Resources

### Overview

Early historical uses of land and water resources in the Youghiogheny River Valley have shaped the primarily rural, sparsely settled, development characteristics that are still prevalent today. Even though there are not any historically significant sites in the "Scenic Corridor," there are known and a potential for additional archaeological sites, particularly in large floodplains or in upland areas near headwater streams. The presence and significance of these archaeological sites will influence future management and planning decisions that affect the "Scenic Corridor."

### Recommendations

- Future county and state sponsored studies are needed to locate and identify archaeological resources that are located in stream valleys.
- The Maryland Historical Trust should actively approach Garrett County property owners for voluntary historic preservation easements if their lands contain significant archaeological sites.

- Garrett County should continue to coordinate preservation planning with the Maryland Historical Trust. This includes encouraging the design and siting of structures in a manner that will protect irreplaceable sites of archaeological and historic significance.



## Public Education

### Overview

People who visit or live near the Youghiogheny River impact both the resource itself and other river users. Without the knowledgeable cooperation of these divergent user groups and individuals, the recommendations made elsewhere in this plan can not be successful. Therefore, the objectives and recommendations listed under the public awareness goal are intended to provide an opportunity for every one interested in the Youghiogheny River and adjacent lands to understand and participate in the management effort.

### Recommendations

- A continuing public forum should be established to allow for discussion of Youghiogheny River-related issues. Periodic public meetings should

be scheduled to discuss important management issues affecting the river or "*Scenic Corridor*." Public announcement of the time and topic for a meeting should be made in the local news media.

- The proposed Youghiogheny River Advisory Board may sponsor public meetings and hearings on matters affecting the Youghiogheny River. The Advisory Board should have the authority to request a Garrett County location for any public meeting or hearing scheduled by a State agency that addresses a topic potentially affecting the Youghiogheny River.
- DNR should continue to publicize management efforts and resource information via public forum meetings, news releases and publications available to the public as appropriate. DNR should consider publishing a quarterly newsletter.
- DNR should develop a program, in cooperation with outfitters and private boaters and the Advisory Board to educate whitewater users of the Youghiogheny River area. This program should include material printed in brochures, a slide show and possibly a

video. At a minimum, this program will:

- Inform river users about the rights of riparian landowners, and the problems of trespass and invasion of privacy. Identification of areas of public lands and private lands in a pamphlet could help visitors avoid trespass.
- Help reduce conflicts between different types of recreational river users.
- Assist visitors in understanding environmental sensitivities of the area and in avoiding negative environmental impacts.
- Disseminate pamphlets presenting important educational information to visitors and outfitters.
- Install kiosks that are designed to disseminate educational literature in strategic locations, such as Swallow Falls, Sang Run and Friendsville.
- DNR should provide technical or management assistance to any landowner who requests a land management plan for their property. The Scenic and Wild Rivers Program and the Forest and Park Service will cooperate to provide this assistance.

- An annual awards program should be established to encourage and publicize important contributions to preserving and managing the Youghiogheny River and its environs. Such a program will help reinforce desirable activities by recognizing those who have made a difference and by encouraging others to make similar positive contributions. The proposed Youghiogheny River Advisory Board may adopt this program as an annual ceremony.
- Applicants for permits and licenses to conduct activities that may impact the Youghiogheny River or the "Scenic Corridor" should receive literature that explains the importance of protecting outstanding Youghiogheny resources. This literature should provide information that is relevant to the applicant's activity with a focus on the special needs of the Youghiogheny.
- DNR and Garrett County should request that the Maryland State Highway Administration post new signs at bridges over the Youghiogheny River that recognize it as a "*Scenic and Wild River*." The design for these signs

should be coordinated with DNR, the proposed Youghiogheny River Advisory Board and Garrett County.

- Curricula of local schools and colleges should provide students with an understanding and an appreciation of the Youghiogheny River and related resources. DNR, in cooperation with the State Department of Education and local schools, should attempt to develop a program that local educators will find useful. This may include presentations by State staff focused on the educational level and needs of local students. Garrett County and DNR should consider co-sponsoring locally advertised adult education courses that emphasize the importance of the Youghiogheny River. Courses for local landowners could address several possible issues including:
  - The value of forested lands to the Youghiogheny and forest management practices in general.
  - Herbicide and pesticide application, environmental sensitivities of trout and other aquatic species and

the suitability of pest control alternatives.

- Garrett county should consider constructing an informational kiosk at their property in Crellin to provide information on the protection and use of the natural, cultural and recreational resources of the Youghiogheny River.
- The towns of Oakland and Friendsville should explore possible locations for the provision of River information. One possibly excellent location to serve this function is the Friendsville boat take-out facility within their town park.

## Land Use and Development

### Overview



The Scenic and Wild Rivers Act specifically addresses rules and regulations for implementation of the management plan, and use and development in the "Scenic Corridor" (See Appendix A). In addition to the existing rules and regulations, there needs to be a continued effort to identify and locate appropriate types of development on publicly and privately owned lands within the river corridor. There are also numerous, voluntary planning alternatives and publicly financed

programs available to landowners that can accommodate land use and development on private property, while preserving and protecting the river's resources.

A variety of facilities are needed in order to effectively manage the Youghiogheny River for public enjoyment and recreational use. These facilities include visitor contact sites, interpretative sites for cultural and natural features, river access sites and an administrative facility. This study and management plan discourages the development of new public facilities in the "Scenic Corridor" with a few exceptions.

### Recommendations for Public Lands

- Lands within the "Scenic Corridor" that have been or will be acquired by the State should be left in their natural state in order to preserve the primitive undeveloped character of the River. If needed, additional recreational facilities and visitor service areas such as parking lots and campgrounds should be developed outside of the "Scenic Corridor." Exceptions are limited to improving existing and potential recreational and visitor access areas at Swallow Falls State Park, Sang Run, and possibly developing access points at Friendsville and Hoyes Run. (Also see Recreation.)

- In keeping with the expressed goals of the management plan for the Youghiogheny River Corridor, the Youghiogheny River Local Advisory Board recommends that the existing pasture lands, hay lands and/or meadows shall be maintained.

**State project proposals should continue to have:**

- *Appropriate design to limit adverse impacts on the undeveloped character of the "Scenic Corridor."*
- *The least obtrusive features to preserve the scenic qualities of the River.*
- *Harmony with the natural environment. Examples of incompatible design include shiny metal siding or roofing, large areas of bright colors or large signs.*
- *Sufficiently level topography for proposed sites.*

- *Vegetative screening. If vegetative screening from the River is inadequate, landscape plans for a planting program should be established to screen areas such as parking lots.*
- *Graphic display of all new proposed access routes and utilities or any modifications to existing access routes.*
- *Be designed so that soil disturbance is minimized.*

- The proposed Youghiogheny River Advisory Board should review and advise on the location and design of facilities proposed within the "Scenic Corridor".
- On a voluntary basis, the local governments should continue to design and manage their facilities in a manner consistent with this plan.
- New roads, bridges and other structural crossings should not be allowed in the "Scenic Corridor" except for uses as permitted in the Youghiogheny Wild River Regulations. Road design and placement

should generally follow the contours of the land and take advantage of natural screening.

- Existing roads and bridges should be maintained in a condition which harmonizes with the surrounding environment. For example, bridges could be painted in natural tones rather than bright shiny colors.
- Service roads for emergency services should be limited to those already existing. New service roads should be constructed only after a need can be demonstrated and should be limited to the width of an ATV rescue vehicle. The roads should also be screened from the River and follow the contours of the landscape.
- The installation of transmission lines and radio towers in the "Scenic Corridor" will be prohibited, except as permitted as part of an approved development under the Youghiogheny Wild River Regulations. Utility line structural design and placement shall blend with the natural landscape.
- All utility stream crossings that service regional areas outside of

the "Scenic Corridor" will be prohibited, unless the project proposal can demonstrate that there is no other feasible alternative.

- Existing utilities will be maintained in a condition which harmonizes with the surrounding environment, and prohibits heavy equipment use in all streams. There shall be a program implemented by the local electrical power company to plant native, understory vegetation in utility line right-of-ways next to the River's shoreline.

#### Recommendations for Private Lands

- Project proposals should continue to have an appropriate design to limit adverse impacts on the primitive undeveloped character of the "Scenic Corridor," have the least obtrusive features to preserve the scenic qualities of the River and harmonize with the natural environment. Examples of incompatible design include: shiny metal siding or roofing, large areas of bright colors or large signs.

- Single family, detached residential units should continue to be allowed consistent with the Youghiogheny Wild River Regulations, with emphasis on environmentally sensitive structure placement that blends with the natural landscape.

#### *Project proposals should strive to have:*

- Sufficiently level topography for proposed sites.*
- Vegetative screening. If vegetative screening from the River is inadequate, landscape plans for a planting program should be established to screen areas such as parking lots.*
- A Graphic display of all new proposed access routes and utilities or any modifications to existing access routes.*
- A design so that soil disturbance is minimized.*
- Property owners should be encouraged to place proposed, new structures as far away from the

River as possible in less environmentally sensitive land areas. The increased setback of structures above and beyond existing regulations could be made more appealing to property owners if the State would purchase fee simple or accept donated conservation easements on unimproved lands that serve as a buffer between the River's shoreline and the structure.

- Property owners should be encouraged not to place structures on steep slopes. The alteration of natural vegetation should be limited to the area surrounding the structure.
- The installation of commercial utility lines and TV and radio towers in the "Scenic Corridor" will be prohibited, except for those that already exist or are permitted by the Youghiogheny Wild River Regulations. DNR should consider establishing standards for the installation of TV and radio towers. Utility line design and placement shall attempt to blend with the natural landscape or shall mitigate for any damages
- Proposed new residences should consider the feasibility of burying all utility lines.

- Landowners are encouraged to maintain existing utilities in a condition which harmonizes with the surrounding environment.

- The Maryland Agricultural Land Preservation Foundation accepts conservation easements to preserve farmland throughout the State. Garrett County could encourage participation in this program by increasing or matching the amount paid by the Foundation for an easement.

- The Maryland Environmental Trust should target its efforts to obtain conservation easements in Western Maryland to the Youghiogheny River watershed and particularly to the "Scenic Corridor". The Trust should strongly consider accepting easements that donate only timber or agricultural rights in the "Scenic Corridor". Landowners in the Youghiogheny River basin are encouraged to explore easement opportunities with the Maryland Environmental Trust.

- Local land trusts that work in cooperation with the Maryland Environmental Trust are able to focus conservation easement efforts in a particular area while still providing landowners with all the opportunities of a conservation easement. As a long term goal, a Garrett County or Youghiogheny River Land Trust should be established to develop a closer relationship with local landowners.

***Roles and Responsibilities for Implementation***

Implementation of the Youghiogheny River Plan will involve cooperation between the County, State, local towns (Oakland and Friendsville), the community of Crellin the Youghiogheny River Advisory Board and citizens. Participating governments will attend meetings of the Commission Advisory Board to discuss proposed management actions, alternatives to an action, and to seek the advice and recommendations of the Advisory Board and its individual members. Any agency proposing an action will consider carefully the concerns of the towns, Garrett County, the Advisory Board and the State regarding the proposed action. The purpose of this section is to describe the specific roles and responsibilities of various parties necessary to achieve this cooperative management approach.

**The Youghiogheny River Advisory Board**

The purpose of the permanent Youghiogheny River Advisory Board is to monitor the effective implementation of the plan on a continuing basis. The Advisory Board is the key to citizen input into management decisions and it must be the primary entity through which users discuss their differences and agree upon joint actions to protect and preserve the scenic and wild qualities of the River. It is recommended that the Advisory Board contain the following representatives: 3 members who own land contiguous to that portion of the river designated by § 8-408(a) of the Scenic and Wild Rivers Act as wild, 2 county residents who own land that is not contiguous to the Youghiogheny River, 1 member representing the Garrett County government and 2 members from the county soil conservation district.

*The following are the specific responsibilities of the Youghiogheny River Advisory Board for their review of the management of the Youghiogheny River:*

- The Board will advise Garrett County concerning the implementation and administration of the Plan.*
- Review all relevant plans, regulations, studies, etc. for the purpose of recommending to Garrett County whether they conform to the Plan.*



- c. *Assist the Department in the preparation of a report to the State Scenic and Wild River Review Board regarding the effectiveness of the management plan implementation.*
- d. *Serve in an advisory capacity in the resolution of landowner concerns, management issues, and conflicts.*
- e. *Make recommendations to the Garrett County government and the Garrett County representative to the State Scenic and Wild Rivers Review Board.*
- f. *Encourage Garrett County to involve the public in the implementation of the Study and Management Plan and all other programs and regulations enacted under the Scenic and Wild Rivers Act.*
- g. *On behalf of the County, the Board may conduct public forums and seminars on relevant river corridor issues, such as fish, wildlife, forest and recreation management.*
- h. *Under the direction and approval of Garrett County, the Board could submit grant proposals to non-profit organizations and state and federal agencies that may provide additional conservation program assistance for the Youghiogheny River.*

**Towns**

The towns of Oakland and Friendsville as well as the community of Crellin serve an important management role along the Youghiogheny River. Their greatest responsibility lies in developing and implementing comprehensive plans and zoning ordinances to manage land uses along the River in a way that is not detrimental to the purposes for which the Youghiogheny was designated.

*The following are the specific responsibilities of the town governments for management of the Youghiogheny River:*

- a. *Develop and implement any comprehensive plans and land use regulations and management techniques for the preservation and protection of the scenic qualities of the River within town limits.*
- b. *Implement and enforce ordinances prohibiting the unlawful disposal of solid and toxic waste into the Youghiogheny River and its tributaries.*
- c. *Continue to enforce ordinances restricting floodplain development.*

**Garrett County**

Garrett County serves an important management role in the "Study area" of the scenic section of the Youghiogheny River. Their greatest responsibility lies in developing and implementing comprehensive plans and zoning ordinances to manage land uses within the "Study area" of the scenic portion of the River in a way that is not detrimental to the purposes for which the Youghiogheny was designated.

*The following are the specific responsibilities of the county government for management of the Youghiogheny River:*

- a. *Form the permanent Youghiogheny River Advisory Board within forty-five days after the management plan has been adopted.*
- b. *Participate as voting member or members on the Advisory Board.*
- c. *Participate, on a rotating basis, as an officer of the Advisory Board.*
- d. *Provide technical assistance from the planning office to develop a comprehensive plan and zoning ordinance for the "scenic" portion of the Youghiogheny River.*

- e. *Implement and enforce comprehensive plans, land use regulations and management techniques for the preservation and protection of the scenic and wild qualities of the River within the "study area".*
- f. *Implement and enforce ordinances prohibiting the unlawful disposal of solid waste, toxic wastes and untreated sewage into the Youghiogheny River and its tributaries.*
- g. *Continue to enforce existing ordinances restricting floodplain and wetland development.*
- h. *Encourage landowners along the Youghiogheny River to become county conservation district cooperators.*

*The following are the specific responsibilities of DNR for management of the Youghiogheny River:*

- a. *The Department should develop design and performance standards on state owned or leased lands that would minimize impacts of structural, recreational, other developments, or management practices on neighboring private property owners. Such standards should include set backs from private property so trespass will be discouraged and establishing usage limits to prevent destruction of the Youghiogheny River's wild character.*
- b. *Manage lands, structures, and property owned and/or leased by the State of Maryland in a manner consistent with the Youghiogheny River Study and Management Plan and the Scenic and Wild Rivers Act. In administering its responsibilities, DNR will consider recommendations made to it by Garrett County and the Youghiogheny River Advisory Board.*

- c. *Develop and enforce the rules and regulations that are necessary to implement this plan, with the advice of the Youghiogheny River Advisory Board and the Board of Garrett County Commissioners.*
- d. *Protect property owners' rights in a manner consistent with this Plan.*
- e. *Participate in meetings of the Youghiogheny River Advisory Board. Representatives from the Department will be a representative from the Forest and Park Service and a designee from the Scenic and Wild Rivers Program. These representatives will also serve as contact persons for other State agencies affected by the management plan. Participate on the Land Use and Development Review Committee. Representatives from the Department will include the River Manager, a heritage biologist, the district forester, a fisheries biologist and a planner from the Scenic and Wild Rivers Program.*

## **State of Maryland**

The Department of Natural Resources will represent the State in managing the "Scenic Corridor" and the State-owned land. DNR will coordinate with the Advisory Board, Garrett County, the towns and other State and federal agencies, and all of its regulatory and management activities will be consistent with the intent of the Scenic and Wild Rivers Act and this Plan.

- e. *Provide visitor and resource management within the "Scenic Corridor".*
- f. *Provide technical assistance to the County, towns and private citizens to enable them to develop and implement programs compatible with the management plan.*
- g. *Request funds from the General Assembly to acquire lands within the "Scenic Corridor" from any willing sellers.*
- h. *Depending on the allocation of funds, DNR will provide natural resource interpretation, boating and safety programs and visitor protection services. Depending on the allocation of funds, DNR will also develop, in cooperation with the Department of Education, an environmental curriculum for local schools which emphasizes the value of the Youghiogheny River and identifies methods of protection*
- i. *Enforce state laws pertaining to floodplain and wetland alterations. The Department of Natural Resources will also assist the Maryland Department of the*
- j. *Encourage cooperation among State units to implement the recommendations of the Youghiogheny River Study and Management Plan.*
- k. *The Department of Natural Resources will not license commercial vendors within the "Scenic Corridor" for concession services in violation of the Youghiogheny Wild River regulations.*

*Environment and the US Environmental Protection Agency in enforcing water quality regulations.*

amendments and plan revision. The sections that follow present the conditions and procedures that apply to each category.

DNR will be responsible for carrying out the responsibilities described here and may also initiate any of these plan modifications. The proposed Youghiogheny River Advisory Board may recommend that any of these plan modifications should be pursued. Any submission regarding plan modifications will include all information that the Advisory Board determines to be appropriate for full and proper consideration of the proposed plan modification.

**Technical Detail Adjustment**

During plan implementation, it is anticipated that the need for technical detail adjustment may occur at any time as the specific details of management and implementation are developed and carried out or as additional studies are completed. Upon identifying the need to adjust technical details of the plan and its recommendations, DNR may make the necessary adjustments so long as they remain entirely consistent with the intent of the plan goals, objectives and recommendations. The proposed Youghiogheny River Advisory Board may hold a public meeting to discuss any adjustments.

**Plan Review and Update**

With the adoption of the final Youghiogheny Scenic and Wild River Management Plan, it is intended that the plan should be maintained as a viable management tool for the river and adjacent lands. To meet this intent, modifications to the plan will be necessary to ensure that the management of the Youghiogheny addresses changing conditions and incorporates appropriate management responses.

Potential modifications to the plan may be addressed under three broad categories: technical detail adjustment, minor plan

## Minor Plan Amendments

As conditions and management needs for the Youghiogheny change over time, it may become necessary to modify a recommended action or closely related group of actions to ensure progress toward plan goals and objectives. Though such a need may arise at any time, the plan will undergo review to determine if amendments are necessary at least once every five years.

Modifications to the plan may be made through a plan amendment if the modification

1) is consistent with the intent of plan goals and objectives, 2) is limited to modifying a single plan issue or recommendation that can be addressed without requiring changes to other parts of the plan, and 3) does not substantively change the intent of the recommendation. Any proposed amendment not meeting these requirements must follow the plan revision procedure. The following procedures will be followed to amend the plan:

- The issue or problem is clearly defined and adequate documentation and analysis is presented.
- Alternatives to the proposed amendment have been adequately identified and analyzed.

- The proposed amendment has been determined to be consistent with the intent of the plan, the Youghiogheny Wild River regulations and the Maryland Scenic and Wild Rivers Act.
- The proposed Youghiogheny River Advisory Board will review and comment on the proposed amendment.
- The opportunity for public comment will be provided. Public advertisement of the proposed amendment will be made in the local newspaper prior to any public meeting.

## Plan Revision

The Youghiogheny River Study and Management Plan should undergo a thorough evaluation after ten years. Neither the legislation designating the River nor the requirement for a management plan will expire at the time. The purpose of this evaluation is to allow the plan to adapt to changing conditions and community needs. The plan will automatically remain in effect and the provisions for plan review and update will also continue even if no plan amendment or revision are necessary.

Following adoption of the plan and before the ten year thorough evaluation, there are two general situations that could require a formal plan revision in order to meet management needs: 1) *a substantive change to the intent of one or more plan recommendations is required, or;* 2) *an essential management action is not addressed in the plan. The following procedures will be followed to revise the plan:*

- The issue or problem is clearly defined and adequate documentation and analysis is presented.
- Alternatives to the proposed revision have been adequately identified and analyzed.
- The proposed revision has been determined to be consistent with the intent of the Maryland Scenic and Wild Rivers Act.
- The proposed Youghiogheny River Advisory Board will review and comment on the proposed revision.
- The Maryland Scenic and Wild Rivers Review Board will have the opportunity to review and comment on the proposed plan revision in consideration of the proposed Youghiogheny River Advisory Board's recommendation. The State Board may adopt the revision.

- The opportunity for public comment will be provided. Public advertisement of the proposed revision will be made in the local newspaper prior to any public meeting.

### Project Review

#### Introduction to Policy and Purpose

The Maryland Department of Natural Resources is required by law to regulate land use and development in the "Scenic Corridor" of the Wild Segment of the Youghiogheny River between Miller's Run and the Southern corporate limits of Friendsville in Garrett County, Maryland. (Annotated Code of Maryland §8-409 et seq.). The purpose of this section is to establish a procedural process for the review of land use and development applications as required by the Wild River regulations. The establishment and use of a Land Use and Development Review Committee is essential to the process. Committee review of land use and development proposals will help to preserve and protect the natural resources of the Youghiogheny River, maintain its scenic and wild character and ensure protection of the rights of property owners.

#### Responsibilities and Committee Composition

The State Forest and Park Service is the designated coordinating agency for the Review Committee, with the River Manager acting as the Committee Coordinator. The Committee Coordinator's duties include: receiving applications for proposed land use and development; processing all applications; participating in the review process; and issuing authorized permits upon review by the Land Use and Development Review Committee and the River Advisory Board.

The River Manager, under authorization by the Forest and Park Service, is also responsible for: providing assistance and information to the applicants to help them understand and comply with the preparation of land use and development applications; monitoring land use and development activities in the "Scenic Corridor"; obtaining compliance with the Wild River Regulations and authorized permits; and increasing public awareness and education that encourages environmentally sensitive land use and development in the "Scenic Corridor".

The Committee is responsible for: reviewing applications; providing technical expertise and assistance and making recommendations concerning the land use and development proposals; and ensuring coordination with other state agency programs that are involved with the Youghiogheny River.

*The composition of the committee should be as follows:*

Forest and Park Service  
Youghiogheny River Manager,  
Committee Coordinator

Forest, Wildlife & Heritage  
District Forester  
Heritage Biologist

Fisheries Service  
Fisheries Biologist

MDE Water Management Administration  
Designated Representative

Scenic and Wild Rivers Program  
Regional Planner

Garrett County Soil Conservation District  
District Representative

Garrett County Government  
Designated Representative

Youghiogheny River Advisory Board  
Landowner within the "Scenic Corridor"

Contingent on the type of project proposal, all appropriate State and departmental agencies are to review and comment on applications affecting the Youghiogheny River and to ensure pending permit applications before them are distributed to the River Manager and the Scenic & Wild Rivers Program for their review. Examples of cooperating agencies and departments include the: Maryland Department of Natural Resources; Department of Housing and Community Development; Maryland Historical Trust; Maryland Office of Planning; Maryland Department of the Environment; the Maryland Department of Agriculture; and the Garrett County Department of Health, Environmental Section. When applicable, on-site inspections may be necessary to review each application.

### **Examples of Land Use and Development Applications**

There are numerous types of land use and development activities that may adversely impact the Youghiogheny's riparian environment within the "Scenic Corridor" and therefore require the submission of an application. Some examples of them include the: installation or exterior modification of structures such as buildings; sign installation; new utility lines; upgrading and/or installation of roads, trails and bridges; stream bed and shoreline alteration; or the alteration of the natural vegetative cover. For additional information, see Appendix G for the Youghiogheny Wild River regulations.

### **Application Procedure**

All use and development within the "Scenic Corridor" is permitted only after review by the Committee and the River Advisory Board and approval and the issuance of a Land Use and Development permit by the River Manager. Reviews will involve a careful and thorough consideration of potential impacts to the Scenic and Wild qualities of the Youghiogheny River and include a determination whether the development proposal is consistent with the intent of the Scenic and Wild Rivers Act and this Plan. The Youghiogheny Wild River regulations need to be revised to include the procedural process governing the review of development proposals.

### **Monitoring and Inspection**

All monitoring, inspection and enforcement activities will be conducted by DNR personnel. This includes routine patrols of the "Scenic Corridor". Departmental monitoring will respect the rights of property owners who reside in the "Scenic Corridor". Entering private property is not permitted, except with the owner's permission, or as allowable under law. Monitoring will have the result of maintaining accurate information about the "Scenic Corridor", and the River Manager will maintain accurate records noting date, time, activity, and inspections made.

After the approval of an application for land use and development, periodic inspections will be made by the River Manager to assure the proposed activity is being conducted in accordance with the approved permits and the Wild River Regulations. All inspections will be noted by the River Manager and a report will be kept on file.

## FOOTNOTES

1. U.S. Department of the Interior. Youghiogheny Wild and Scenic River Study, 1978, p. 14.
2. Hendricks. Masters thesis from Applachian Environmental Lab, 1979.
3. Ibid.
4. Ken Pavol et. al. Statewide Fisheries Survey: Youghiogheny River Investigation, 1988.
5. Robert Davis. Youghiogheny River Survey: A Fish Species, Benthic Macroinvertebrate and Water Quality Study , 1984.
6. The presence of largemouth bass is probably due to escapees from local farm ponds or lakes in the watershed. Personal Communication with Ken Pavol.
7. Maryland Geological Survey. An Archeological Study of the Western Maryland Coal Region: Prehistoric Resources, 1981.
8. Graefe, et. al. Youghiogheny River Recreational Capacity Study, 1989.
9. This is a rating of river difficulty established by the International Canoe Federation. Class V is defined as exceedingly difficult with long heavy rapids with high irregular waves and powerful cross-currents or steep, complex, boulder-clogged rapids with poor visibility. Rescue conditions are difficult and there is significant hazard to life in the event of a mishap.
10. Recreational Capacity Study, 1989, p. F-6.
11. Recreational Capacity Study, 1989, p. F-6.
12. Ken Pavol et. al. Statewide Fisheries Survey: Youghiogheny River Investigation, 1988.
13. Maryland Department of the Environment. Maryland Water Quality Report 1987 - 1989, 1990, p. A-119.
14. COMAR 26.08.01.
15. Maryland Department of the Environment. Maryland Water Quality Report 1987 - 1989, 1990, p. A-120.
16. Since it does not appear that public sewage is planned for this area, it is assumed that any residential development will require septic tanks and filter fields to dispose of sewage effluent.
17. All streams designated as Use III, Use III-P, Use IV and Use IV-P.

# ***APPENDIX A***

## **The Scenic and Wild Rivers Act**



**MARYLAND SCENIC AND WILD RIVERS ACT**

**Article - Natural Resources**

**Title 8 - Water and Water Resources**

**Subtitle 4. Scenic and Wild Rivers Review Board and Related Program.**

**§ 8-401. Declaration of policy.**

Many of the rivers of Maryland or portions of them and their related adjacent land areas possess outstanding scenic, geologic, ecologic, historic, recreational, agricultural, fish, wildlife, cultural and other similar values. The policy of the State is to

- preserve and protect the natural values of these rivers,
- enhance their water quality, and
- fulfill vital conservation purposes by wise use of resources within their surrounding environment.

Development of a Scenic and Wild Rivers Program is desirable to fulfill these purposes.

**§ 8-402. Establishment and administration of Program; study of Deer Creek.**

**(a) Establishment of Program; rivers included.** -- There is a Scenic and Wild Rivers Program. The

following rivers, including their tributaries, are initially included in the Program:

- Anacostia
- Deer Creek
- Monocacy
- Patuxent
- Pocomoke
- Potomac (in Montgomery and Frederick counties)
- Severn
- Wicomico in Charles County, and
- Youghiogheny.

**(b) Administration of Program** --The Secretary shall administer the provisions of this subtitle. The Secretary shall formulate and implement a program to carry out the policy under §8-401 of this subtitle for each designated river including any other river designated subsequently as part of the system. The Program shall provide for the preparation of a plan and for the wise management of resources according to the policy under § 8-401 of this subtitle. Activities such as fishing, hunting, hiking, horseback riding, natural and geological interpretation, scenic appreciation, and other programs by which the general public can appreciate and enjoy the value of these areas as scenic and wild rivers in a setting of natural solitude shall be featured in a management plan to the extent these activities are practicable in the scenic or wild river.

**(c) Study of Deer Creek.** -- The Secretary shall prepare a study and plan for the use and

development of the water and related land resources of Deer Creek in Harford County. The study and plan shall evaluate Deer Creek as a water, agricultural, and scenic resource, and evaluate its shoreline and related land in terms of zoning, parks, and recreational areas, public and private use. The study and plan shall be made in consultation and cooperation with every affected unit of Harford County. Upon completion, the Secretary shall file the study and plan with appropriate recommendations with the Harford County Planning Commission, the Harford County executive, and the Harford County Council for inclusion and implementation in the county's land use planning and zoning as the county deems appropriate. The original plan for Deer Creek in Harford County as approved under this section may be changed or restudied only if the Deer Creek local Scenic and Wild River Advisory Board and the Harford County Council approve.

**(d) Definitions.** -- (1) In this subtitle the following words have the meaning indicated.

(2) "Scenic river" means a free-flowing river whose shoreline and related land are

- predominantly forested, agricultural, grassland, marshland, or
- Swampland with a minimum of development for at least 2 miles of the river length.

(3) "Wild river" means a free-flowing river whose shoreline and related land are:

- (i) Undeveloped;
  - (ii) Inaccessible except by trail; or
  - (iii) Predominantly primitive in a natural state for at least 4 miles of the river length
- (e) **Submission of plan for approval.** -- Upon completion of the plan, the Secretary shall submit it with any appropriate recommendations to the governing body of every county where the affected river is located, for their approval and recommendations.

(f) **Inventory and study of other rivers, shoreline and related land.** -- By July 1, 1990, the Secretary shall inventory and study every other river and shoreline and related land in the State and identify the rivers and their related shorelines or portions of them that are eligible for inclusion into the Scenic and Wild Rivers Program as either a scenic or wild river. Upon completion of each inventory and study, the Secretary shall submit it, with any recommendations for additions to the scenic and wild rivers system, to the governing body of every county where the river is located, for their approval and recommendations, and to the next regular session of the General Assembly.

### **§ 8-403. Scenic and Wild Rivers Review Board.**

(a) **Established; composition; chairman; compensation.** --

(1) There is a Scenic and Wild Rivers Review Board. The Board consists of the secretaries of Natural Resources, Agriculture, and the Environment and the Director of Planning and a member of the Garrett County Commissioners, who shall be a voting member of the Board only on matters pertaining to the wild portion of the Youghiogheny River.

(b) **Duties.** -- In addition to the duties set forth elsewhere in this subtitle, the Scenic and Wild Rivers Review Board shall:

- (1) Review:
  - (i) Any inventory, study, plan, rule, and regulation that is prepared under this subtitle;
  - (ii) The recommendations on the inventory, study, plan rule, and regulation of the Secretary, any local governing body, or any local advisory board;
- (2) Meet regularly; and
- (3) Appoint, with the advice and consent of the appropriate local governing body, a local scenic and wild river advisory board for each river that is included in the Scenic and Wild Rivers Program.

**Advisory board - Composition; residence; selection of members.**

- (1) Each local scenic and wild river advisory board

consists of at least 7 members, except for the Youghiogheny local Scenic and Wild River Advisory Board that consists of at least 8 members.

(2) Each member of a local scenic and wild river advisory board shall reside in the county through which the scenic and wild river flows.

(3) The Scenic and Wild Rivers Review Board shall select the members of each local advisory board as follows:

- (i) At least 2 members shall own land contiguous to the scenic or wild river, except for the Youghiogheny River where at least 3 members shall own land contiguous to that portion of the river designated by § 8-408(a) of this subtitle as a wild river;
- (ii) At least 2 members who own land that is not contiguous to the scenic or wild river,
- (iii) 1 member shall represent the local governing body; and
- (iv) 2 members from the county soil conservation district.

(d) **Advisory Board -- Composition where wild river flows through more than one county.** --If a scenic or wild river flows through more than one

county, the local advisory board shall consist of not more than the following members:

- (1) 2 residents of each county through which the scenic or wild river flows who own land contiguous to the scenic or wild river;
- (2) 2 residents of each county through which the

scenic or wild river flows who do not own land contiguous to the scenic or wild river;

(3) 2 representatives of the local governing body of each county through which the scenic or wild river flows; and

(4) 1 representative of each soil conservation district through which the scenic or wild river flows.

**(e) Advisory Board - Duties.** -- Each local scenic and wild river advisory board shall:

(1) Review any inventory, study, plan, rule and regulation that is proposed under this subtitle and is applicable to any river in its jurisdiction;

(2) Make recommendations on the inventory, study, plan, rule, and regulation to its local governing body and to the Scenic and Wild Rivers Review Board.

(3) Select its own chairperson; and

(4) Adopt its own administrative rules and regulations for the operation of the local advisory board.

**(f) Advisory Board -- Compensation; meetings.**

(1) Each member of a local advisory board may not:

(i) Receive compensation for service; or

(ii) Be reimbursed for expenses incurred in travel or for attending meetings or performing any official duty.

(2) The Secretary shall schedule meetings for each local advisory board. However, in the event of emergencies, the chairperson of a local advisory board may

schedule meetings for the local advisory board.

**(g) Designation of Scenic River Advisory Boards by local governing bodies.** --

Upon completion of an approved management plan, the local governing body may establish a Scenic River Advisory Board for each designated scenic or wild river within its jurisdiction. Each board, as constituted by the local authority, may recommend policies, laws, rules and regulations, in furtherance of the aims of this subtitle to the appropriate local governing body. If a scenic or wild river flows through more than one county, the Scenic River Advisory Board may consist of an equal number of members from each county.

**§ 8-404. Recommendation of rivers, streams, and lands for inclusion in Scenic and Wild Rivers Program.**

The Scenic and Wild Rivers Review Board may recommend for inclusion in the Scenic and Wild Rivers Program rivers, streams, and portions of rivers, streams, and tributaries, and the related adjacent lands which fall within the following descriptions:

(1) Trout streams and wetland areas;

(2) Spawning and propagation areas;

(3) Streams and rivers with scenic and aesthetic value of statewide significance;

(4) Existing or proposed

public land adjacent to the rivers and streams;

(5) Sections of any river or stream where no development exists on either side of the river or stream for a distance of one-quarter mile from the mean high water line of the river or stream;

(6) Sections of any river or stream where limited development exists but is compatible with the wise use of the resources;

(7) Sections of any river or stream where encroachment is imminent and would lead to degradation of the river or stream, to some form of pollution, or adversely affect the intent of this subtitle; or

(8) Sections of any river or stream that are important as food production areas, areas supporting migratory waterfowl, and spawning areas for shellfish.

**§ 8-405. Evaluation of waterway prior to approval of use or development plan.**

Before specific plans for use and development of water and related land resources are approved, including constructing improvement, diversions, roadways, crossings, channelizations, locks, canals, or other uses that change the character of a river or waterway or destroy its scenic value, the Secretary shall give full consideration and evaluation of the river as a scenic and wild resource.

**§ 8-406. Approval required for construction, operation, or maintenance of dams, etc.**

A dam or other structure impeding the natural flow of a scenic and wild river may not be constructed, operated, or maintained in a scenic and wild river, and channelization may not be undertaken, unless the Secretary specifically approves.

**§ 8-407. Cooperation by State units.**

Every state unit shall recognize the intent of the Scenic and Wild Rivers Program and take whatever action is necessary to protect and enhance the scenic and wild qualities of the designated river. The Secretary shall utilize the Scenic and Wild Rivers Program and all related information to assist and cooperate with any other State or local unit that exercises jurisdiction and authority over land use planning and management.

**§ 8-408. Youghiogheny River Designation as wild river; scenic corridor defined; boundaries; mining restrictions**

(a) **In general.** -- That segment of the Youghiogheny River between Millers Run and the southern corporate limits of Friendsville is designated a wild river.

(b) **"Scenic corridor" defined.** In §8-408 through §8-411 of this subtitle, "scenic

corridor" means the visual corridor of the Youghiogheny River in that segment of the Youghiogheny River designated as wild that:

(1) An individual can see from the river or its contiguous shorelines; and

(2) The Secretary demonstrates by field investigation and defines by rules and regulations.

(c) **Scenic corridor boundaries.** - (1) By July 1, 1985, the Secretary shall define by field investigation the boundaries of the scenic corridor of the Youghiogheny River and submit to the property owner a map indicating the proposed boundaries which affect the property owner.

(2) The Youghiogheny local Scenic and Wild River Advisory Board shall verify the field investigation that the Secretary uses to define the extent of the scenic corridor.

(d) **Verification of boundaries; property owners.** - By July 1, 1985, the Secretary shall verify the boundaries of the scenic corridor of the Youghiogheny River with each property owner whose property is included in the scenic corridor:

(1) (i) By an opportunity for an on-site review of the visual boundaries; or

(ii) If an on-site review is not possible, by constructive notice in a certified letter, return receipt requested, bearing a postmark of the United State Postal Service, that states the boundaries of the scenic corridor in a way that is easily understood; and

(2) (i) The Secretary shall submit to each property owner a map indicating the proposed boundaries that affect the property owner.

(ii) If the property owner is not satisfied with the proposed boundaries shown to the property owner by the Department, within 30 days after the property owner has been shown the proposed boundaries, the property owner may request, in writing, a field survey of the boundaries.

(iii) If funding for the requested field survey is not immediately available:

1. The Department shall request funding for the field survey in the next fiscal budget; and

2. The field survey is contingent on that funding being provided.

(3) This subsection does not prevent the Secretary from proceeding to adopt rules and regulations to define the scenic corridor under subsections (b) and (c) of this section.

(e) **Mining Restrictions.** - (1) The provisions of this subsection do not apply to any area in the scenic corridor that has been mined and is not reclaimed.

(2) A person may not mine any minerals by the strip or open pit mining method in the scenic corridor.

**§ 8-409. Same - Development; regulations for implementation of management plan, and use and development in scenic corridor.**

(a) **Development defined.** -- In this section, "development" means any structure, appurtenance, other addition, modification, or alteration that is constructed, placed, or made on or to land or water.

(b) **Regulations.** - (1) In addition to other regulatory authorities that are provided by this subtitle, the Secretary, in coordination with the Youghiogheny River local Advisory Board and the Board of Garrett County Commissioners, shall prepare rules and regulations that are necessary to:

(i) Implement the approved management plan for the Youghiogheny River; and  
(ii) Regulate use and development in the scenic corridor where the use and development would affect the primitive qualities and characteristic of the wild river segment of the Youghiogheny River.

(2) The Board of Garrett County Commissioners and the Scenic and Wild Rivers Review Board shall review the regulations of the Secretary before the Secretary adopts the regulations.

(3) On adoption of the regulations under paragraph (2) of this subsection, the Secretary shall administer and enforce the regulations.

**§ 8-410. Youghiogheny River - Use of funds to purchase property; restrictions on use of water or land areas.**

(a) If the prohibitions of § 8-408 of this subtitle or of any regulation that the Secretary adopts for the Scenic and Wild Rivers Program would constitute a taking of a property right without just compensation in violation of the Constitution of the United States or the Constitution of Maryland, funds under Program Open Space may be used to purchase or otherwise pay for any property that is taken, providing that the acquisition has been previously approved by the General Assembly.

(b)(1) As to any water or land areas within that portion of the Youghiogheny River that is designated by § 8-408 (a) of this subtitle as a wild river, funds under the open space program may be used to purchase any restriction, whether drafted in the form of an easement, covenant, or condition, that prohibits or limits the use of any of the water or land areas or any improvement or appurtenance to the water or land areas for any of the purposes listed in § 2-118 (b) of the Real Property Article.

(2) The restriction creates an incorporeal property interest in the water or land areas or the improvement or appurtenance thereto, so restricted, that is enforceable in both law and equity in the same manner as an easement or servitude with respect to the

water or land areas or the improvement or appurtenance thereto, if the restriction is executed in compliance with the requirements of the Real Property Article for the execution of deeds or the Estates and Trust Article for the execution of wills.

**§ 8-411. Protection of property owners' rights.**

(a) **In general.** - (1) Notwithstanding the regulatory authorities that are provided by this subtitle, the Secretary, in the process of administering the Scenic and Wild Rivers Program, shall consider, protect, and ensure protection of the rights of property ownership.

(2) The Secretary may not adopt any rule or regulation that would constitute a taking of a right of property ownership that violates the Constitution of the United States or the Constitution of Maryland

(b) **Limitations on acquisition of land by eminent domain.** - The State may not acquire by eminent domain land in the scenic corridor of the wild segment of the Youghiogheny River without first proving that the acquisition is necessary to preserve the wild segment of the Youghiogheny River, as provided in this subtitle.

# ***APPENDIX B***

## **Investigative Procedures**

## **INVESTIGATIVE PROCEDURES**

The following procedures were followed by the Department's field investigation team in conducting the survey required to identify the Youghiogheny River "Scenic Corridor":

1. Maps were drawn of the visible areas of the Youghiogheny River valley as seen from observation points on the river or along the river's contiguous shoreline. The visible zone reflects the areas actually seen under winter (no leaf) conditions. Major changes of direction of the stream required the mapping of additional points.
2. A composite map was created that consists of all the visible areas in the valley as seen from the various observation points along the River as described in No. 1 above.
3. Representative photographs were taken of the views from each observation point along the River. Where possible these photographs included upstream, downstream, opposite side, and observer side orientation.
4. Vegetation at each observation point was described in accordance with a standardized inventory sheet.
5. Special circumstances affecting the scenic character of the "Scenic Corridor" were described. These special circumstances were recorded in narrative form, with annotated reference to the appropriate maps and aerial photographs in order to effectively identify their location.
6. All accessible promontories within the "Scenic Corridor" were visited. The views from these promontories were mapped, photographs taken, and special circumstances described in the same manner as described in No. 5 above.
7. Using aerial photographs and on-the-ground inspection, all man-made or artificial features in the Youghiogheny River valley were identified, plotted and described.
8. A record of any sounds noted from roads, logging, mining, or other activities of man was made. A subjective assessment was made of the effect of the observed sound on the "wild river" experience.

# ***APPENDIX C***

## **Criteria for Adjustments**



## **CRITERIA FOR THE YOUGHIOGHENY WILD RIVER VISUAL CORRIDOR**

1. Small parcels of property are to be excluded when there will be no significant impact on the primitive character of the river shoreline:
  - a. Small parcels are less than 5 acres in size and;
  - b. Only parcels adjoining the proposed corridor boundary are to be excluded in such a way as to not create an isolated parcel within the corridor.
2. Where possible the corridor boundary will be adjusted to natural or man-made features for ease of identification:
  - a. Such features may include property lines, roads, woods edges, fences, benches on hillsides or other features that can be determined in the field and;
  - b. These adjustments must occur at distances of more than 300 feet from the shoreline of the river and;
  - c. These decisions will be made in consultation with the affected property owner.
3. Isolated "bubbles" of land shall be excluded from the corridor when:
  - a. They are visible from only one point on the river and;
  - b. They can be shown to be separate from those land areas adjacent to the river and visible from the river or its contiguous shore.
4. "Shadow" areas, not visible from the river but contained within lands that are within the boundary, will be included within the boundary but may be used as justification for a special exception to the regulations.
5. Deep Creek Village will be excluded from the corridor since there is little or no potential for further development with increased impact on the river.

# ***APPENDIX D***

## **Base Maps**

## **RIVER AREAS AND THEIR CLASSIFICATION**

The Youghiogheny River varies considerably in size, hydrology, and overall character. The adjacent land areas likewise vary in the character of the land form, vegetation, and existing land use and access. Because of these variations, different segments of the river have different priorities for protection and management.

The following classifications divide the river into segments based on the characteristics of the river and adjacent land, and identifies their State designation. Under this natural classification system, the River is divided into six segments as described below:

1. Scenic Classification - Maryland border (1/2 mile below Silver Lake) to Millers Run (17.5 miles).

Map Sections: 1-A, 1-B, 1-C.

This is the scenic portion of the Youghiogheny River. Stream gradient gradual, few riffles and minor rapids; sections are canoeable by beginners in open boats; adjacent banks are moderate; cultivated lands dominate the vegetation.

2. Wild Classification - Millers Run to a point below Round Glade Run (2.7 miles).

Map Section: 2

Stream gradient gradual, few riffles and minor rapids; canoeable by beginners in open boats; adjacent banks are moderate; hardwood forest with little or no laurel or rhododendron understory.

3. Wild Classification - Round Glade Run to Pennsylvania Electric Power Plant (4.1 miles).

Map Section: 3

Stream gradient steep, numerous complex rapids and falls; during seasonal periods of high water volume, this segment is navigable only in closed boats by experienced paddlers; valley walls gradually increase in height and steepness, increasing rock outcrops and exposed bedrock faces downstream; increased evergreen forest cover and rhododendron understory; generally heavier and thicker vegetation.

4. Wild Classification - Penelec Power Plant to Gap Run (6.3 miles).

Map Section: 4

Stream gradient gradual, numerous bars, riffles, and minor rapids; during periods of high water volume, this segment is navigable in open boats by intermediate paddlers; valley walls steep and high, less rugged and rocky in overall character than in preceding segment; somewhat reduced evergreen and rhododendron, a generally more open forest than the preceding segment; substantial rock area along the west bank of the upper portion of this segment; paralleling county road, many houses, power line, several farms, a stone quarry, and two settlements line this stretch.

5. Wild Classification - Gap Run to Laurel Run (4.8 miles).

Map Section: 5

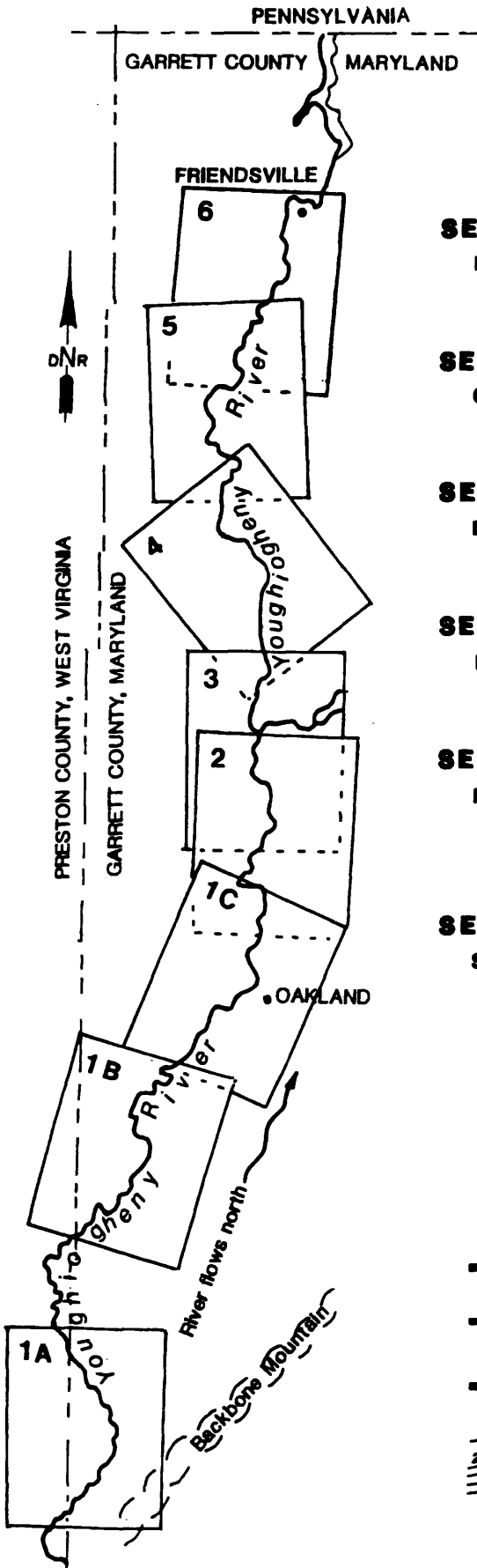
Stream gradient steep, numerous complex rapids and falls, heavy water; during seasonal periods of

high water volume, this segment is navigable only by expert paddlers in closed boats; valley walls steep, although not as high as previous segments; overall impression of a narrow gorge with frequent rock outcrops and several near vertical faces; mixed vegetation, extremely heavy rhododendron near river along most of this segment; no evidence of human encroachment when viewed from river, although abandoned strip mines on both sides of the river are near the "scenic corridor" and several farms on the west side are relatively close to the river.

6. Wild Classification - Laurel Run to the southern corporate limits of Friendsville (2.9 miles).

Map Section: 6

Stream gradient moderate, numerous rapids, navigable by experienced paddlers in open boats; valley walls moderately steep substantial floodplain gives overall impression of a broader river valley; mixed vegetation, somewhat more open than previous segment; a roadbed on one side of the river is passable by motorized vehicles.



# YOUGHIOGHENY RIVER

## MAP SEQUENCE

**SECTION 6 WILD** 2.9 River Miles  
 Laurel Run to Friendsville -Southern Corporate Limits

**SECTION 5 WILD** 4.8 River Miles  
 Gap Run to Laurel Run

**SECTION 4 WILD** 6.3 River Miles  
 Penelec Power Plant to Gap Run

**SECTION 3 WILD** 4.1 River Miles  
 Round Glade Run to Penelec Power Plant

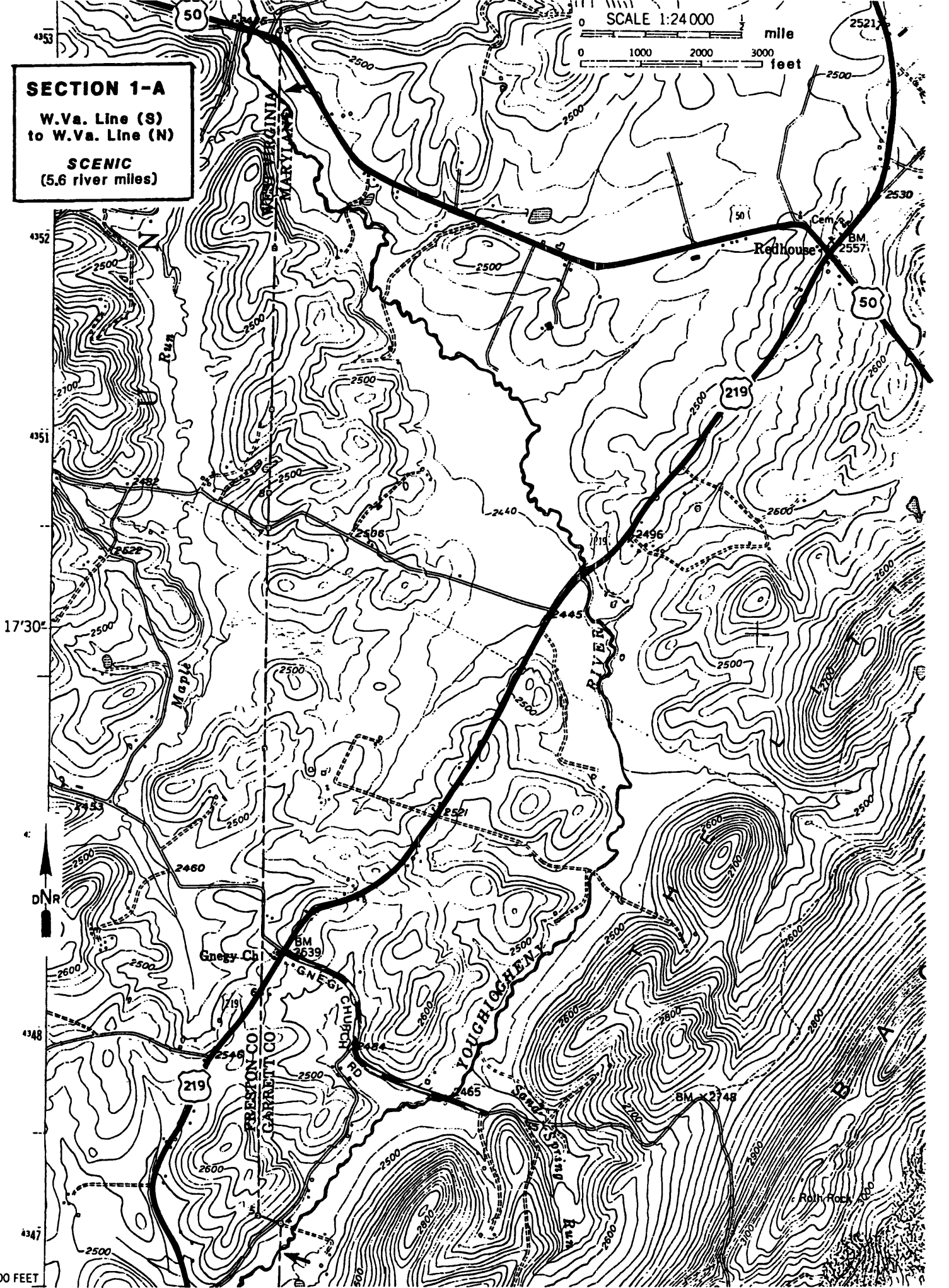
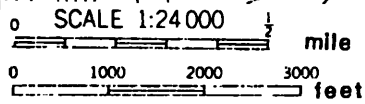
**SECTION 2 WILD** 2.7 River Miles  
 Millers Run to Round Glade Run

**SECTION 1 SCENIC** 17.5 River Miles  
 State Line to Millers Run (excluding W.Va.)  
 C -Chisholm Run to Millers Run  
 B -W.Va. Line to Chisholm Run  
 A -W.Va. Line (S) to W.Va. Line (N)

### LEGEND

- FEDERAL HIGHWAY
- STATE HIGHWAY
- COUNTY HIGHWAY
- ELEVATION CONTOURS  
 IN 20-FOOT INTERVALS

**SECTION 1-A**  
W.Va. Line (S)  
to W.Va. Line (N)  
**SCENIC**  
(5.6 river miles)



17°30'

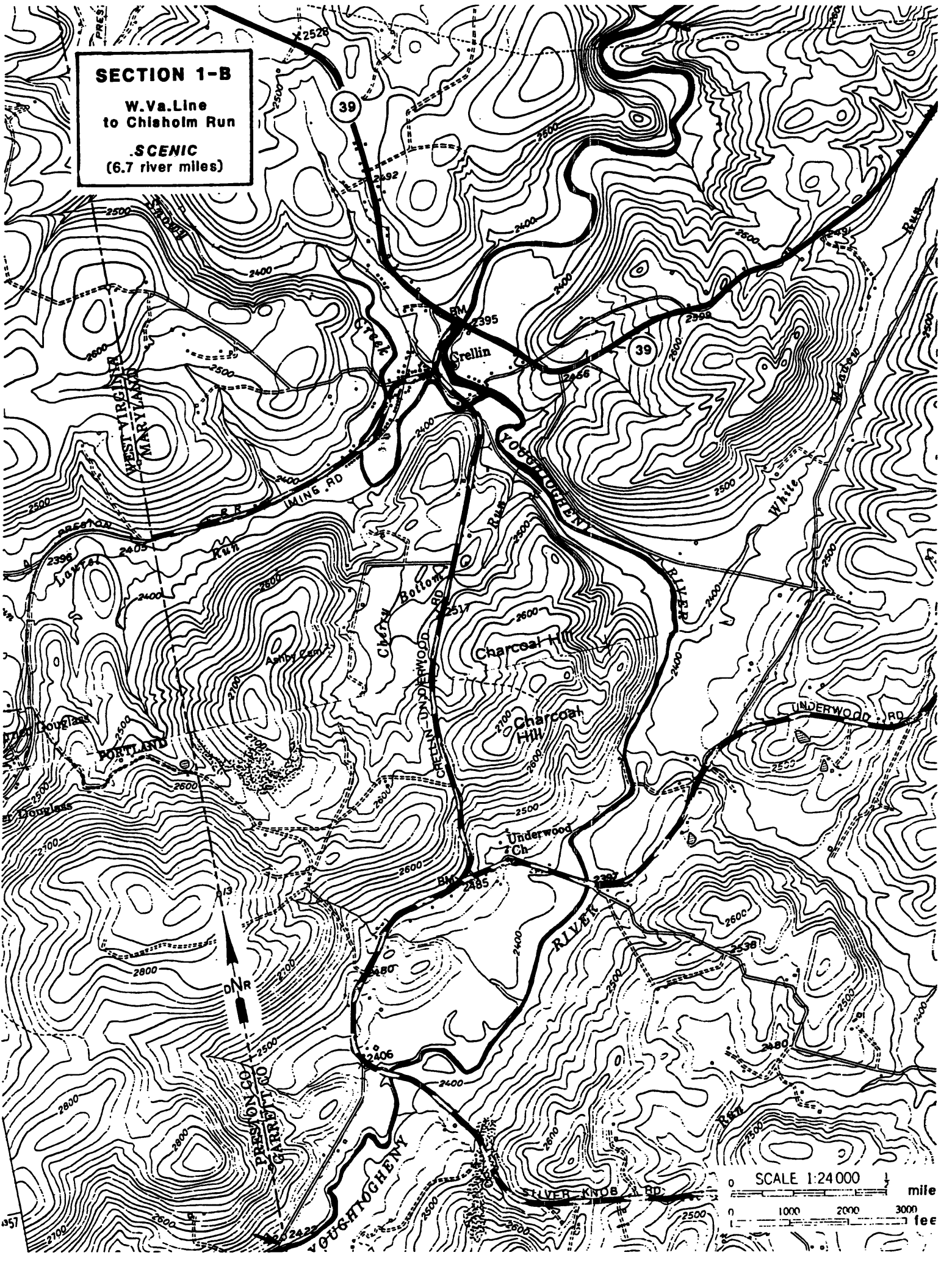
DNR

100 FEET

**SECTION 1-B**

W. Va. Line  
to Chisholm Run

**SCENIC**  
(6.7 river miles)

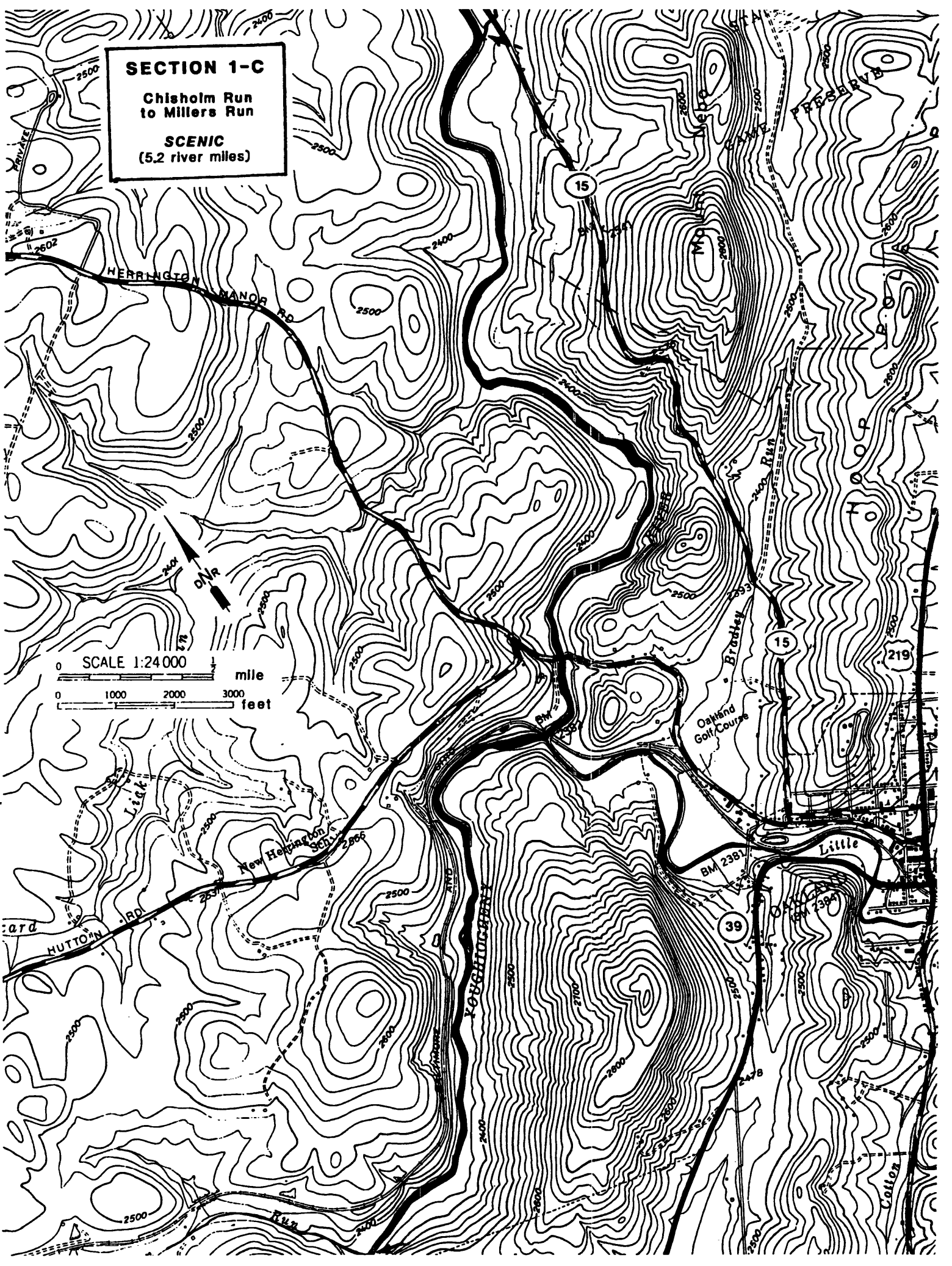


SCALE 1:24 000  
1 mile  
0 1000 2000 3000 feet

**SECTION 1-C**

**Chisholm Run  
to Millers Run**

**SCENIC  
(5.2 river miles)**



SCALE 1:24 000  
0 1000 2000 3000  
mile  
feet



HERRINGTON MANOR RD

HUTTON RD

New Herrington Sch. 2866

Oatland Golf Course

Little

39

15

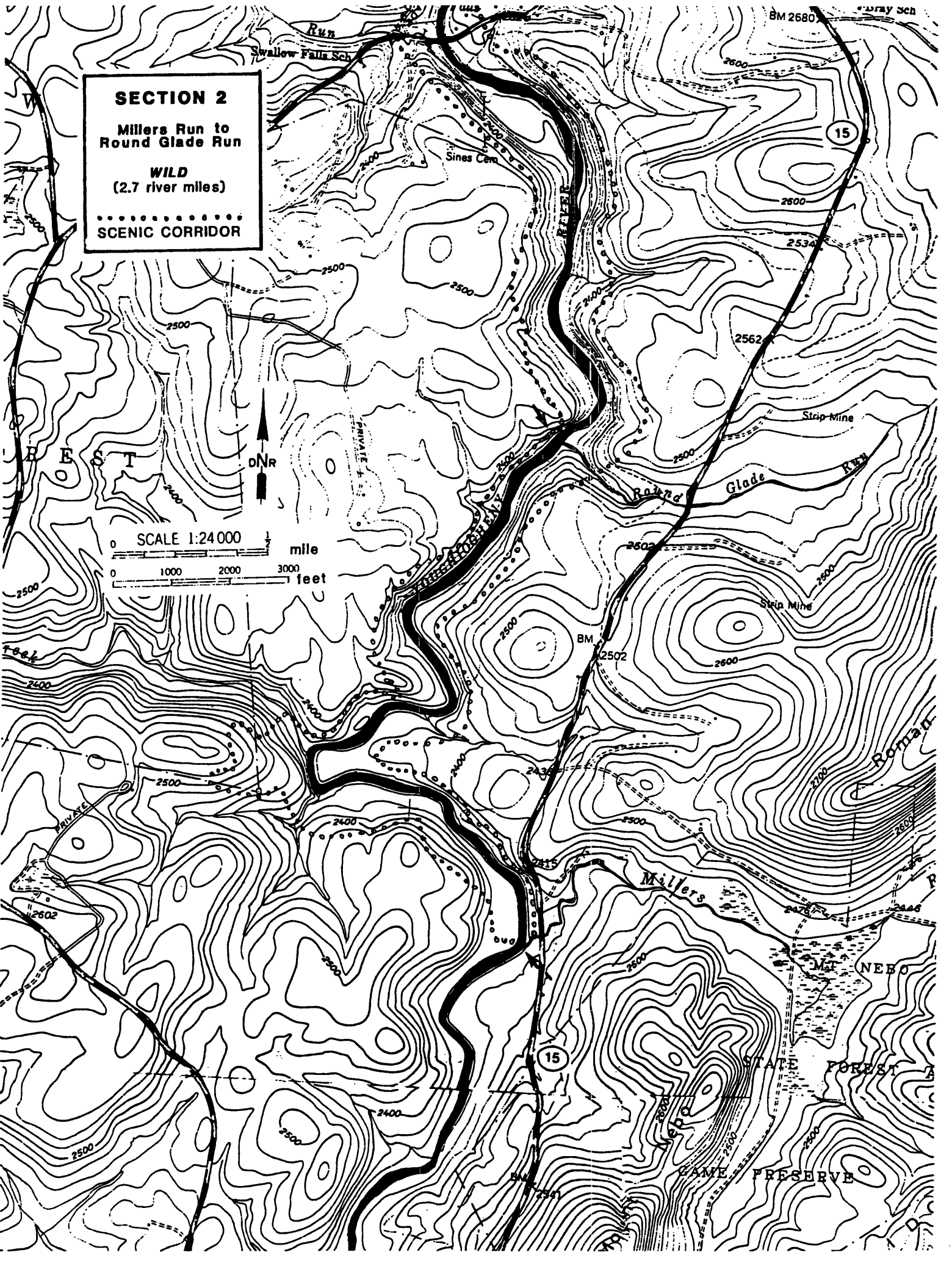
219

YOGHOUCHEE

Collon

**SECTION 2**  
**Millers Run to**  
**Round Glade Run**  
**WILD**  
**(2.7 river miles)**  
.....  
**SCENIC CORRIDOR**

SCALE 1:24 000  
0 1000 2000 3000  
feet  
0 1 2 3  
mile



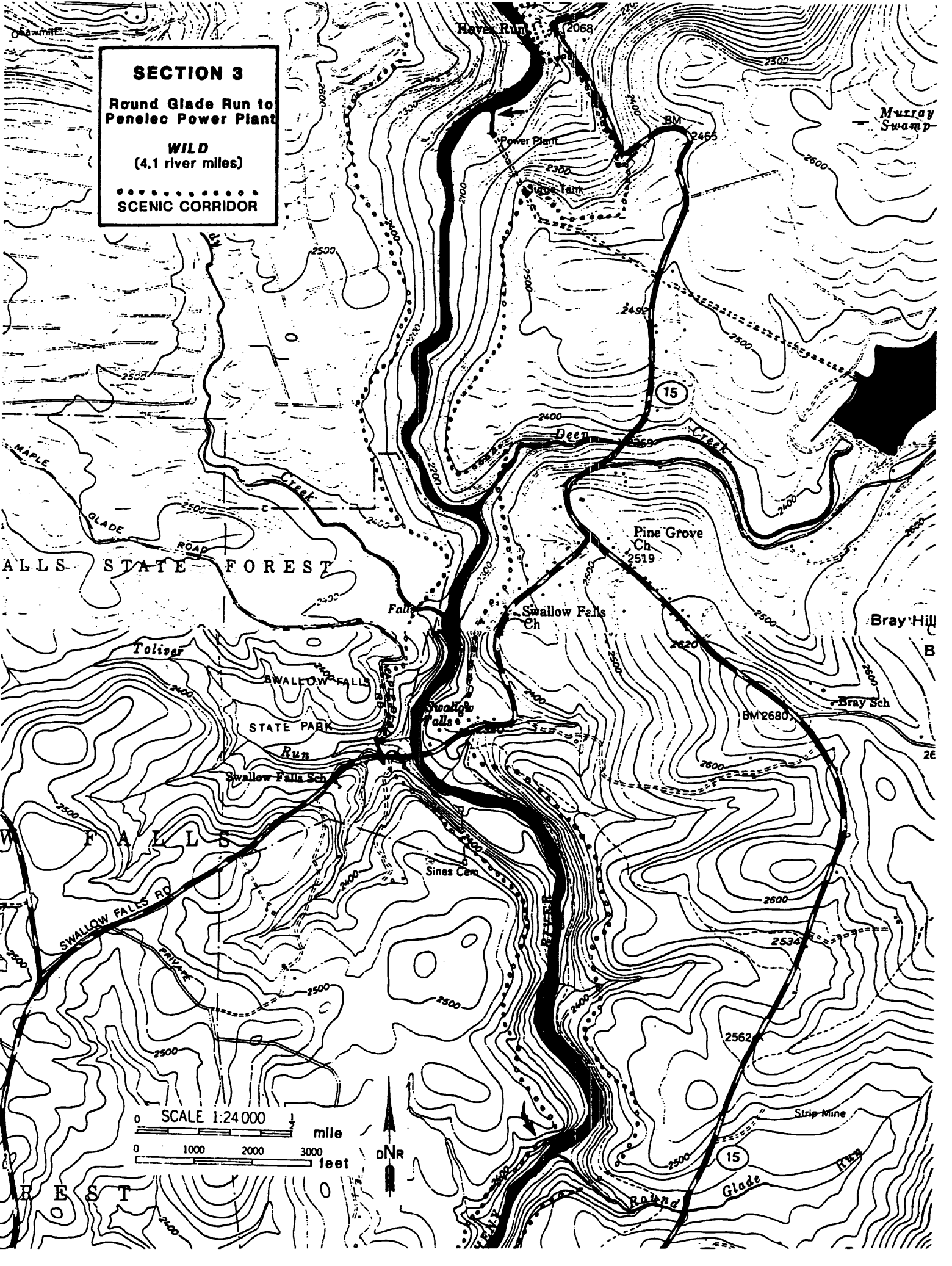


**SECTION 3**

**Round Glade Run to  
Penelec Power Plant**

**WILD**  
(4.1 river miles)

.....  
**SCENIC CORRIDOR**

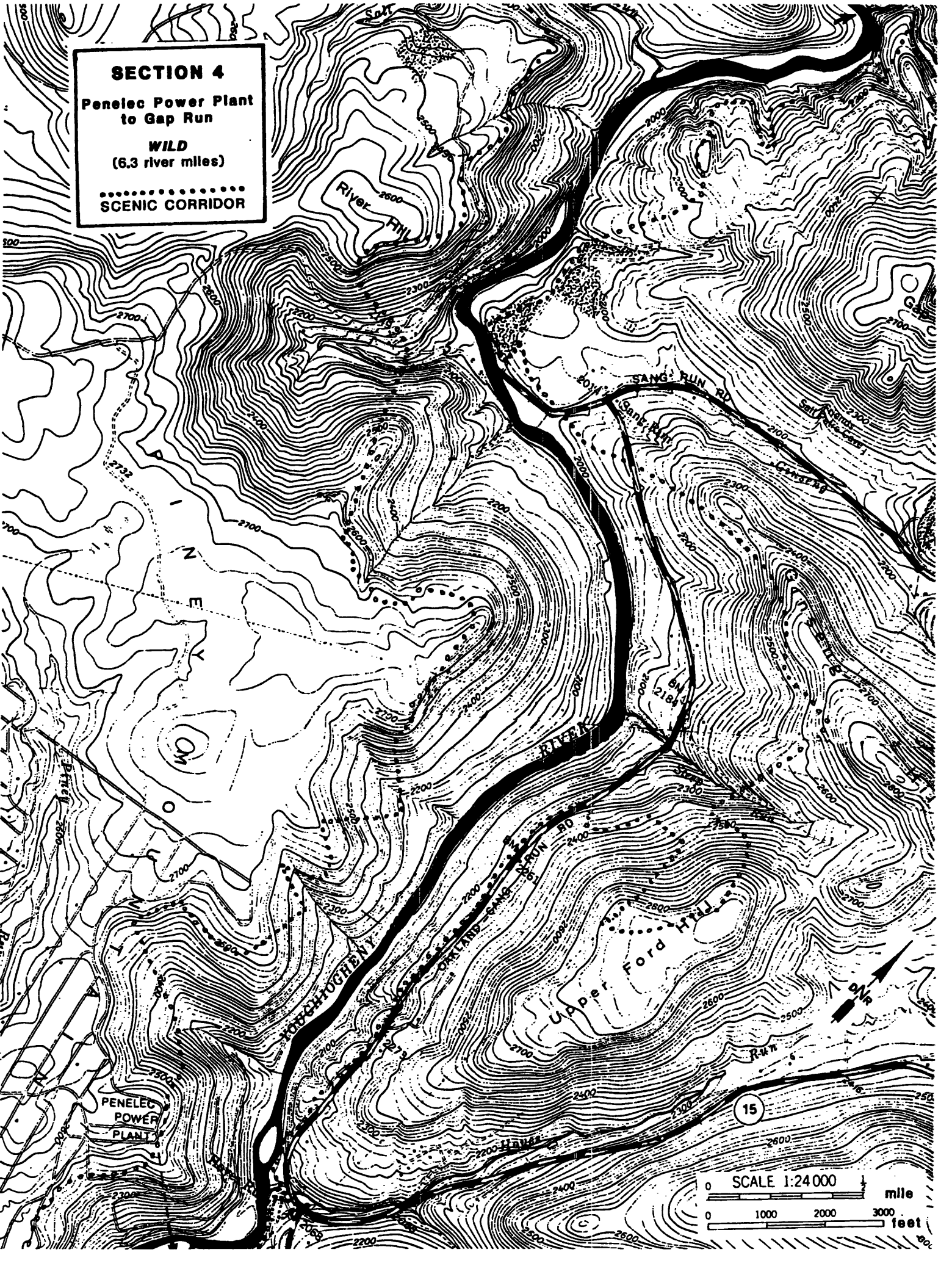


**SECTION 4**

**Penelec Power Plant  
to Gap Run**

**WILD**  
(6.3 river miles)

.....  
**SCENIC CORRIDOR**



**SECTION 5**

Gap Run to  
Laurel Run

**WILD**  
(4.8 river miles)

.....  
**SCENIC CORRIDOR**

TRAP RUN RD

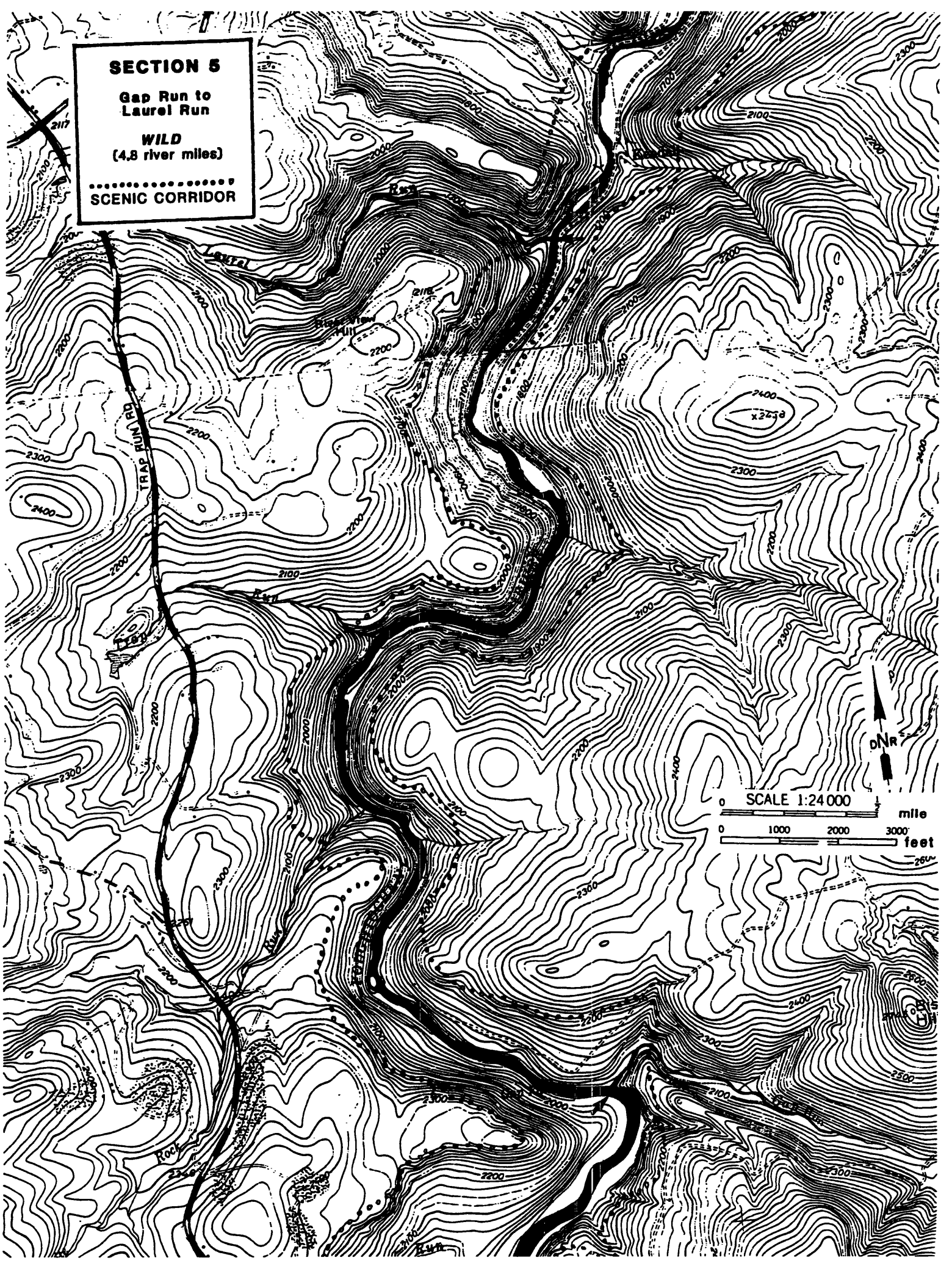
LAUREL

SCALE 1:24 000

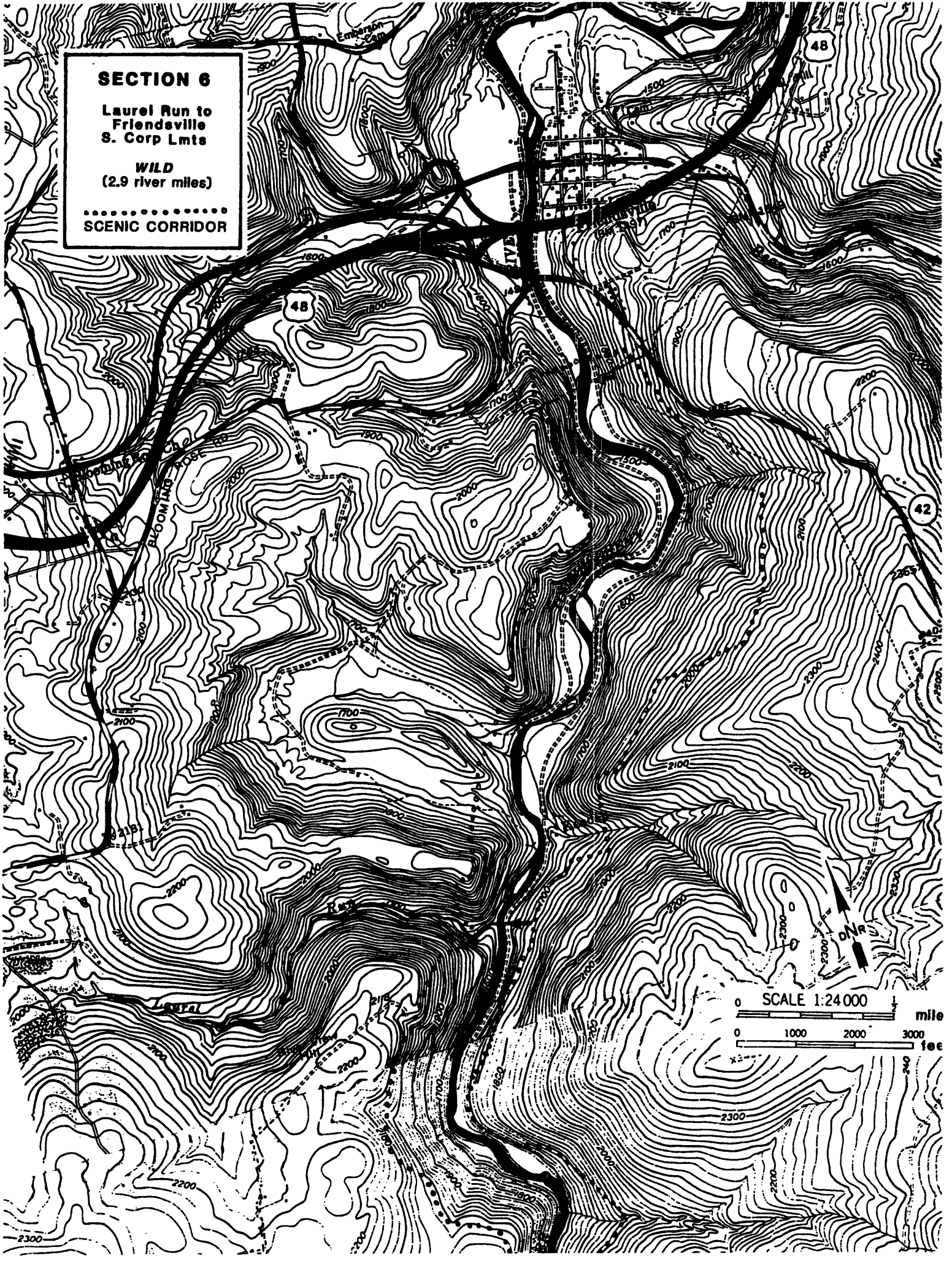
mile

0 1000 2000 3000  
feet

DNR



**SECTION 6**  
**Laurel Run to**  
**Friendeville**  
**S. Corp Lmts**  
  
**WILD**  
**(2.9 river miles)**  
  
.....  
**SCENIC CORRIDOR**



# ***APPENDIX E***

## **Issues**

## ISSUES

The following issues were identified by Youghiogheny River Local Advisory Board at their January 12, 1989 meeting:

- Financial compensation to landowners for reduced property rights (including property value) due to regulations
- Precise environmental damage evaluation tools
- Clear and concise regulations
- Define flood plain including precise formula that can be understood by the general public
- Increased use and demand
- Timber management practices
- Tax on river use
- Farming practices
- Fire protection plan
- Mining controls
- Boating management
- River access and egress
- Enforcement of Regulations
- Sewage
- Limit the number of rafting companies until a study determines carrying capacity.
- Trespass
- Navigability
- Establish relationship with West Virginia to solve pollution problems
- Municipal waste and landfill
- Fisheries and wildlife management
- Oakland Sewage Treatment plant

- **County landfill**
- **Clean the water in the Youghiogheny**
- **Scope of land acquisition by the State**
- **Completed Boundary definition**
- **Money**
- **Mine reclamation**
- **River corridor development (Recreational, Residential, Commercial, Industrial, etc.)**
- **Transportation patterns**
- **Emergency access**
- **Provisions for emergency evacuation**
- **Provisions for funding emergency services**
- **Liability**

# ***APPENDIX F***

## **Commercial Whitewater Regulations**



## Title 08

### DEPARTMENT OF NATURAL RESOURCES Subtitle 15 YOUGHIOGHENY WILD RIVER

#### Chapter 04 Commercial Whitewater Boating Safety

##### **.01 Purpose.**

A. The purpose of these regulations is to regulate use and development in the scenic corridor where the use and development would affect the primitive qualities and characteristics of the wild river segment of the Youghiogheny River.

B. The Secretary of the Department of Natural Resources and the Maryland General Assembly are aware that recreational use of the Youghiogheny River has increased considerably in the last several years and that commercial whitewater outfitters are relied upon to provide safe and enjoyable trips on the Youghiogheny. It is in the interest of the State to regulate commercial whitewater rafting pursuant to the State's authority to protect the health, safety, and welfare of its citizens, and to protect its natural resources.

##### **.02 Definitions.**

A. The following terms have the meanings indicated.

B. Terms Defined.

- (1) "Canoe" means a vessel paddled from a kneeling position and propelled with a single-bladed paddle.
- (2) "Commercial whitewater outfitter" means any outfitter operating from within or from without the State, which for monetary profit or gain provides whitewater trips and which meets the requirements of Regulation .03B. Nothing in this chapter applies to the operation of canoes or kayaks.
- (3) "Commercial whitewater trip" means any commercial effort to transport passengers by means of a whitewater craft.
- (4) "Department" means the Department of Natural Resources.
- (5) "Kayak" means a vessel paddled from a seated position with a double-bladed paddle.
- (6) "Sufficient natural flow" means:
  - (a) A reading of 1.90 feet or greater as shown on the river level gauge at Sang Run bridge; or
  - (b) Three hours or greater releases from Deep Creek hydroelectric dam.
- (7) "Visual distress signal" means an electronic battery-operated device which emits a white flashing light that is visible within 200 feet.
- (8) "Whitewater craft" means any raft or similar vessel which is used transport passengers and which meets the requirements of Regulation .06A. "Whitewater craft" does not include canoes or kayaks.
- (9) "Whitewater guide" means a person who receives any remuneration for accompanying, assisting or instructing passengers on the river on whitewater trips and who meets the registration requirements of Regulation .05.
- (10) "Youghiogheny Scenic Corridor" means the area designated under COMAR 08.15.01.03B.
- (11) "Youghiogheny Wild River" means that segment of the Youghiogheny River between Millers Run and the southern corporate limits of Friendsville.

**.03 Commercial Whitewater Outfitter's Annual Operating Permit.**

- A. A commercial whitewater outfitter may not conduct commercial whitewater trips on the Youghiogheny Wild River unless the outfitter first obtains a commercial whitewater outfitters annual operating permit from the Department through the Youghiogheny River Manager, Youghiogheny River Management Area, P.O. Box 166-B, Oakland, Maryland 21551.
- B. To qualify for a commercial whitewater outfitter's annual operating permit an outfitter shall present evidence that it holds a valid insurance policy of \$300,000 combined coverage for the period to be covered by the permit, and that the policy is issued by an insurance company licensed to do business in Maryland.
- C. A commercial whitewater outfitter shall display the commercial outfitter's name or logo in characters legible from the shore on both sides of any whitewater craft used to carry passengers on commercial whitewater trips on the Youghiogheny Wild River.
- D. When a permitted commercial whitewater outfitter's business is sold, the permit shall be returned to the Department. A permit is not transferrable without Departmental approval.
- E. The Department may suspend, revoke, or refuse to issue a permit for a violation of any condition of the permit, unsafe practices, falsification of reports, or serious or continued violation of this chapter.
- F. The Department shall issue annual operating permits only to those commercial whitewater outfitters that have operated commercial trips on the river before March 1, 1990 and have submitted documentation of operating commercial trips acceptable to, and confirmed by, the Department. By January 1 of each year, the Department shall allocate trips and customers per day among the outfitters subject to these regulations.

**.04 Commercial Whitewater Outfitter's Operational Requirements.**

- A. The total number of customers permitted to be transported between Sang Run and Friendsville per day by all outfitters may not exceed 72, except that the Youghiogheny River manager has the authority to increase the total number of customers to 110 during periods of sufficient natural flow.
- B. A commercial whitewater outfitter shall inform each customer verbally and in writing that:
  - (1) The Youghiogheny has been designated as a Class V River which is defined as having extremely difficult, long, and very violent rapids with highly congested routes;
  - (2) Rescue conditions are difficult;
  - (3) There is a significant hazard to life in the event of a mishap and
  - (4) The customer should have previous whitewater experience before participating in a commercial whitewater trip on the Youghiogheny Wild River.
- C. If a commercial whitewater outfitter provides changing and restroom facilities, these facilities shall conform to the Youghiogheny land use regulations (COMAR 08.15.01)
- D. Launch sites and rest stop areas located on private property shall be used by a commercial whitewater outfitter only with the written consent of the landowner.
- E. A commercial whitewater outfitter shall:
  - (1) Keep a record of all commercial whitewater trips that include the customer's names and addresses, guides and trip leaders, dates and times of the trips, and prices charged for a period of 5 years. These records shall be made available to the Department upon request within 14 calendar days. Records obtained by the Department may be subject to disclosure.

- (2) Provide at least one commercial whitewater guide registered under Regulation .05 for every three passengers, and designate one commercial whitewater guide registered under Regulation .05 who shall accompany each trip in a safety kayak or canoe.
- (3) Avoid causing or avoid its customers causing environmental damage within the Youghiogheny scenic corridor. An outfitter may be required to remedy environmental damage resulting from its operation.
- (4) Not knowingly employ a guide or group leader who is unqualified.

#### **.05 Whitewater Guide.**

- A. Whitewater guides shall be registered annually by the Department. Application for registration shall be made on a form supplied by the Department, and may be made by mail.
- B. The Department shall register as a whitewater guide an applicant who:
  - (1) Is at least 18 years old;
  - (2) Submits a certificate that the applicant has sufficient experience on whitewater, including sufficient experience on the Youghiogheny Wild River, signed by the permitted commercial whitewater outfitter who will employ the guide during the term of the guide's registration; and
  - (3) Has completed the American Red Cross Advanced First Aid Training and American Red Cross or the American Heart Association cardiopulmonary resuscitation course and possesses a valid certificate.
- C. Whitewater guides shall:
  - (1) Be thoroughly familiar with the use of the required First Aid kit and whitewater safety procedures, rescue methods, and the equipment of the outfitter company by whom they are employed; and
  - (2) Have complete knowledge of Maryland regulations which apply to whitewater trips (COMAR 08.04.04.12).
- D. The Department may suspend, revoke, or refuse to renew a registration for a violation of any condition of the registration, unsafe practices, or serious or continued violation of this chapter.

#### **.06 Safety and Equipment**

- A. A whitewater craft shall:
  - (1) Have a minimum of three air chambers and be capable of supporting a weight equal to 50 percent of its maximum carrying capacity with the largest compartment deflated;
  - (2) Be constructed of a tough, durable, fabric-reinforced material suitable for whitewater use;
  - (3) Be clearly marked with the outfitter's name or logo;
  - (4) Carry on board a full-length paddle for each customer and guide; and
  - (5) Be visually inspected by the guide after each trip for punctures, tears, abrasions, and wear. The outfitter shall ensure that all necessary repairs are made to ensure that the raft is kept in a safe condition.
- B. Commercial whitewater outfitters and whitewater guides shall adhere to the following required equipment provisions:
  - (1) Each person in a whitewater trip shall wear a:
    - (a) U.S. Coast Guard approved Type III or V personal flotation device (PFD) at all times,
    - (b) Safety helmet at all times;

- (2) The personal flotation devices worn by the guide and trip leader shall be a different color than those worn by the customer;
  - (3) The safety helmets worn by the guide and trip leader shall be a different color than those worn by the customer;
  - (4) Each group shall have the following equipment in a safety kayak or canoe:
    - (a) Waterproof First Aid kit equipped for severe bleeding, shock or concussion, and fractures,
    - (b) Whistle,
    - (c) Emergency patch kit,
    - (d) Pump,
    - (e) Visual distress signal, and
    - (f) One interchangeable valve;
  - (5) All whitewater craft shall have grab loops and safety lines attached to the whitewater raft, and a throwline of at least 50 feet aboard.
- C. Equipment provided by the outfitter shall be maintained in good, safe, and operable condition.
- D. Each commercial whitewater outfitter shall submit to the Department, within 5 days, a written report of any accident involving either personal injury requiring medical treatment or property damage, or both, in excess of \$100 occurring in connection with a whitewater trip conducted by that outfitter.
- (1) If the accident results in a person receiving medical treatment, the report for personal injury shall include:
    - (a) Name and address of the injured person,
    - (b) Time and place of the injury, and
    - (c) Description of the injury and of the accident;
  - (2) If the accident results in damage to the whitewater raft or other property, the report for property damage shall include:
    - (a) Location and time of the accident,
    - (b) Owner of the property,
    - (c) Description of the accident, and
    - (d) Estimate of the loss.
- E. If death results from a boating accident, or if a person loses consciousness or is disabled for more than 24 hours, a written report shall be submitted to the Department within 48 hours. This regulation shall conform with the requirements under COMAR 08.04.07.

**.07 General Requirements.**

- A. A person may not:
  - (1) Discard trash, litter, trip equipment, or any other refuse in the Youghiogheny River or within the boundaries of the scenic corridor;
  - (2) Trespass on, injure, remove, or destroy property or vegetation within the Youghiogheny River scenic corridor;
  - (3) Kindle, build, or have an open fire within the Youghiogheny River scenic corridor.
- B. Violation of any of these regulations shall result in:
  - (1) The suspension, revocation, or refusal to issue an annual operating permit of an outfitter, or the suspension, revocation, or refusal of a whitewater guide's registration, or both of these; and
  - (2) Punishment under Natural Resources Article, §8-1501, Annotated Code of Maryland.

# ***APPENDIX G***

## **Wild River Regulations**

**Title 08**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Subtitle 15 YOUGHIOGHENY WILD RIVER**

**Chapter 01 General Regulations**

Authority: Natural Resources Article, §8-409, Annotated Code of Maryland

**.01 Definitions.**

In these regulations the following terms have the meanings indicated:

- A. "Accessory building" means a subordinate building, customarily or intended to be incidental to, and located on, the same lot occupied by a principal building and includes any privately owned garage, barn greenhouse, or other outbuilding.
- B. "Agriculture" means:
  - (1) Cultivation of the soil;
  - (2) Raising and harvesting of products of the soil, including forest products;
  - (3) Customary soil and water conservation practices; and
  - (4) Raising and keeping of livestock and poultry.
- C. "Building" means the combination of materials having a roof to form a structure for the shelter of individuals, animals, or property, including any part of it.
- D. "Building height" means the vertical measurement from the mean level of the ground abutting the building to the highest point of the building.
- E. "Department" means the Maryland Department of Natural Resources.
- F. "Development" means any structure, appurtenance, other addition, modification, or alteration constructed, placed, or made on or to land or water.
- G. "Home professional office and home occupation: means an office or business conducted in a dwelling or in accessory buildings, or in both, the activity being clearly incidental and secondary to the use of the premises for residential purposes.
- H. "Hunting and fishing preserves or private camps" includes camps with dormitory-type facilities that are centrally located but does not include camping facilities catering to vacation trailers, campers, similar vehicles, or individual campsites for rent or sale.
- I. "Land" means the solid part of the earth's surface including the natural vegetation on it.
- J. "Logging" means the cutting or harvesting of trees for the purpose of sale or commercial use of the resulting forest products.

- K. "Lot" means a parcel or plot of land used or set aside and available for use as the site for one or more buildings and building accessory to the principal building or for any other purpose, in one ownership.
- L. "Lot area" means the area contained within the property lines of a lot as indicated on the county land records, including the area within all easements, but excluding the area within all street rights-of-way.
- M. "Lot area" means the width of a lot between side lot lines, measured along the building setback line.
- N. "Natural vegetation" means all trees, shrubs, and other vegetation indigenous to the area with the exception of dead, diseased, insect infested, unsafe or fallen trees, and noxious weeds and shrubs.
- O. "non-permitted use or development" means any use or development not permitted under these regulations.
- P. "On-premises sign" means a sign which directs attention to a person, business, profession, home occupation, or activity conducted on the same lot.
- O. "Person" includes the State, any county, municipal corporation, or other political subdivision of the State, any of their units, or an individual, receiver, trustee, guardian, executor, administrator, fiduciary, or representative of any kind, or any partnership, firm, association, public or private corporation, or any other legal entity.
- R. "Road" means any access-way normally passable by four wheeled vehicles.
- S. "Scenic corridor" means adjacent land areas which are visible from the wild river or its contiguous shores as graphically shown in Appendix "A".
- T. "Setback" means the distance from the near water's edge.
- U. "Sign" means any permanent or temporary structure or part of one, or any device attached, painted, or part of one, or any device attached, painted, or represented directly or indirectly on a structure or other surface that displays or includes any letter, word, advertisement, announcement, visual communication, direction, or is designed to attract the eye, or bring the subject to the attention of the public. This term does not include the flag or insignia of the United States or of any state, governmental unit, or charitable or religious organization; interior signs not visible from the wild river, from a public right-of-way or from adjoining property; and cornerstones built into or attached to a wall or a building.
- V. "Single-family detached dwelling" means a building commonly known as a single-family house, designed for and occupied exclusively as a residence, having one dwelling unit from ground to roof and open space on all sides. If a private garage is structurally attached to the dwelling, it shall be considered a part of the dwelling.
- W. "Structure" means a combination of materials having a fixed location forming a construction for occupancy of use including but not limited to buildings, radio and television transmitting

and receiving towers and antennas, and devices used for electric power production and transmission.

- X. "Trail" means any access-way intended for travel primarily by foot, bicycle, or unlicensed off-road vehicle.
- Y. "Use" means any occupation, business or commercial operation carried on, or intended to be carried on, in a building or other structure or on a lot or tract of land.
- Z. "Water's edge" means the mean high waterline of the near shore of the wild river.
- AA. "Wild river" means that segment of the Youghiogheny River between Miller's Run and the southern corporate limits of Friendsville as designated in the Scenic and Wild Rivers Act, Natural Resources Article, §8-408(a).

#### **.02 Purpose.**

- A. The purpose of these regulations is to implement the intent of the Scenic and Wild Rivers Act for that portion of the Youghiogheny River which has been designated a wild river. These regulations are designed to regulate present and future use and development of the wild river and adjacent land areas to protect their primitive qualities and characteristics to protect the water quality of the Youghiogheny River, and to fulfill vital conservation purposes by wise use of the resources within the scenic corridor of the Youghiogheny River. For this purpose, a scenic corridor and attendant zones are defined, within which only certain enumerated appropriate uses and developments consistent with wild river designation are permitted.
- B. These regulations do not open any private lands located within the scenic corridor for use or access by the public without the consent of the landowner. Designation of the scenic corridor and its attendant zones serves only to establish definable areas within which certain types of development and use shall be controlled to maintain the river for its wild and scenic values in accordance with the Scenic and Wild Rivers Act.

#### **03. River Designation.**

- A. In accordance with the Scenic and Wild Rivers Act, Natural Resources Article, §8-408(a), the wild river is that segment of the Youghiogheny River between Miller's Run and the southern corporate limits of Friendsville.
- B. The scenic corridor of the wild river is those adjacent land areas which are visible from the river or its contiguous shores as graphically shown in Appendix "A".

#### **.04 Zones.**

A. For the purposes of these regulations, three types of zones are established within the scenic corridor as follows:

(1) Zone 1 includes those areas within the scenic corridor of maximum remoteness and ruggedness which are generally inaccessible by road or trail and where shoreline and adjoining lands of the wild river are essentially primitive in character;



(2) Zone 2 includes those areas within the scenic corridor which are accessible in places by roads and trails but where shorelines and adjoining lands are less primitive than Zone 1 but are largely undeveloped; and

(3) Zone 3 includes those areas within the scenic corridor that are readily accessible by road and where the shorelines and adjoining lands have limited development.

B. Zones 1, 2, and 3 are graphically shown in Regulation .06B - M of this chapter.

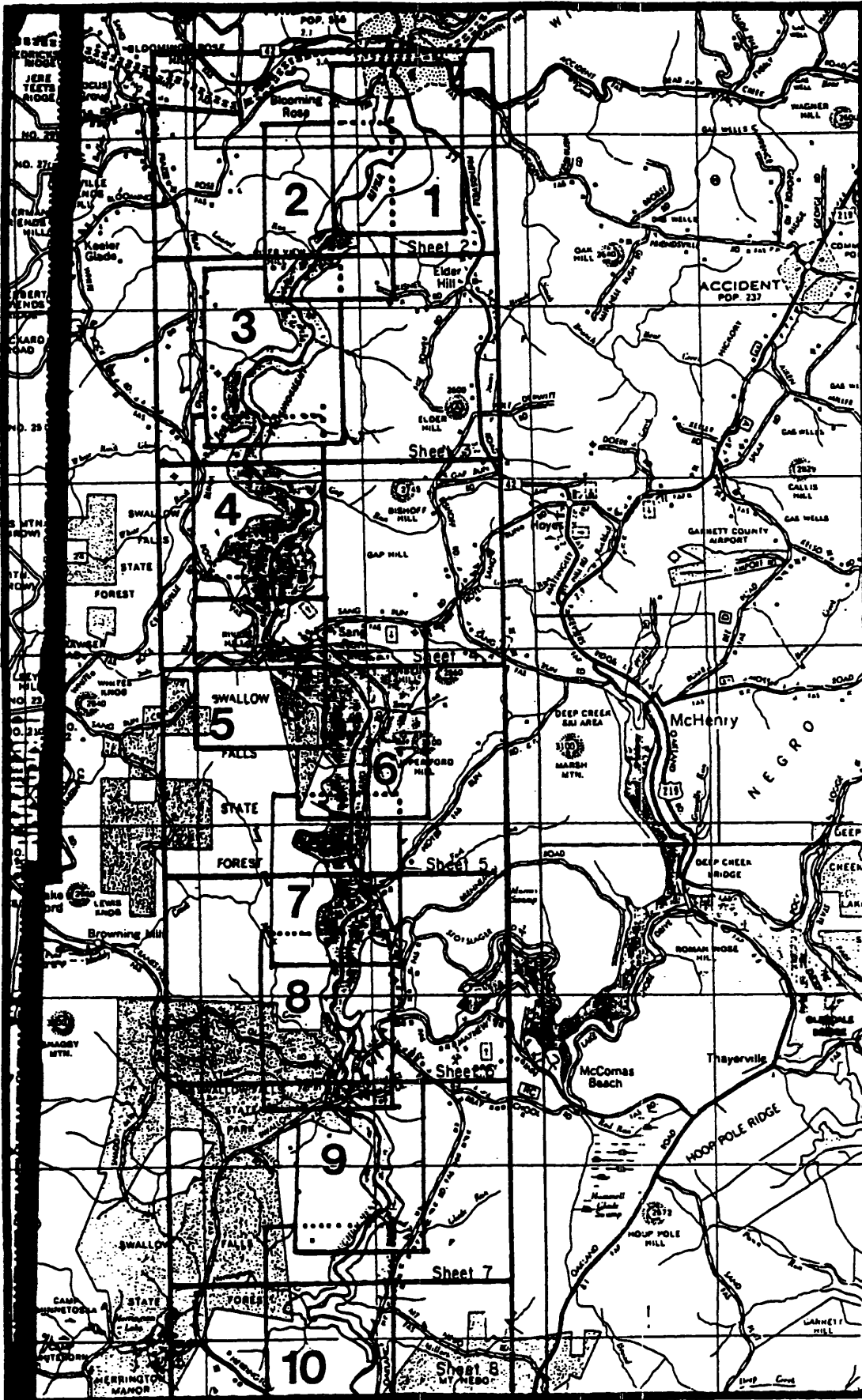
**.05 Penalties.**

A person who violates any provision of this subtitle is subject to the penalties and fines of §8-1501.

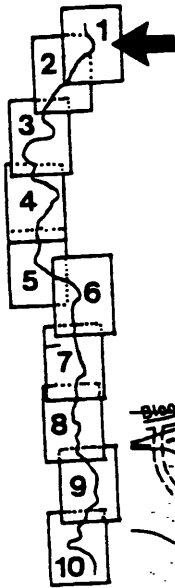
**.06 Maps.**

A. Project Boundary Map.

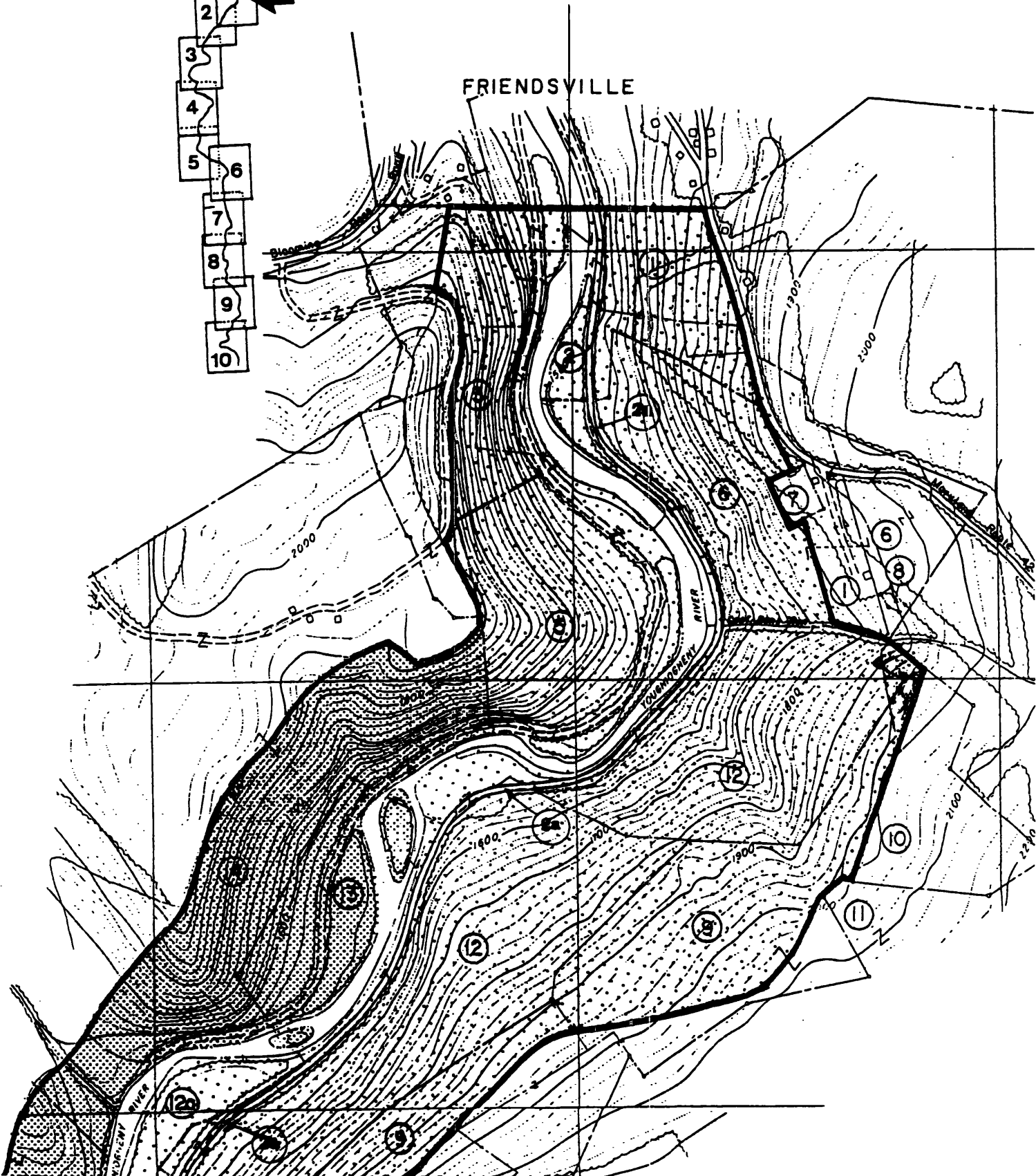
# PROJECT BOUNDARY MAP



YOUGHIOGHENY RIVER SCENIC CORRIDOR  
GARRETT COUNTY

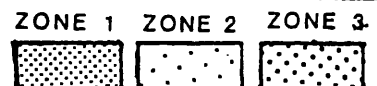
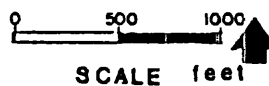


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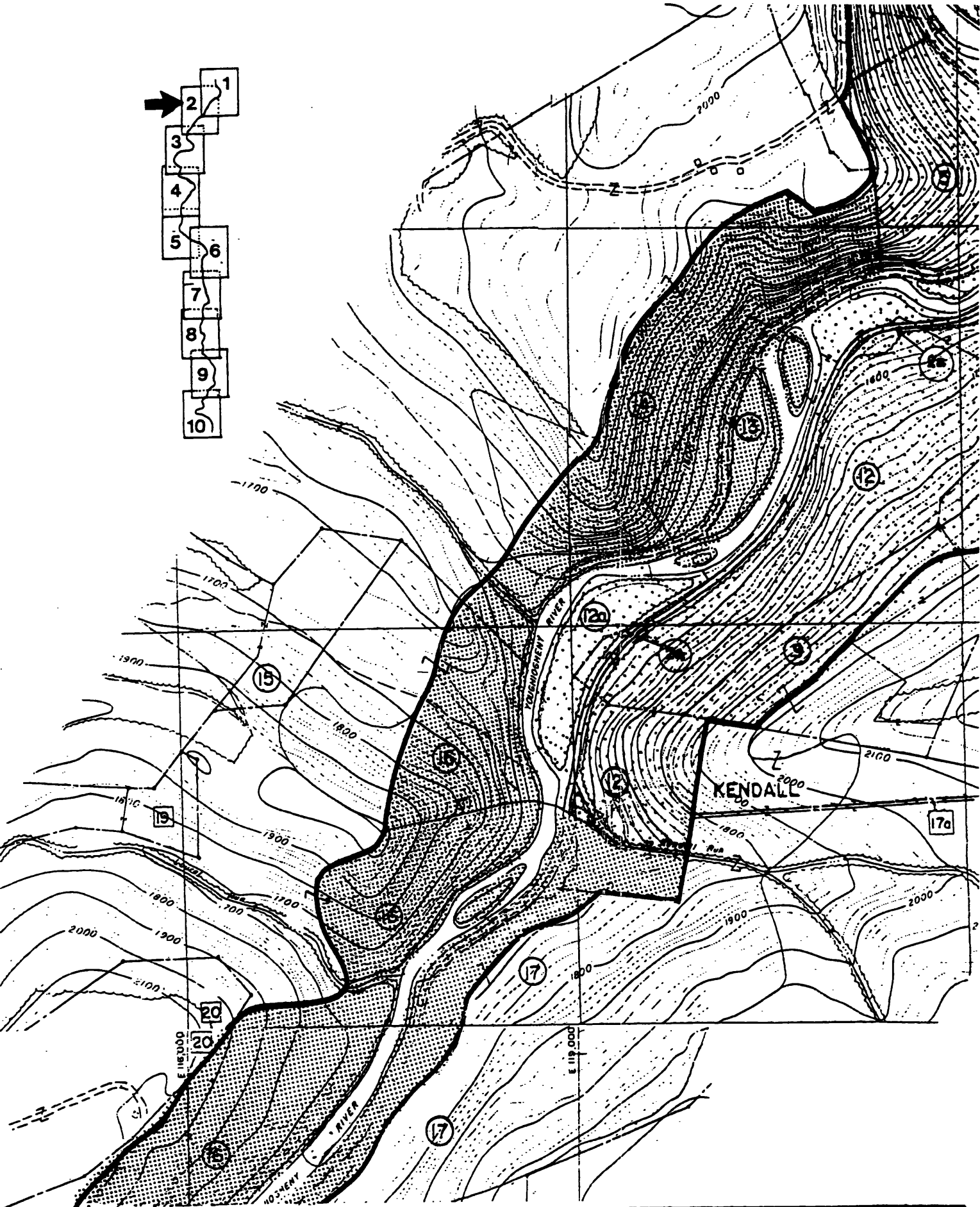
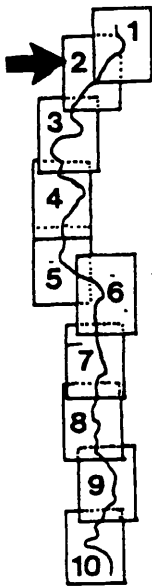


**YOUGHIOGHENY**  
SCENIC AND WILD RIVER  
SCENIC CORRIDOR

COMAR 08.15.01.01  
APPENDIX A SHEET **2**  
JULY 1991



MAP #  
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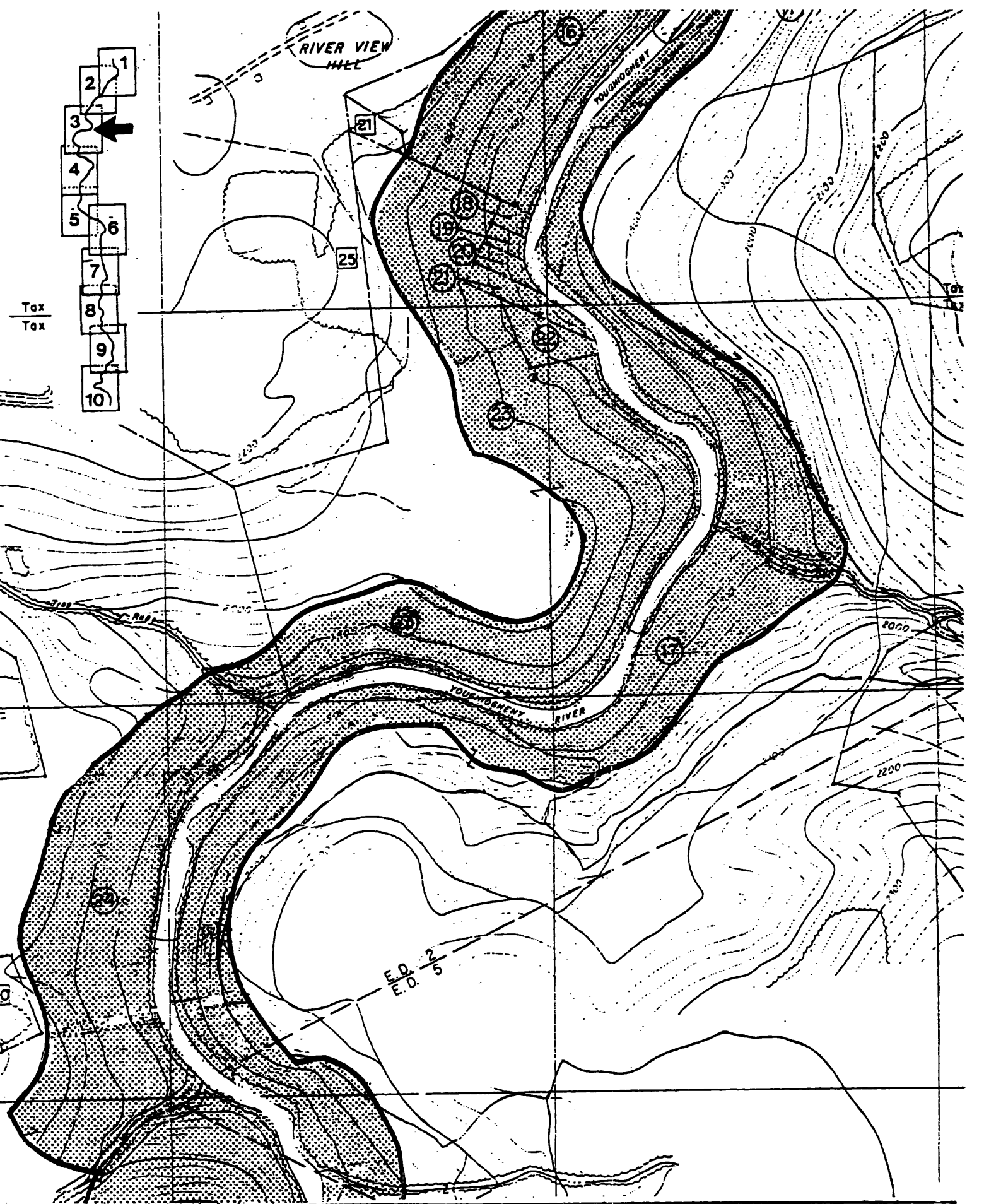
**YOUGHIOGHENY**  
 SCENIC AND WILD RIVER  
 SCENIC CORRIDOR

COMAR 08.15.01.01  
 APPENDIX A SHEET **2+3**  
 JULY 1991



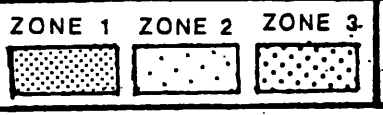
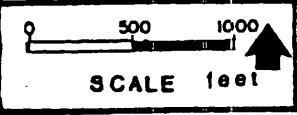
ZONE 1	ZONE 2	ZONE 3

MAP #  
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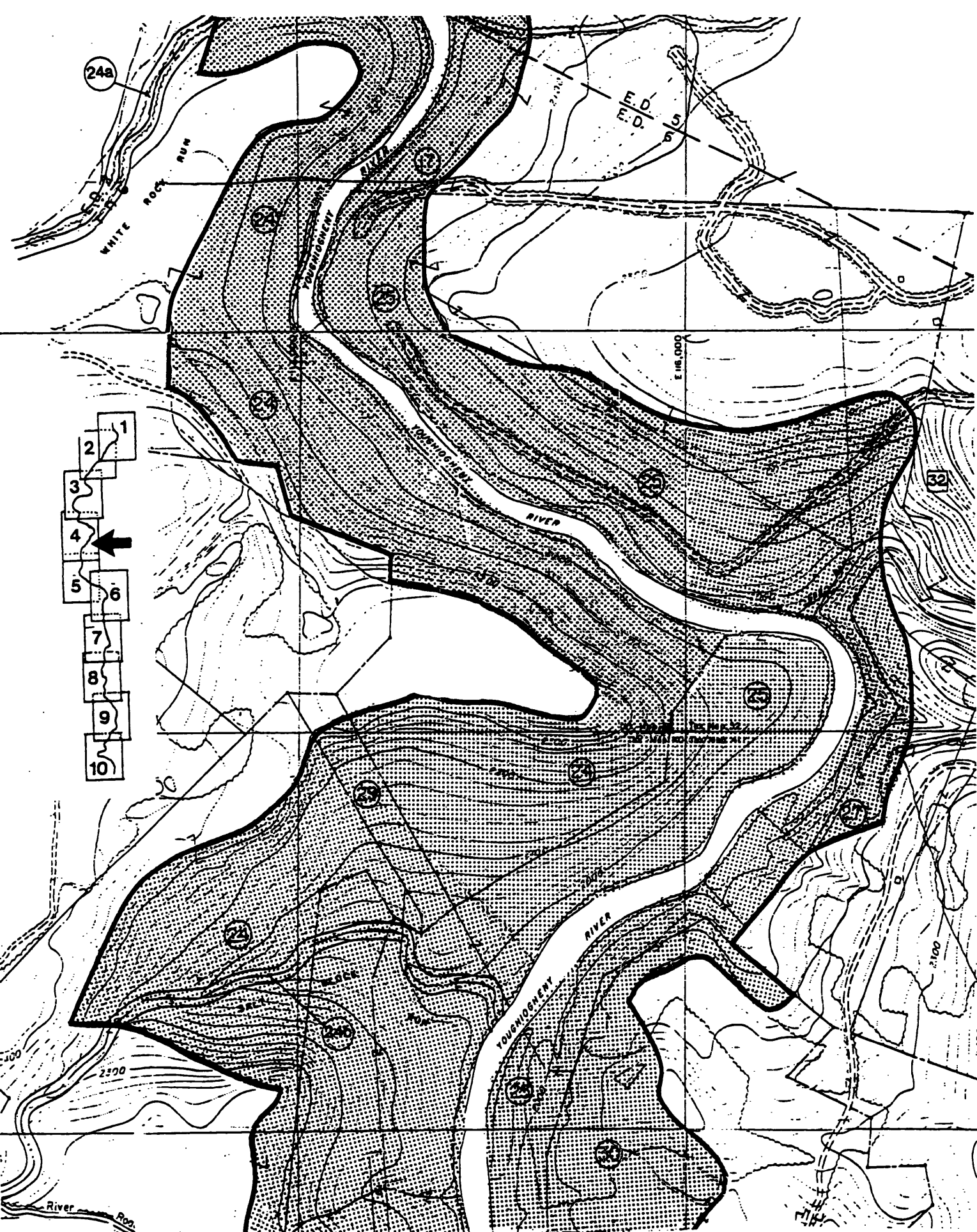


**YOUGHIOGHENY**  
 SCENIC AND WILD RIVER  
 SCENIC CORRIDOR

COMAR 08.15.01.01  
 APPENDIX A SHEET **3**  
 JULY 1991



MAP #  
**3**



24a

WHITE ROCK RUN

YOUGHIOGHENY RIVER

YOUGHIOGHENY RIVER

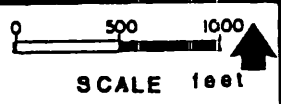
YOUGHIOGHENY RIVER

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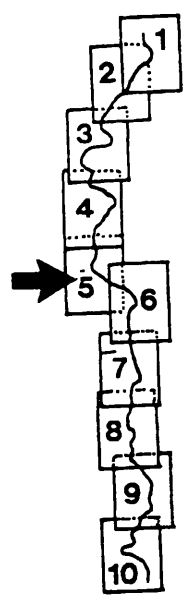
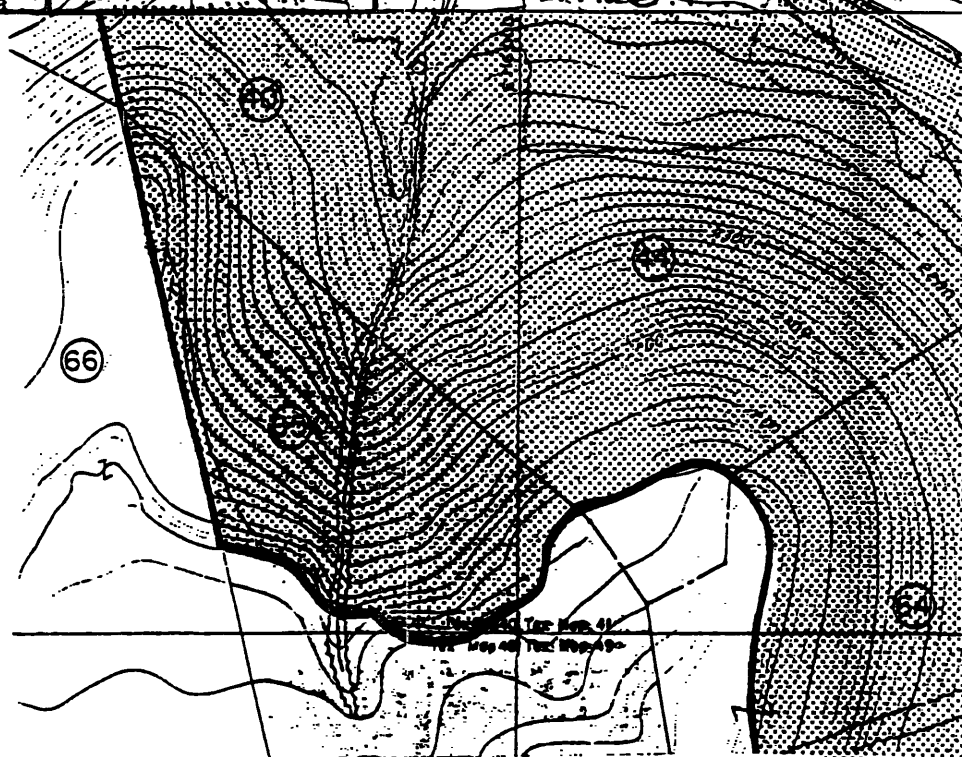
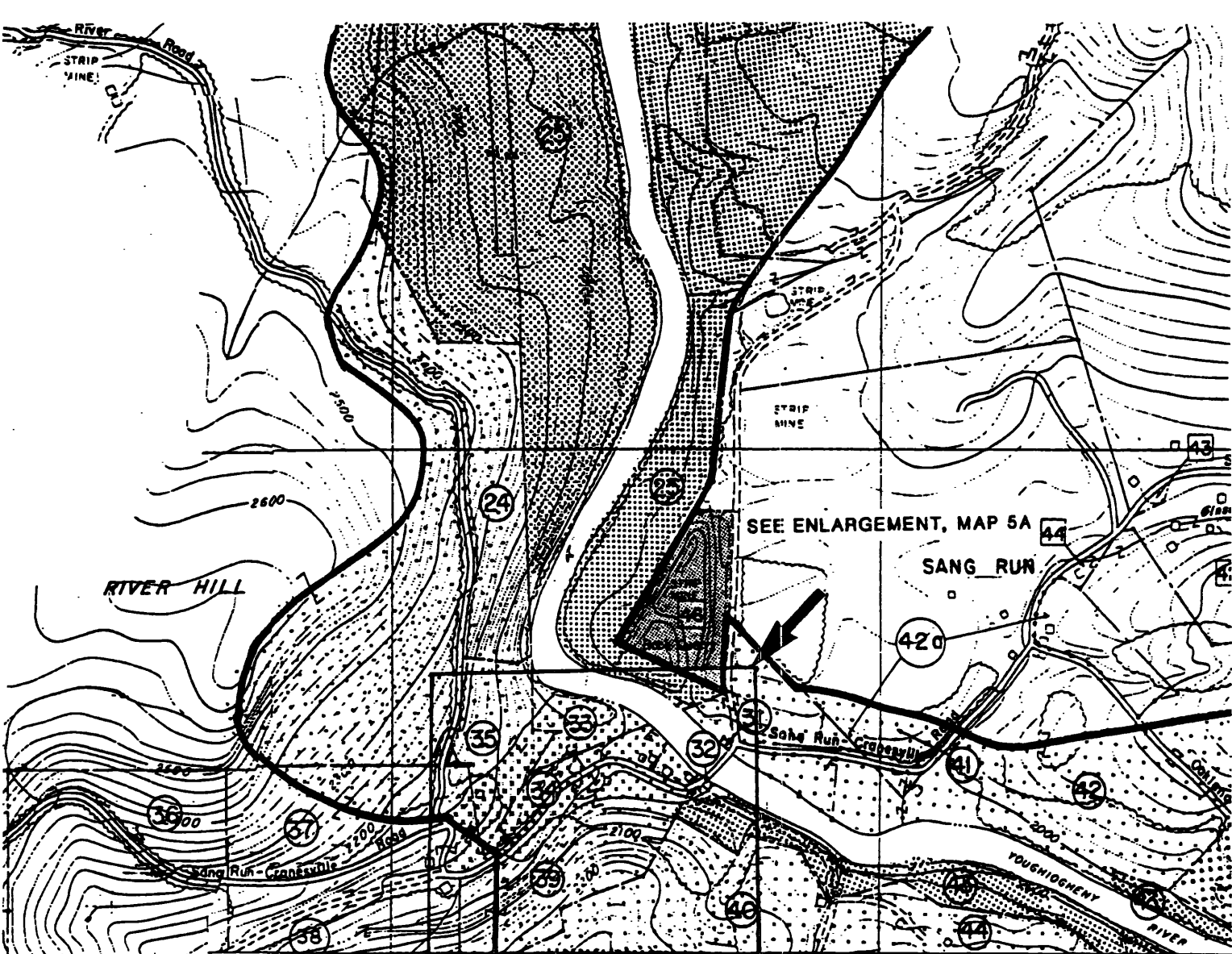
**YOUGHIOGHENY**  
SCENIC AND WILD RIVER  
SCENIC CORRIDOR

COMAR 08.15.01.01  
APPENDIX A SHEET **3+4**  
JULY 1991



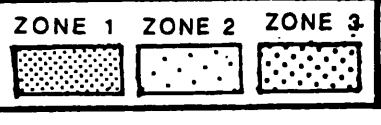
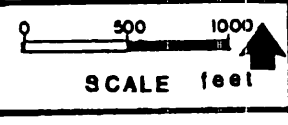
ZONE 1	ZONE 2	ZONE 3

MAP #  
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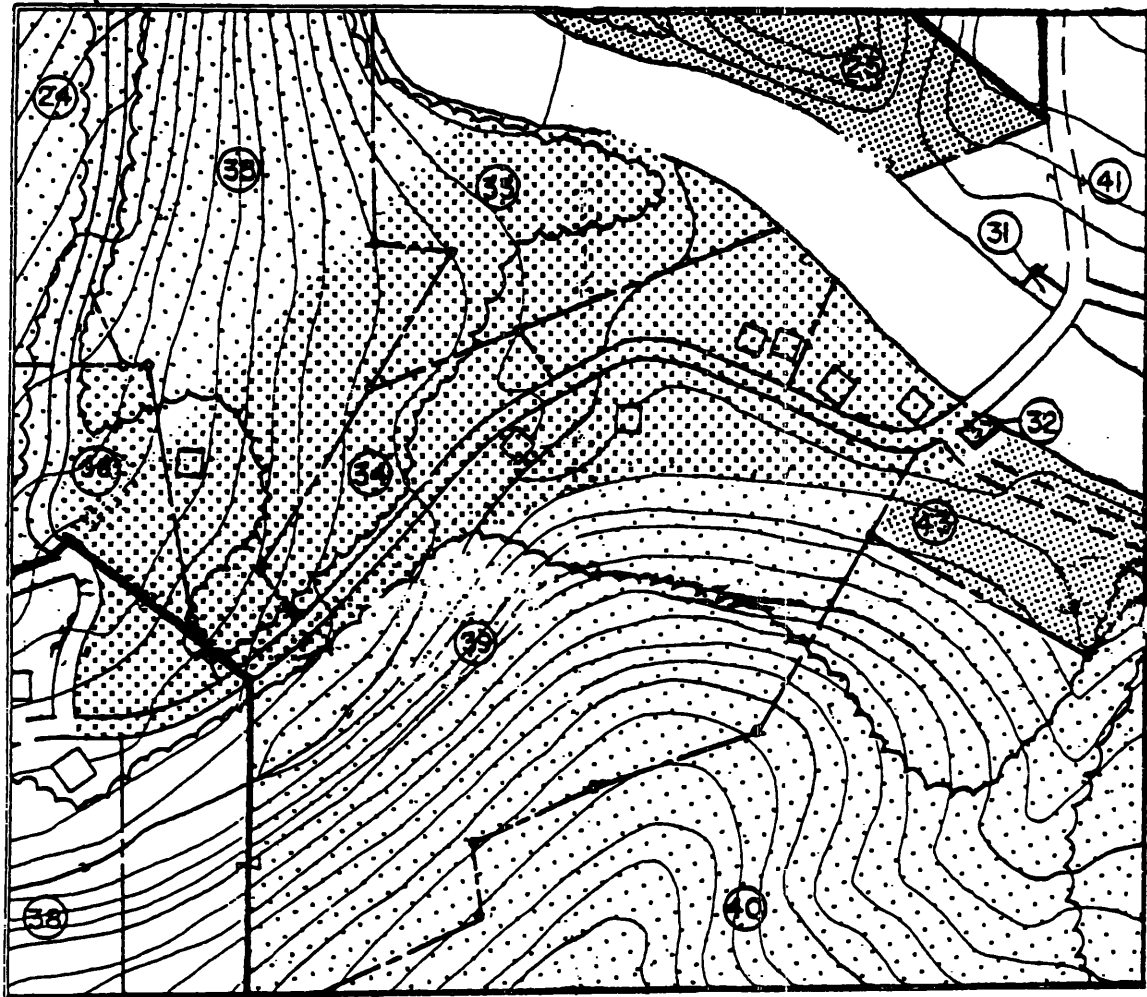


**YOUGHIOGHENY**  
 SCENIC AND WILD RIVER  
 SCENIC CORRIDOR

COMAR 08.15.01.01  
 APPENDIX A SHEET **4+5**  
 JULY 1991

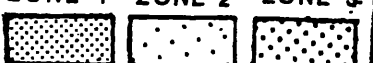


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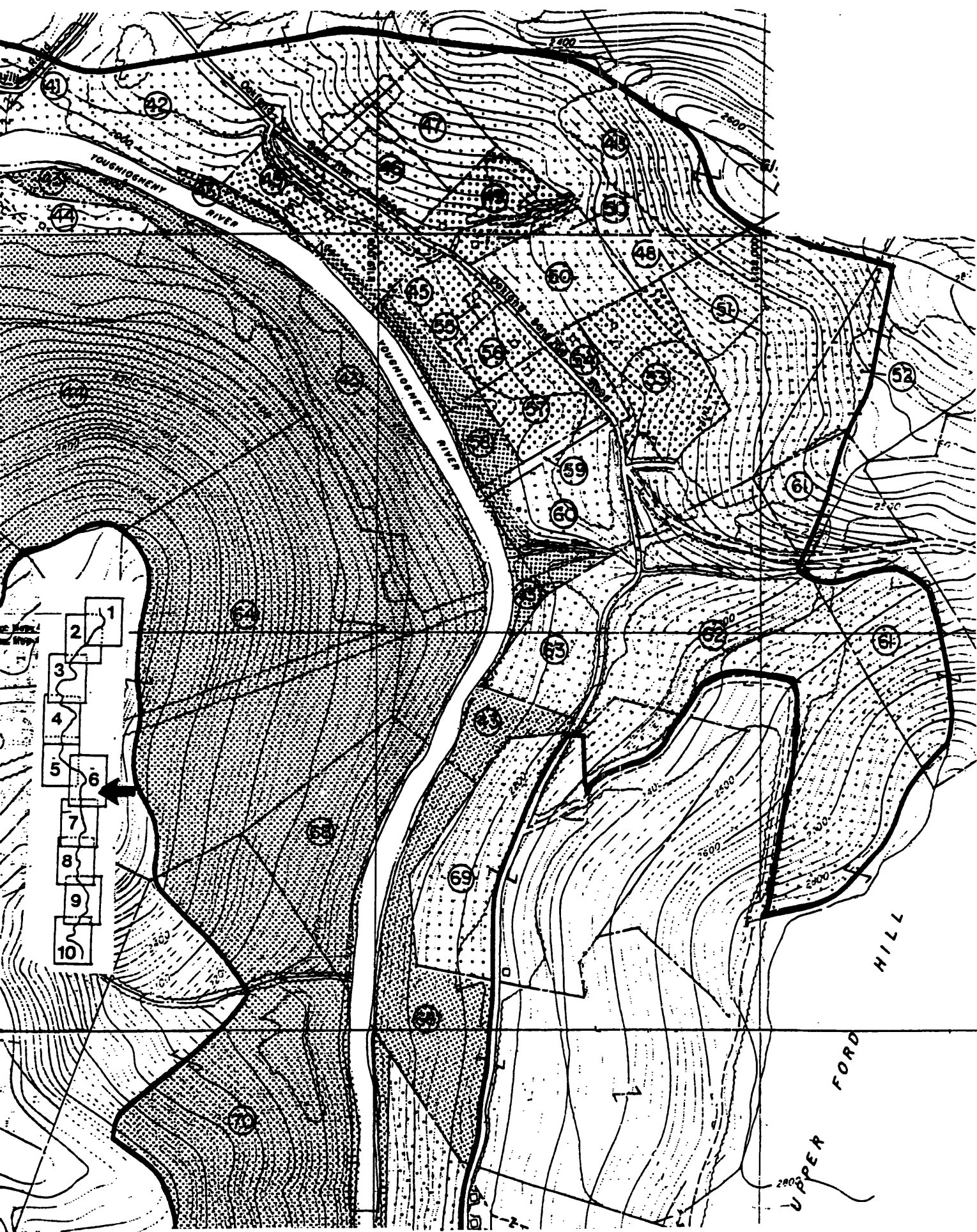


SCALE 0 500 feet

**SECTIONAL ENLARGEMENT FROM MAP 5**

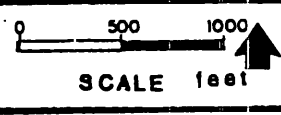
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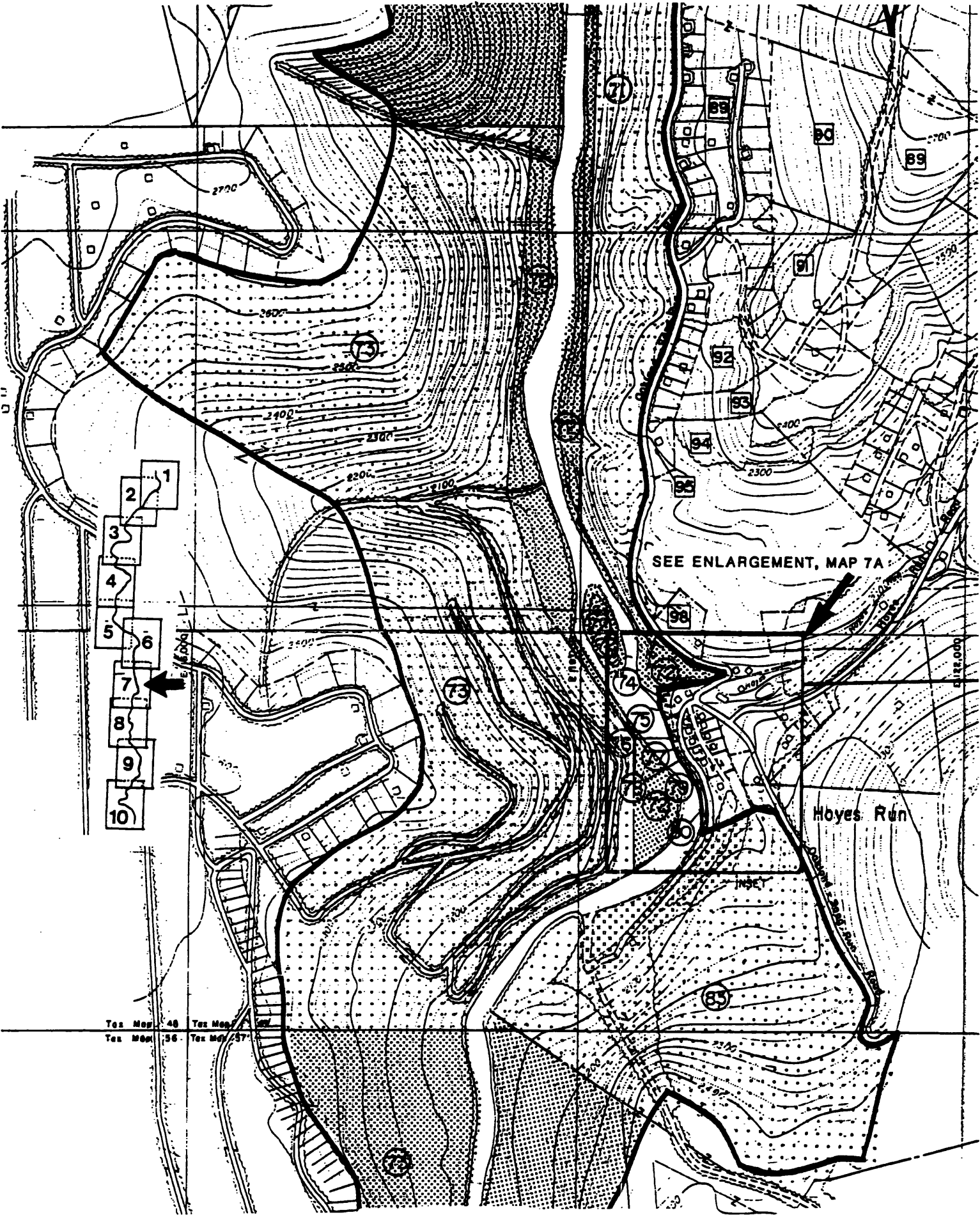


**YOUGHIOGHENY**  
 SCENIC AND WILD RIVER  
 SCENIC CORRIDOR

COMAR 08.15.01.01  
 APPENDIX A SHEET **4+5**  
 JULY 1991



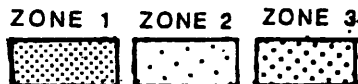
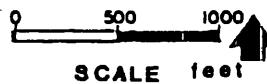
ZONE 1	ZONE 2	ZONE 3	MAP #
			<b>6</b>



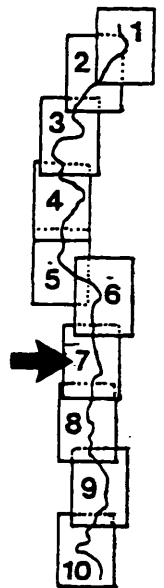
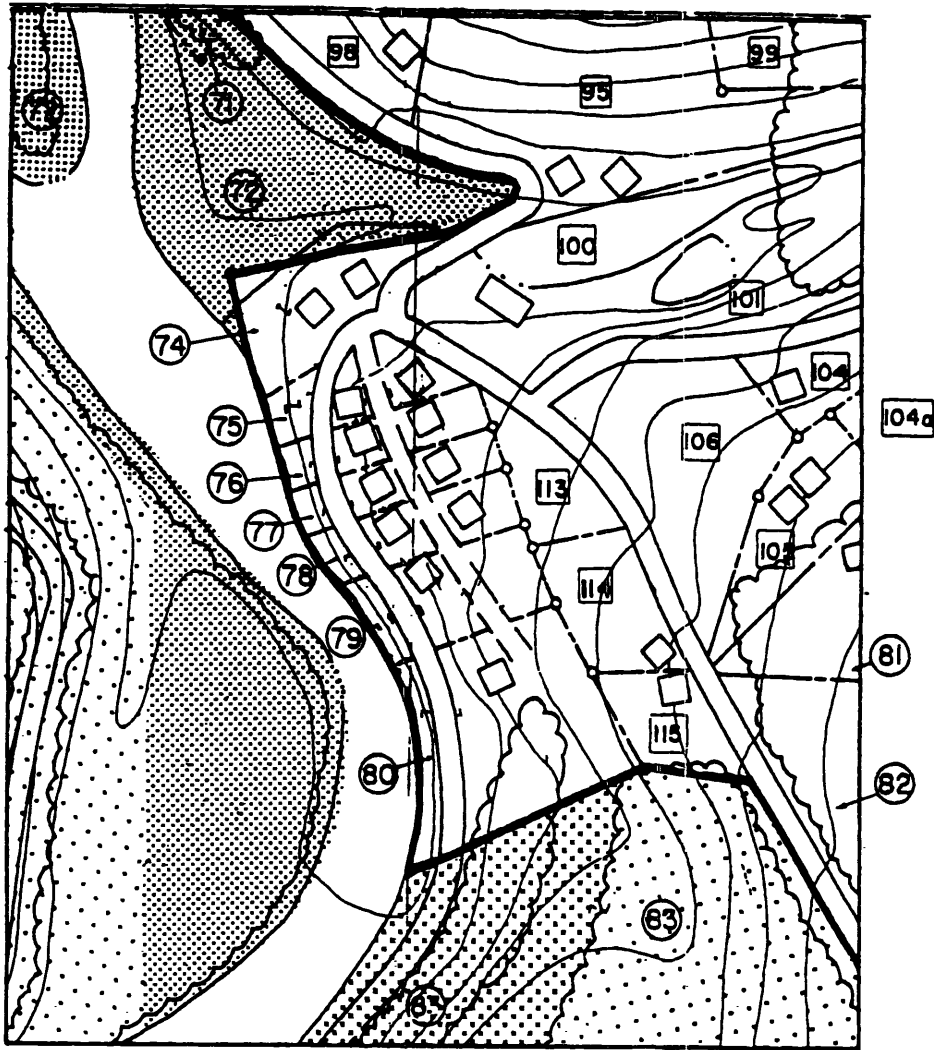
Tax Map 40 Tax Map 41  
 Tax Map 36 Tax Map 37

**YOUGHIOGHENY**  
 SCENIC AND WILD RIVER  
 SCENIC CORRIDOR

COMAR 08.15.01.01  
 APPENDIX A SHEET **5+6**  
 JULY 1991



MAP #  
**7**



SCALE 0 500 feet

### SECTIONAL ENLARGEMENT FROM MAP 7

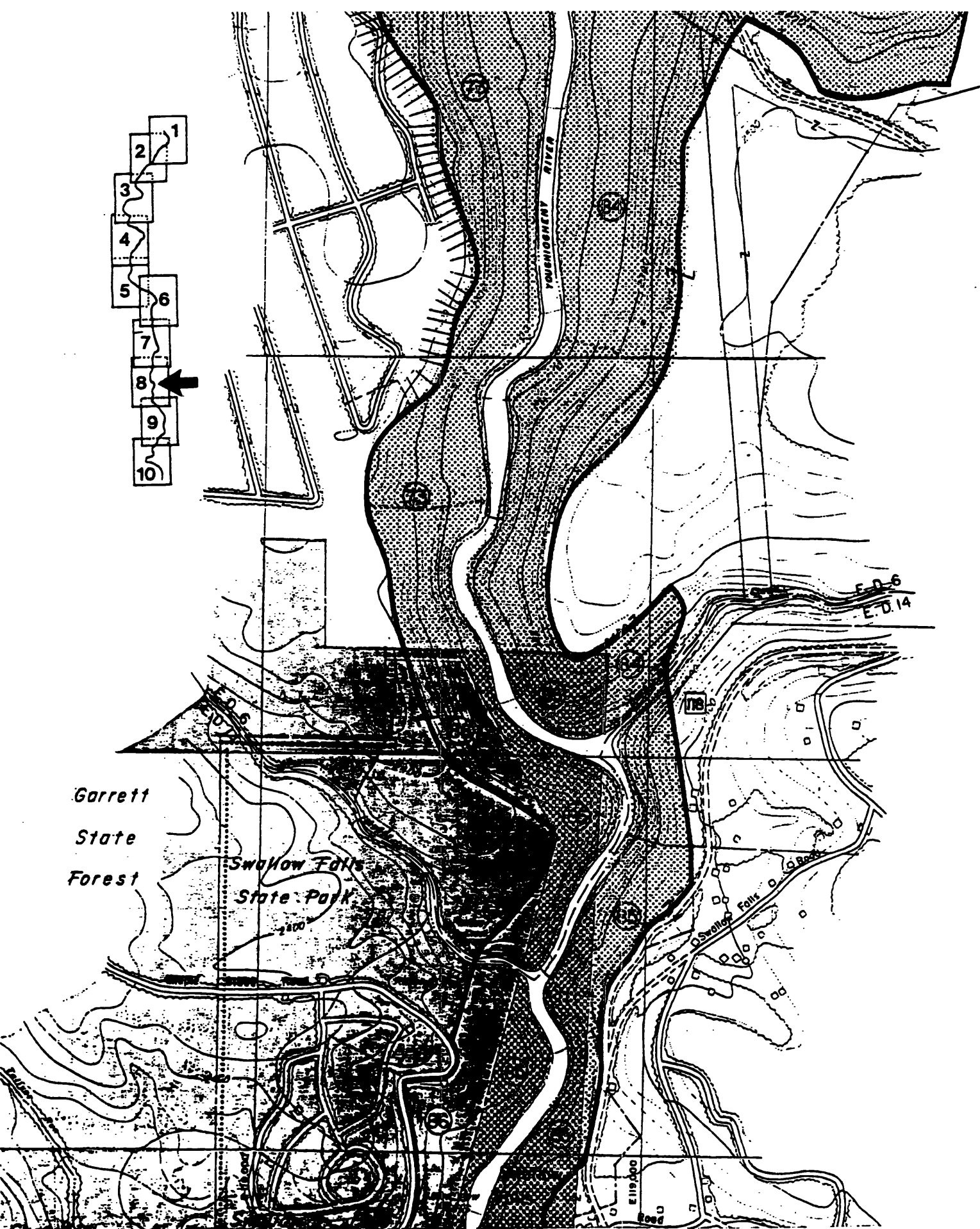
**YOUGHIOGHENY**  
SCENIC AND WILD RIVER  
SCENIC CORRIDOR

COMAR 08.15.01.01  
APPENDIX A SHEET 6  
JULY 1991

0 500 1000  
SCALE feet

ZONE 1 ZONE 2 ZONE 3

MAP #  
**7A**



- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10

Garrett  
State  
Forest

Swallow Falls  
State Park

YOUGHIOGHENY RIVER

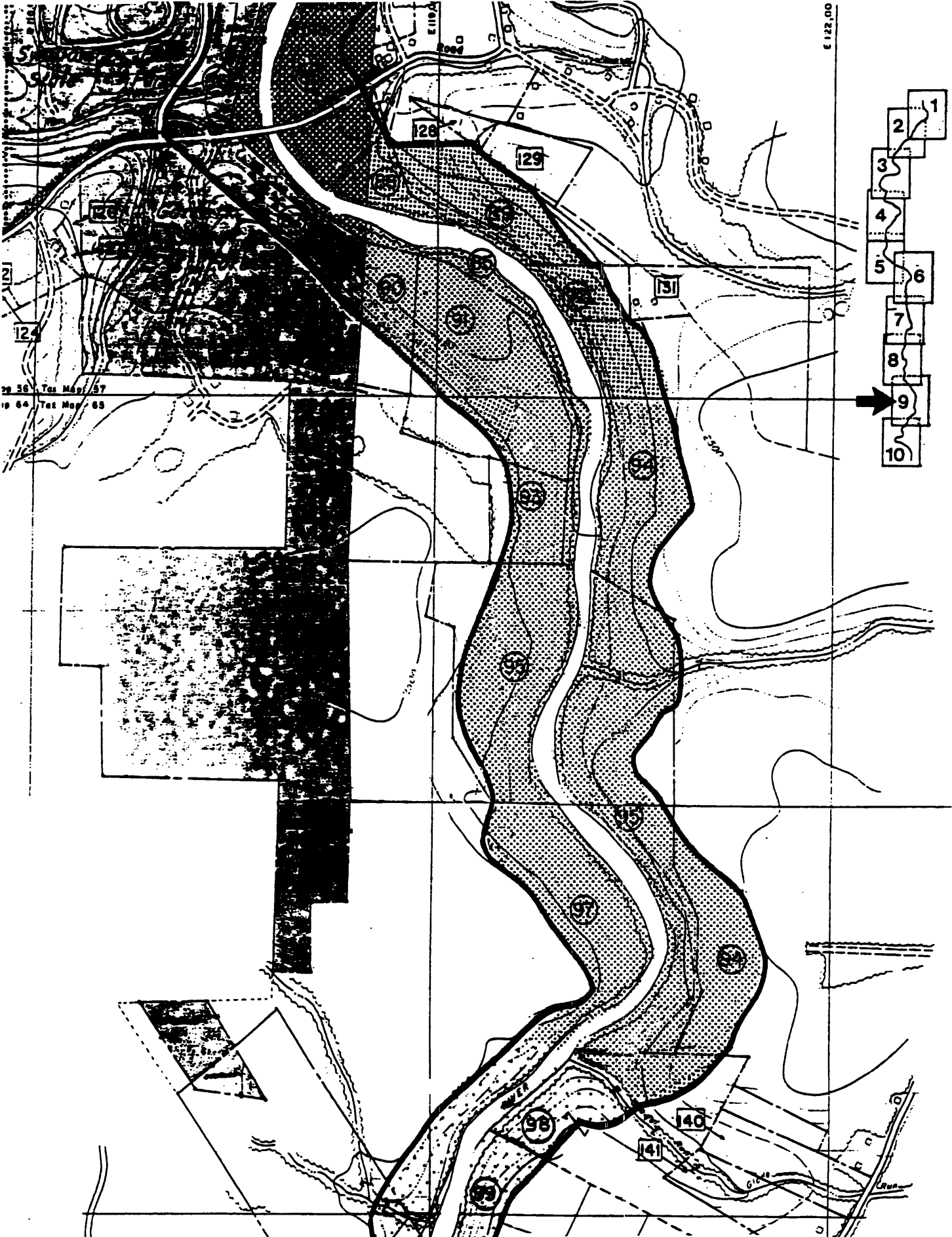
F.D. 6  
E.D. 14

**YOUGHIOGHENY**  
SCENIC AND WILD RIVER  
SCENIC CORRIDOR

COMAR 08.15.01.01  
APPENDIX A SHEET **6+7**  
JULY 1991



ZONE 1	ZONE 2	ZONE 3	MAP #
			<b>8</b>



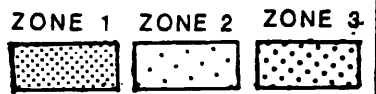
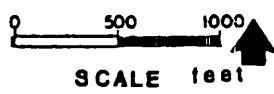
E 122.00

- 1
- 2
- 3
- 4
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- 9
- 10

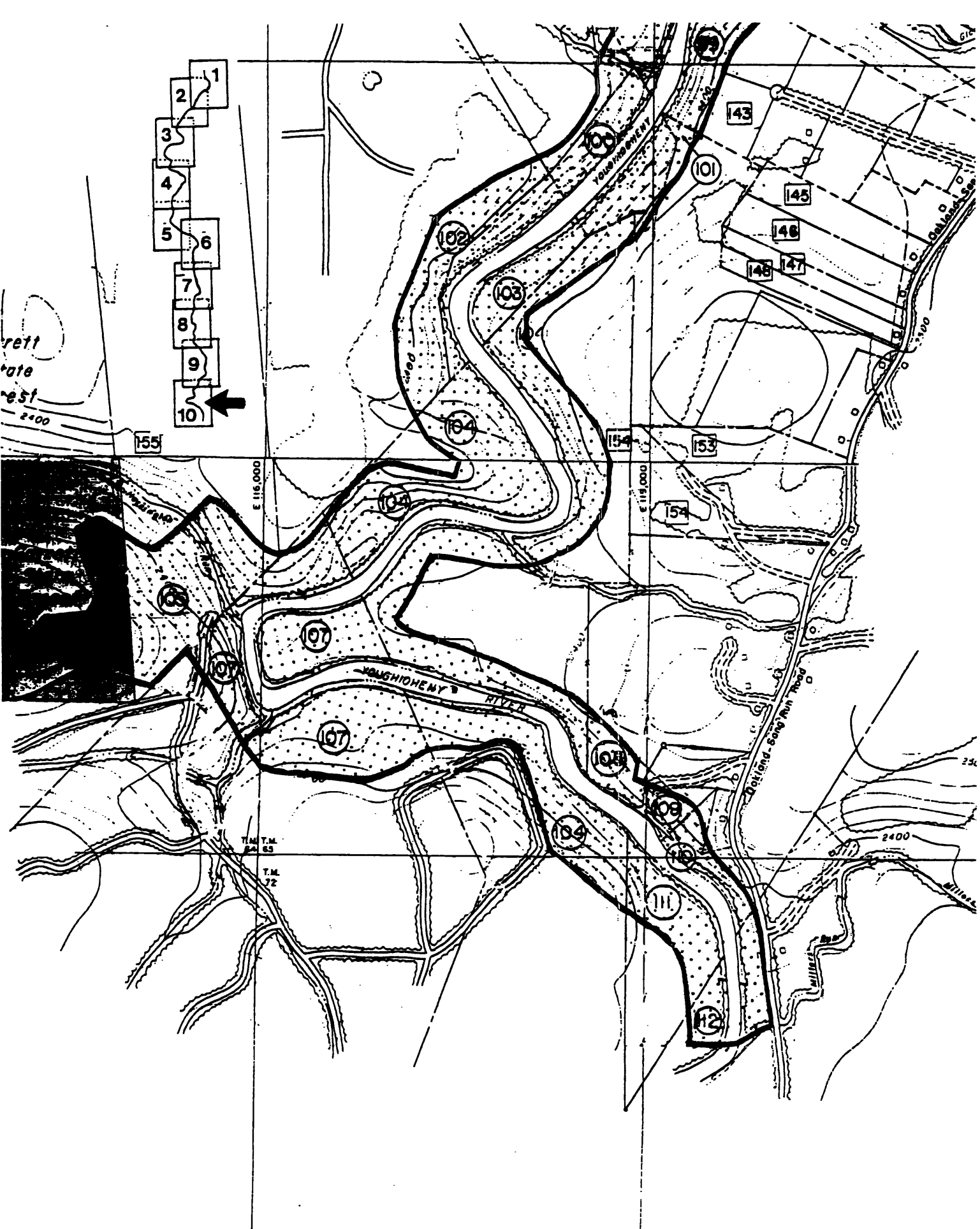
29 56 Tax Map 57  
10 64 Tax Map 63

**YOUGHIOGHENY**  
SCENIC AND WILD RIVER  
SCENIC CORRIDOR

COMAR 08.15.01.01  
APPENDIX A SHEET 7  
JULY 1991

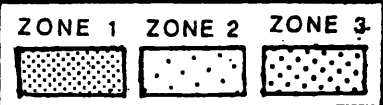
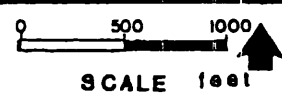


MAP #  
**9**



**YOUGHIOGHENY**  
 SCENIC AND WILD RIVER  
 SCENIC CORRIDOR

COMAR 08.15.01.01  
 APPENDIX A SHEET **748**  
 JULY 1991



MAP #  
**10**

## **Title 08**

### **DEPARTMENT OF NATURAL RESOURCES**

#### **Subtitle 15 YOUGHIOGHENY WILD RIVER**

#### **Chapter 02 Permitted Use and Development**

Authority: Natural Resources Article, §8-409 Annotated Code of Maryland

#### **01. Use and Development Regulations.**

Unless otherwise provided by law or in these regulations, land, buildings, or structure located or to be located within the scenic corridor may not be used or developed except as permitted by these regulations in the zone with which the land, building, or structure is located.

#### **.02 Approval for Use and Development.**

- A. Unless otherwise exempted under §H, below, before any person commences or modifies **any** use or development permitted by these regulations, he first shall submit a plan to **the** Department and obtain its approval.
- B. The plan shall include:
  - (1) A detailed description of the proposed use or development;
  - (2) The location of the proposed use or development; and
  - (3) A map showing the area of the scenic corridor directly affected by the proposed use or development.
- C. If the proposed use or development involves the construction, alteration, or modification of any building or structure, the plan shall include a schematic description of the building or structure showing the overall design and dimensions including length, width, height, and **total** square footage. The plan also shall enumerate the construction materials and exterior colors to be employed.
- D. If the proposed use or development involves disturbance of natural vegetation, **including** clearing or other modification, the plan shall indicate:
  - (1) The type and approximate amount of vegetation to be disturbed;
  - (2) The methods of operation to be employed; and
  - (3) The provisions for stabilization and revegetation.
- E. In all cases the plan shall display graphically all new access routes proposed or **any** modifications to existing access routes.

- F. The person requesting approval for the proposed use or development shall submit any additional information the Department considers necessary to insure an adequate evaluation of the plan.
- G. The Department shall forward a copy of a request to conduct a logging operation to the Garrett County Forest Conservancy District Board.
- H. A plan need not be submitted, nor is approval required, for:
  - (1) Placement of signs pursuant to Regulation .12;
  - (2) Operation of a home professional office and home occupation pursuant to Regulation .03E;
  - (3) Change of interior color and interior configuration of structures;
  - (4) Routine maintenance (such as painting) of structures that does not increase the visibility of the structure from the river; or
  - (5) Minor changes in road alignment or other routine road maintenance activity that does not increase the visibility of the road from the river.

### **.03. Residential.**

- A. Zone 1: Single-family detached dwellings are permitted provided that each has a minimum lot of 10 acres with a lot width of at least 600 feet. Single-family detached dwellings shall have a minimum setback of 300 feet and a building height not exceeding 30 feet and shall be designed to be subdued in appearance and unobtrusive in color to harmonize with the surrounding environment. Clearing of natural vegetation shall be limited to that necessary for construction of the dwelling unit.
- B. Zone 2: The restrictions of Zone 1 apply except that minimum lot area shall be 5 acres and minimum lot width shall be 400 feet.

### **.04 Logging.**

- A. Logging operations may be conducted if approval first is obtained by the owner of the land, his lessee, or authorized agent. Request for approval may be made by submitting a harvesting plan to the Department who shall forward a copy of the plan to the Garrett County Forest Conservancy District Board. Upon reviewing the prepared plan, the Board shall make recommendations to the Department which shall approve, approve conditionally, or deny the request.
- B. The Department, in evaluating a request for a logging operation, shall take into account the effects of the proposed harvesting plan on the scenic and wild character of the river, and shall ensure that natural vegetation on or near the shoreline remains undisturbed so as to screen the logged area from the river and its contiguous shore.

### **.05 Agriculture.**

- A. Normal agricultural uses are permitted in accordance with sound conservation practices and the provisions of these regulations. Agricultural buildings shall have the minimum setback required for residential buildings.



- B. The Department, in evaluating a plan for the clearing of land for agricultural purposes, shall take into account the effects of the proposed clearing on the scenic and wild character of the river, and shall ensure that natural vegetation on or near the shoreline remains undisturbed so as to screen the cleared area from the river and its contiguous shore.

#### **.06 Mining**

- A. In accordance with the Scenic and Wild River Act, Natural Resources Article, §8-408(b), mining of any minerals by the strip or open pit method is prohibited in the scenic corridor. This provision does not apply to areas within the scenic corridor which previously have been mined and have not been naturally or artificially reclaimed. Mining in these areas shall be governed by Title 7, Subtitle 5 of the Natural Resources Article and by the Bureau of Mines Regulations relating to strip mining.
- B. Other forms of mineral extraction are permitted if they do not involve surface disturbance within the scenic corridor.

#### **.07 Commercial.**

- A. Zone 1: Prohibited
- B. Zone 2: Prohibited
- C. Zone 3: Restricted to professional offices and retail businesses intended primarily for community convenience shopping and restaurants. Buildings shall be limited to a maximum of 2,000 square feet of floor space and a 30 foot building height and shall have a minimum setback of 200 feet.

#### **.08 Industrial.**

Prohibited.

#### **.09 Stream Alterations.**

Damming, dredging, filling, channelization, or other alteration of the river or its banks is prohibited except that involving the repair of existing bridges.

#### **.10 Alteration of Natural Vegetation.**

- A. Any clearing of natural vegetation other than for logging is limited to that necessary for uses and developments permitted by these regulations.
- B. The Department, in evaluating a plan for the clearing of natural vegetation, shall:
  - (1) Take into account the effects of the proposed clearing on the scenic and wild character of the river; and
  - (2) Insure that natural vegetation on or near the shoreline remains undisturbed so as to screen the cleared area from the river and its contiguous shore.

### **.11 Roads.**

Roads are not permitted except those necessary to reach developments permitted in these regulations. Setback lines established elsewhere in these regulations may not be crossed except where topographic conditions prevent any other access.

### **.12 Signs**

- A. Zone 1: Signs related to any permitted use may not exceed 1 square foot in area except for official State and local government signs needed for identification and direction. Signs advertising property for sale or rental may be placed only on the property offered. Public interest events may be advertised with signs not exceeding 6 square feet in area on the property where the event will occur. Directional signs not exceeding 1 square foot in area may also be used. A display is limited to a 30-day period before the event and shall be removed immediately after the event. Illumination by neon or flashing device is not permitted.
- B. Zone 2: The restrictions of Zone 1 apply.
- C. Zone 3: The restrictions of Zone 1 apply except that commercial on-premises signs are permitted and are limited to two signs per establishment, each of which may not exceed 15 square feet in area. Illumination by neon or flashing device is not permitted.

### **.13 Recreation.**

- A. Private or membership hunting and fishing lodges not operated commercially or conducted primarily as a business enterprise are permitted provided they are located on lots of 100-acre minimum-lot area. Buildings are restricted to a maximum of 5,000 square feet of floor space, a maximum building height of 30 feet, and a minimum setback of 1,000 feet.
- B. Hunting and fishing preserves and private camps operated as commercial enterprise are permitted provided they are located on lots of 175-acre minimum-lot area. Buildings are restricted to a maximum of 5,000 square feet of floor space, a maximum building height of 30 feet, and a minimum setback of 1,000 feet.

### **.14 Public Lands.**

These regulations also apply to public land located within the scenic corridor.

**Title 08**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Subtitle 15 YOUGHIOGHENY WILD RIVER**

**Chapter 03 Exemption**

Authority: Natural Resources Article, §8-409, Annotated Code of Maryland

**.01 Continuation of Existing Uses.**

- A. The otherwise lawful use of any structure or land existing as of the effective date of these regulations may be continued. However, a modification of an existing use or development is subject to the provisions of COMAR 08.15.02 unless the modification is exempted under COMAR 08.15.02.02.
- B. If a non-permitted use or development is discontinued for 1 year, it may not be reestablished thereafter and any future use or development shall be in accordance with these regulations.

**.02 Restoration.**

If a non-permitted use or development is damaged by fire or other natural cause, it may be reconstructed or repaired and used for the same use and development if:

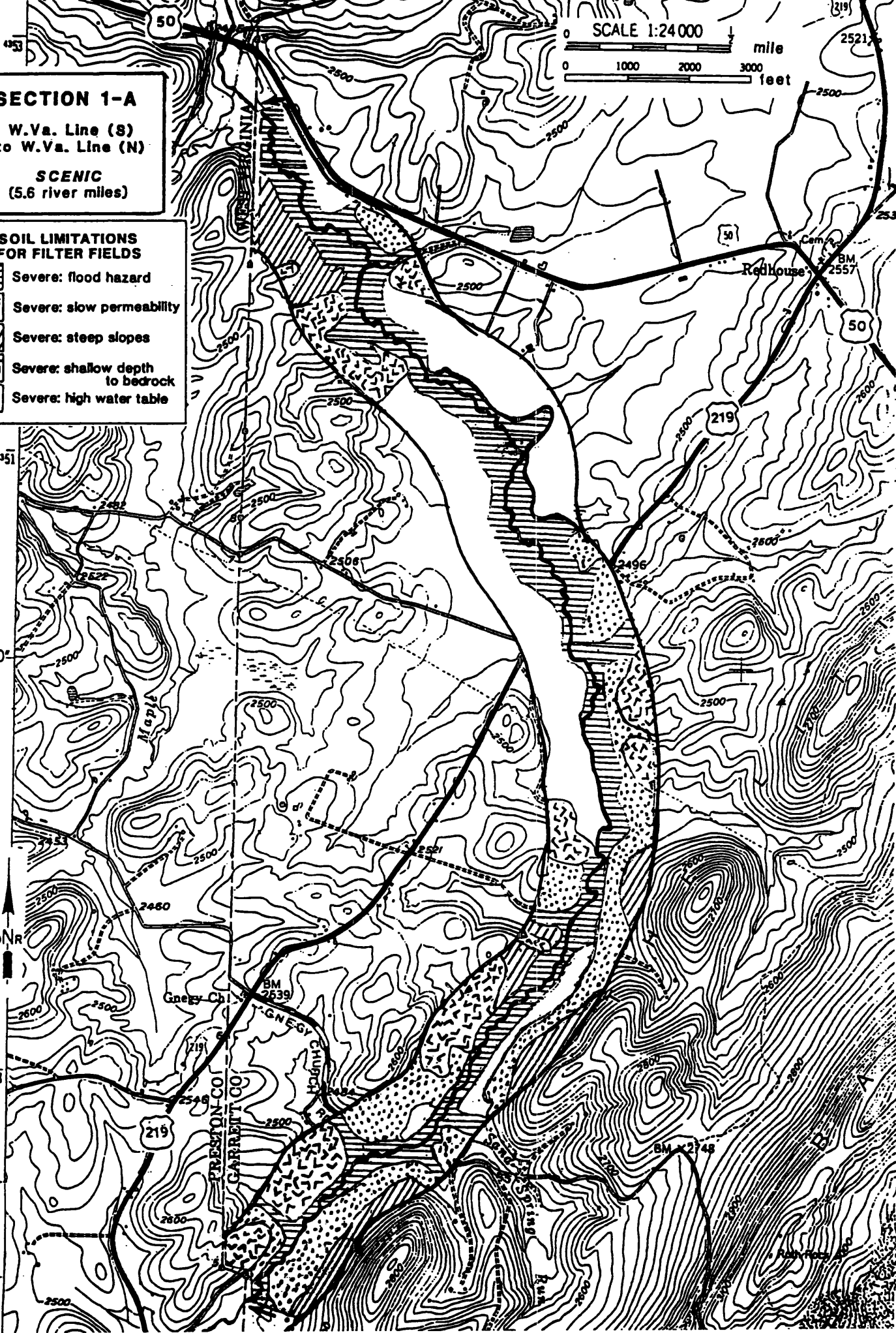
- A. The reconstructed structure complies with the height and area requirements set forth in these regulations, and does not reduce the setback of the damaged structure; and
- B. Reconstruction commences within 1 year from the date of damage and is carried on without interruption until its completion.

**.03 Exceptions.**

- A. A person may apply to the Department for an exception to these regulations. Upon receipt of any request for an exception, the Department immediately shall make available a copy of the request to the Youghiogheny River Local Advisory Board for review and recommendation to the Department. The burden will be on the applicant to demonstrate satisfactorily that:
  - (1) The exception is consistent with the legislative intent of the Scenic and Wild Rivers Act and is not injurious to the scenic and wild character of the river; and
  - (2) Special circumstances as fully described by the applicant affect the land or its structure so that strict application of these regulations in the case of the applicant only, would cause unnecessary hardship or deprive him of all reasonable use of his property. Land acquired within the scenic corridor before May 27, 1976, which does not meet the development and use specifications of these regulations, such as minimum setback and lot-size requirements, shall be deemed a special circumstance under this section.
- B. The Department shall respond to the request within 60 days of receipt by either granting, conditionally granting, or denying the request. The Department shall hold a public hearing in Garrett County on the application before rendering its final decision. Notice of public hearing shall be published in two newspapers, one of general circulation in Garrett County and one of general circulation in the State.

# ***APPENDIX H***

## **Soil Limitation Maps**



**SECTION 1-A**  
 W.Va. Line (S)  
 to W.Va. Line (N)  
**SCENIC**  
 (5.6 river miles)

SCALE 1:24 000  
 0 1000 2000 3000  
 mile  
 feet

**SOIL LIMITATIONS FOR FILTER FIELDS**

	Severe: flood hazard
	Severe: slow permeability
	Severe: steep slopes
	Severe: shallow depth to bedrock
	Severe: high water table

451  
 17°30'  
 451  
 448  
 447  
 530 000 FEET

BM 2539  
 Gneeg Church  
 GNEEG CHURCH  
 PRESBYTERIAN CHURCH  
 GARRETT CO  
 PRESTON CO

Redhouse  
 BM 2557

219






BM 2748

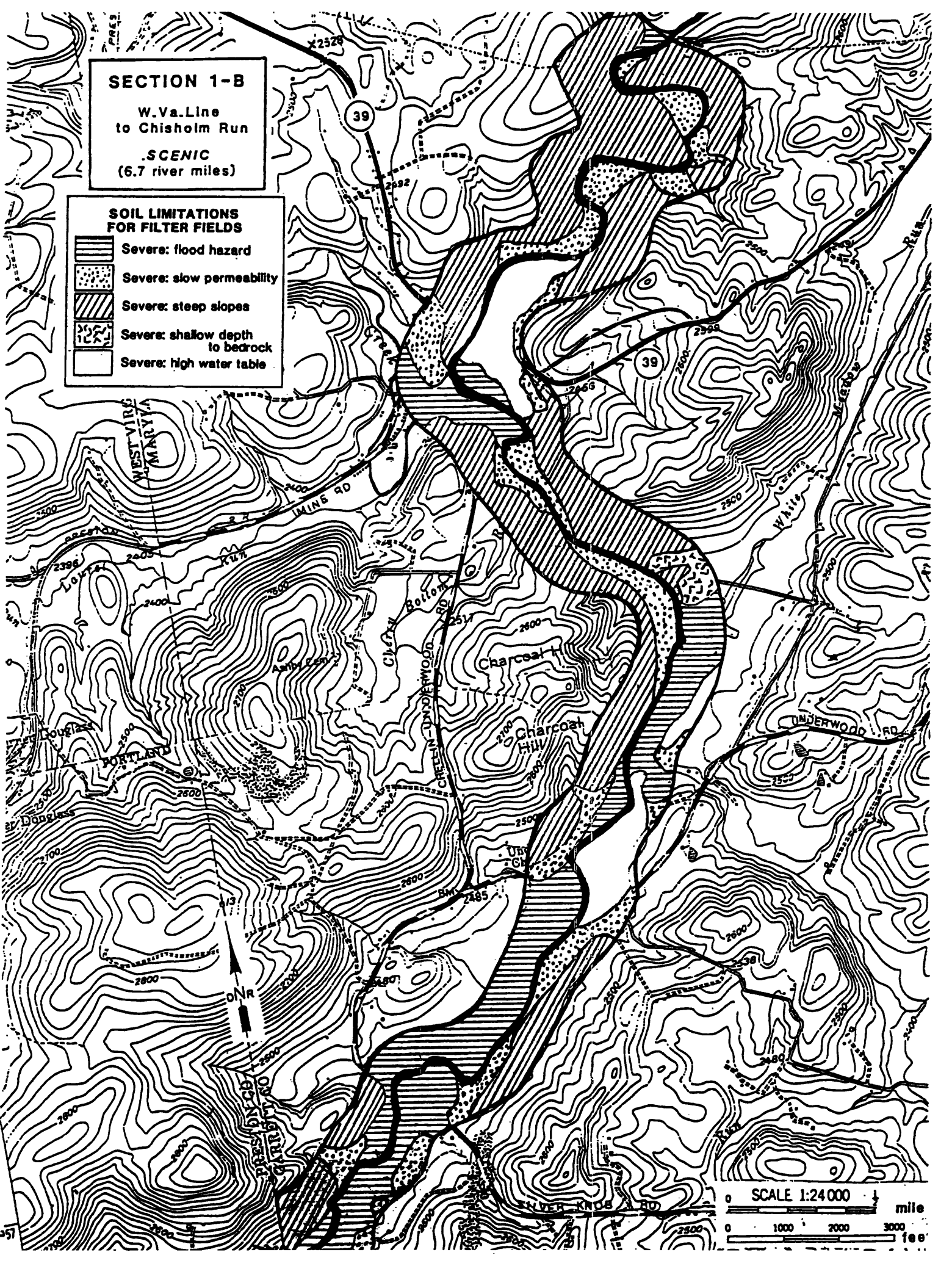
**SECTION 1-B**

W.Va.Line  
to Chisholm Run

**SCENIC**  
(6.7 river miles)

**SOIL LIMITATIONS  
FOR FILTER FIELDS**

-  Severe: flood hazard
-  Severe: slow permeability
-  Severe: steep slopes
-  Severe: shallow depth to bedrock
-  Severe: high water table








SCALE 1:24 000  
0 1000 2000 3000  
mile  
feet

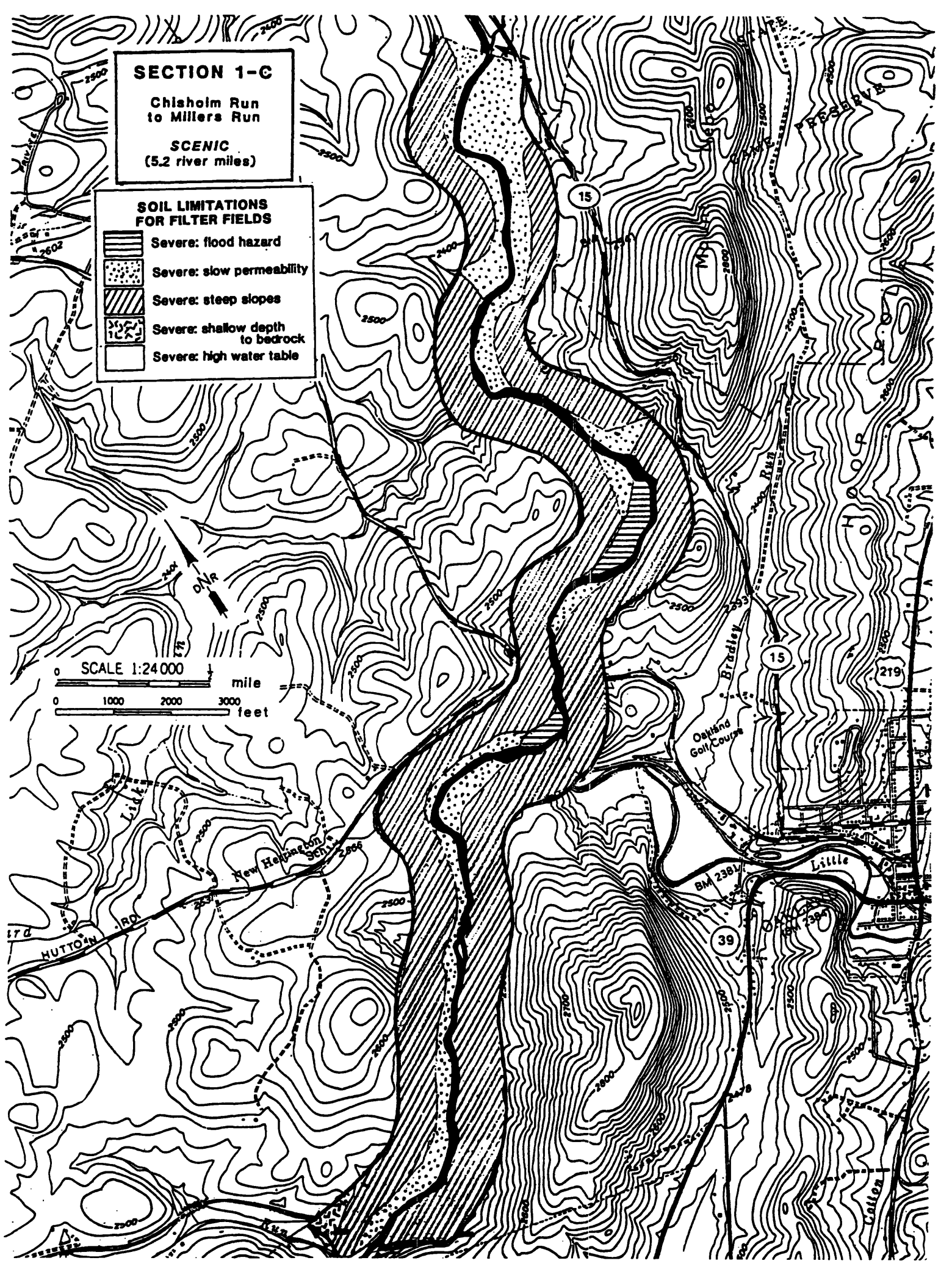
**SECTION 1-C**

Chisholm Run  
to Millers Run

**SCENIC**  
(5.2 river miles)

**SOIL LIMITATIONS  
FOR FILTER FIELDS**

-  Severe: flood hazard
-  Severe: slow permeability
-  Severe: steep slopes
-  Severe: shallow depth to bedrock
-  Severe: high water table



SCALE 1:24 000

mile

0

1000

2000

3000

feet

0 N

Oaklind  
Golf Course

BM 2384

Little

HUTTON

39

219

15

15

15

15

15

15

15

15

15

15

15

15

15

15

15

15

15

15

H O P

H O P

H O P

H O P

H O P

H O P






**SECTION 2**

Millers Run to  
Round Glade Run

**WILD**  
(2.7 river miles)

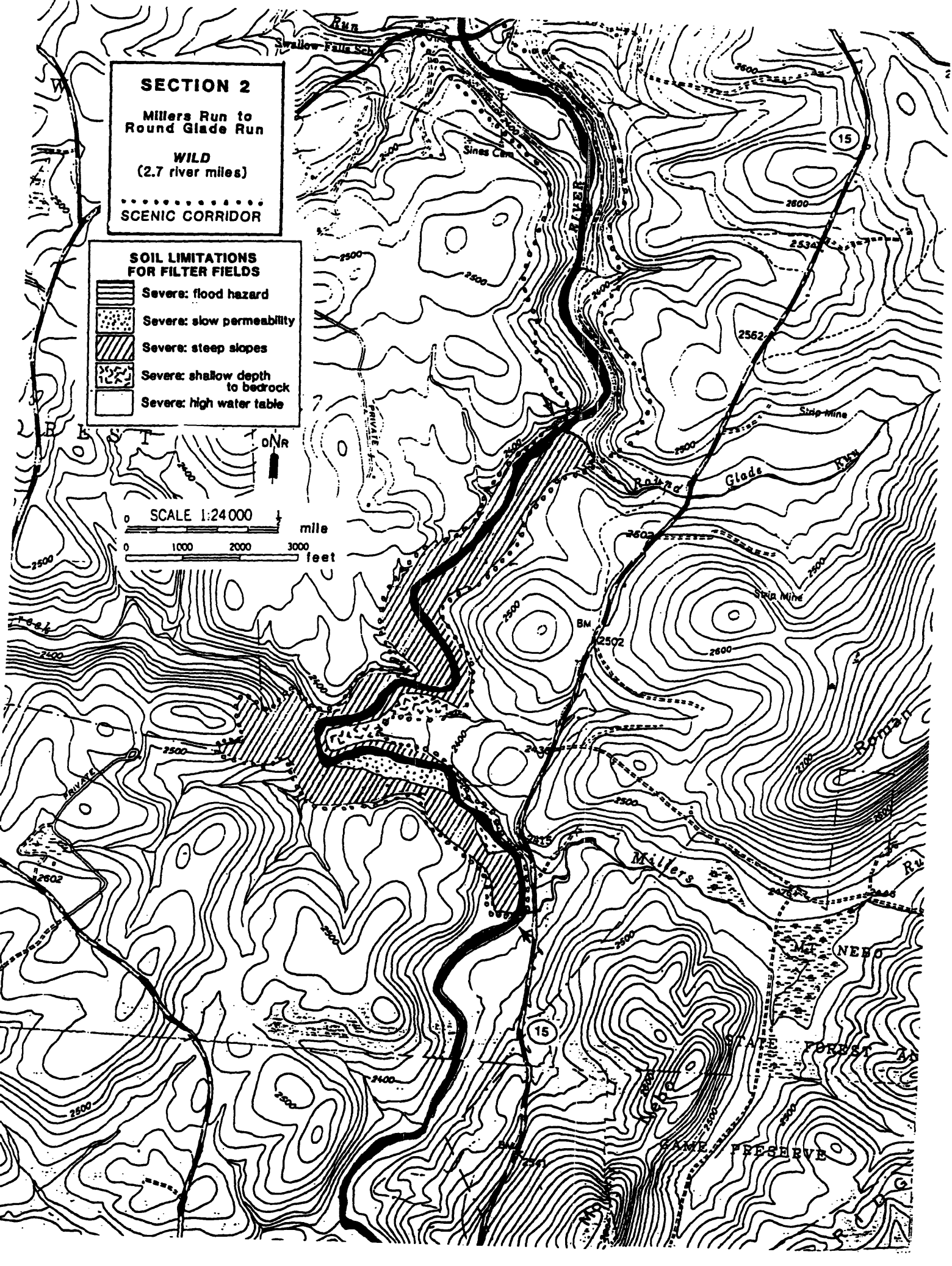
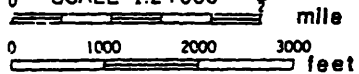
.....  
SCENIC CORRIDOR

**SOIL LIMITATIONS  
FOR FILTER FIELDS**

-  Severe: flood hazard
-  Severe: slow permeability
-  Severe: steep slopes
-  Severe: shallow depth to bedrock
-  Severe: high water table



SCALE 1:24 000










# SECTION 3

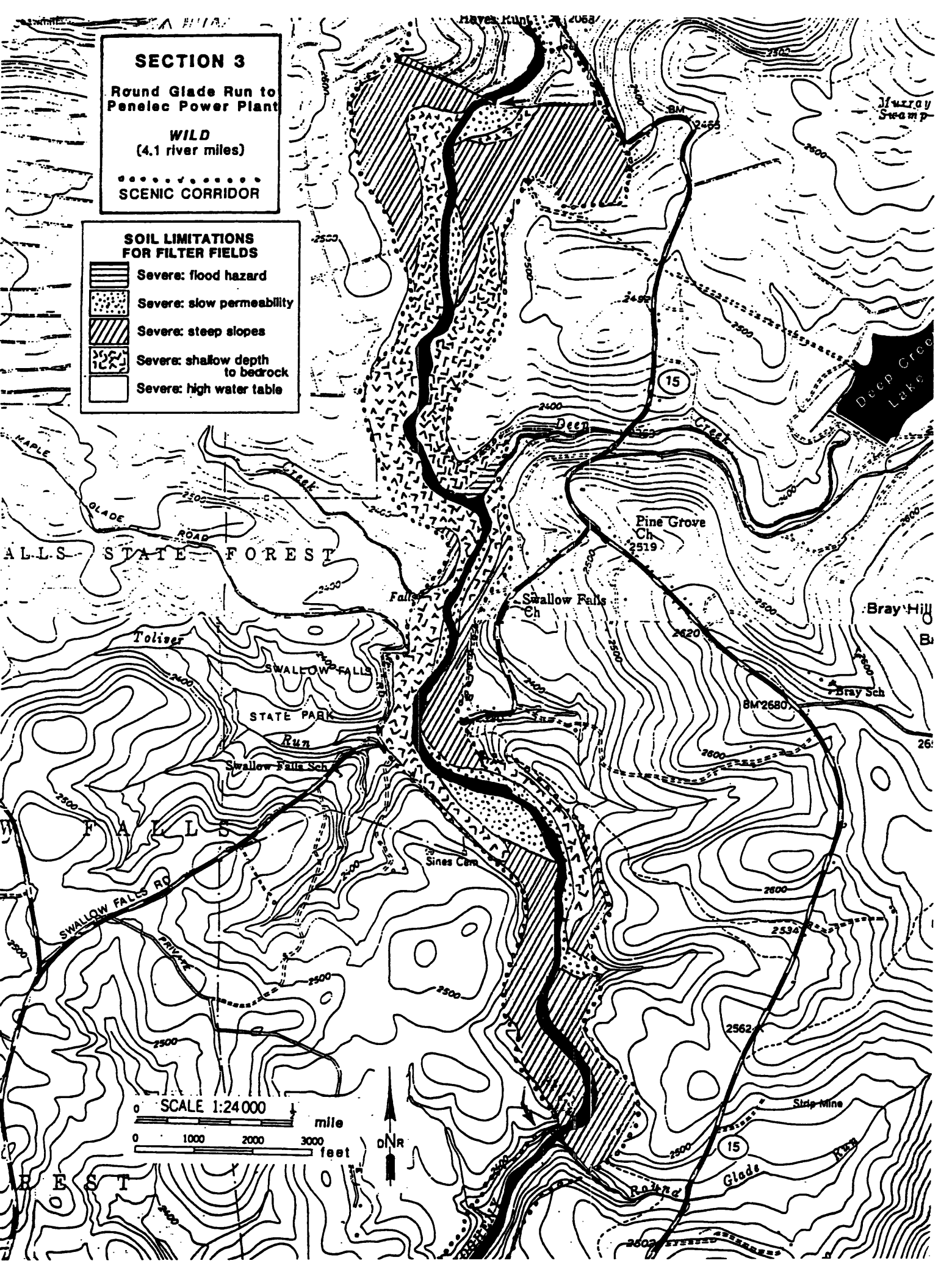
Round Glade Run to  
Penelec Power Plant

**WILD**  
(4.1 river miles)

.....  
SCENIC CORRIDOR

## SOIL LIMITATIONS FOR FILTER FIELDS

-  Severe: flood hazard
-  Severe: slow permeability
-  Severe: steep slopes
-  Severe: shallow depth to bedrock
-  Severe: high water table








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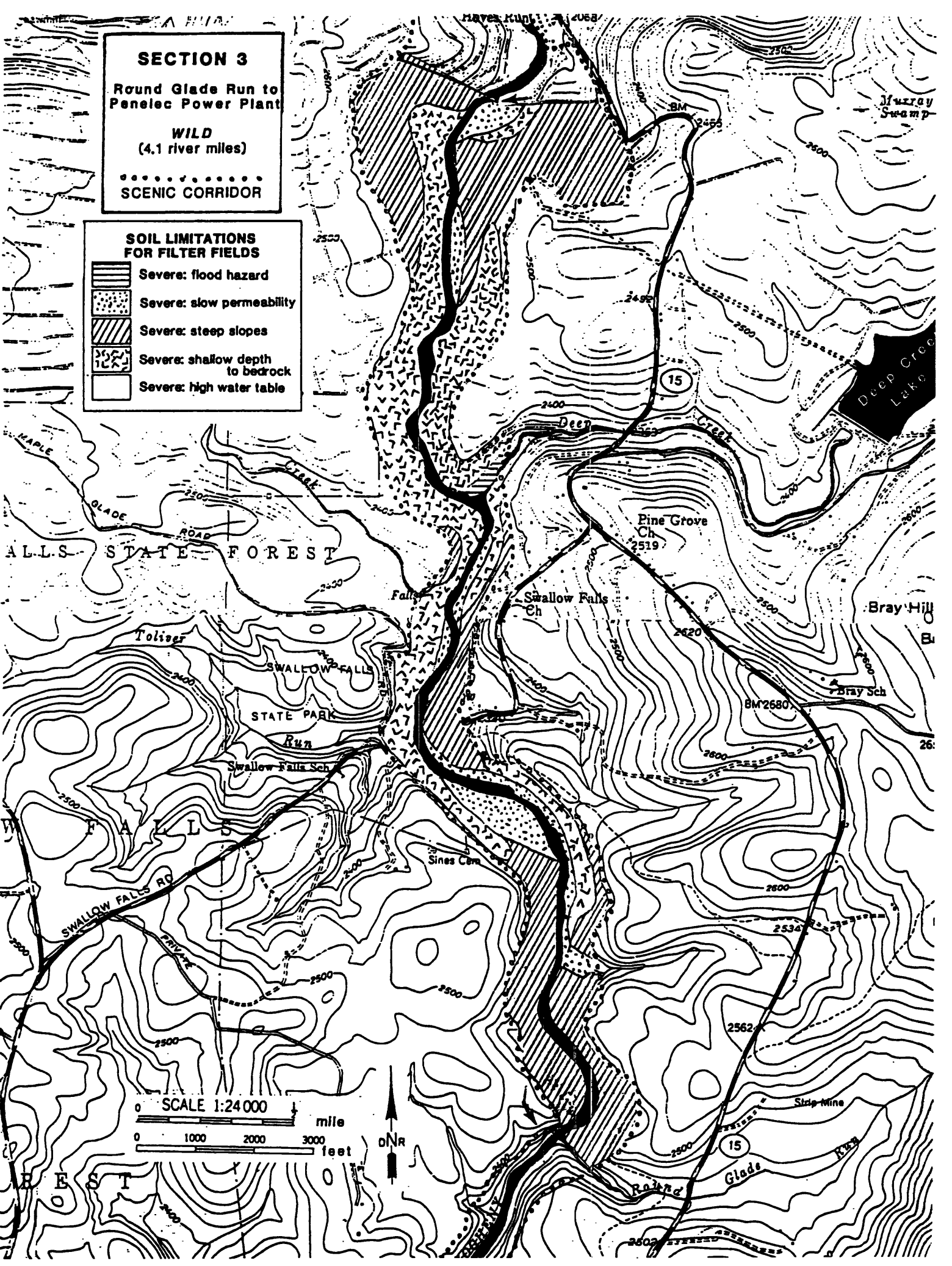
Round Glade Run to  
Penelec Power Plant

**WILD**  
(4.1 river miles)

.....  
**SCENIC CORRIDOR**

## SOIL LIMITATIONS FOR FILTER FIELDS

-  Severe: flood hazard
-  Severe: slow permeability
-  Severe: steep slopes
-  Severe: shallow depth to bedrock
-  Severe: high water table








# SECTION 5

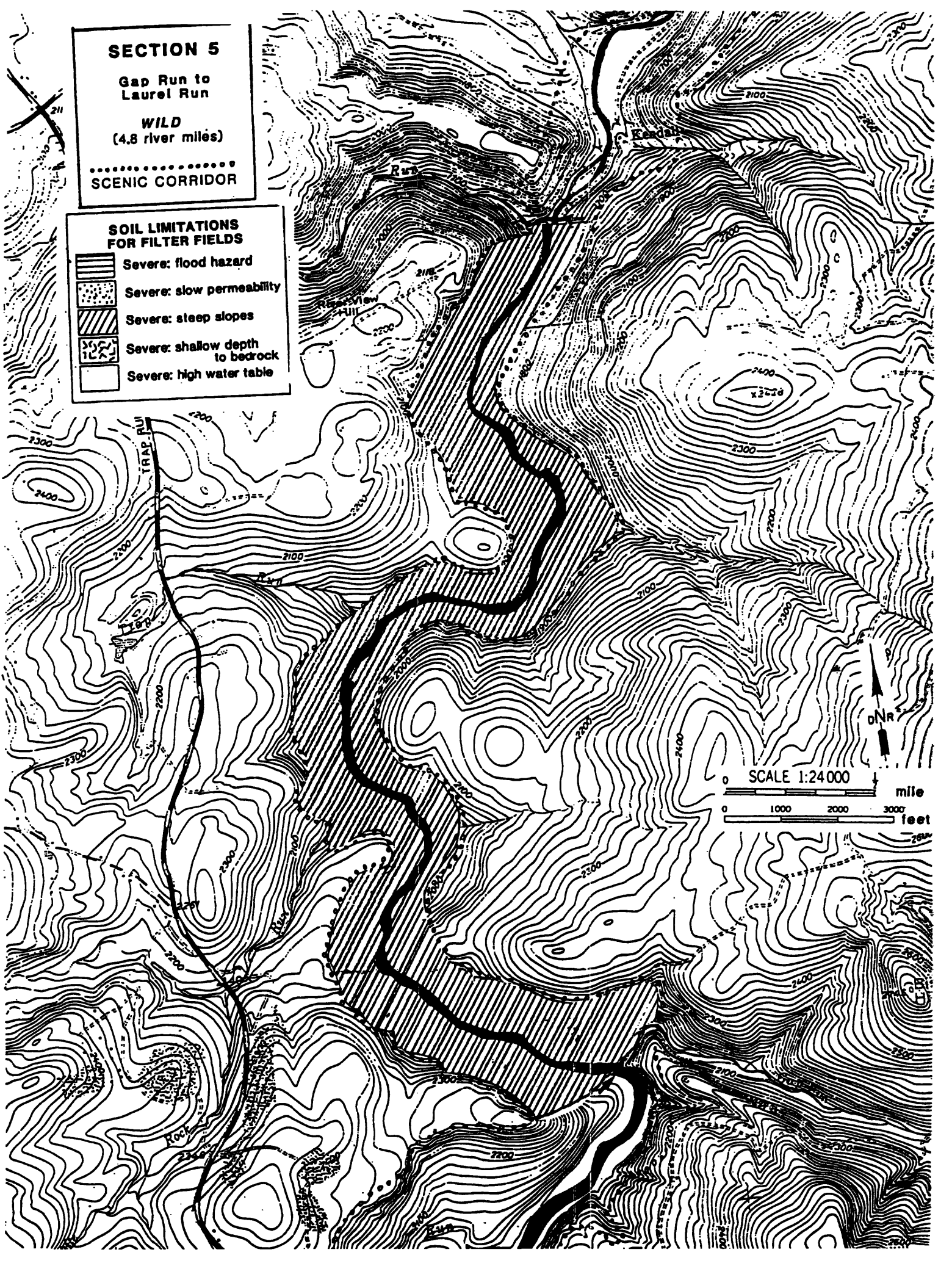
Gap Run to  
Laurel Run

**WILD**  
(4.8 river miles)

.....  
**SCENIC CORRIDOR**

## SOIL LIMITATIONS FOR FILTER FIELDS

-  Severe: flood hazard
-  Severe: slow permeability
-  Severe: steep slopes
-  Severe: shallow depth to bedrock
-  Severe: high water table



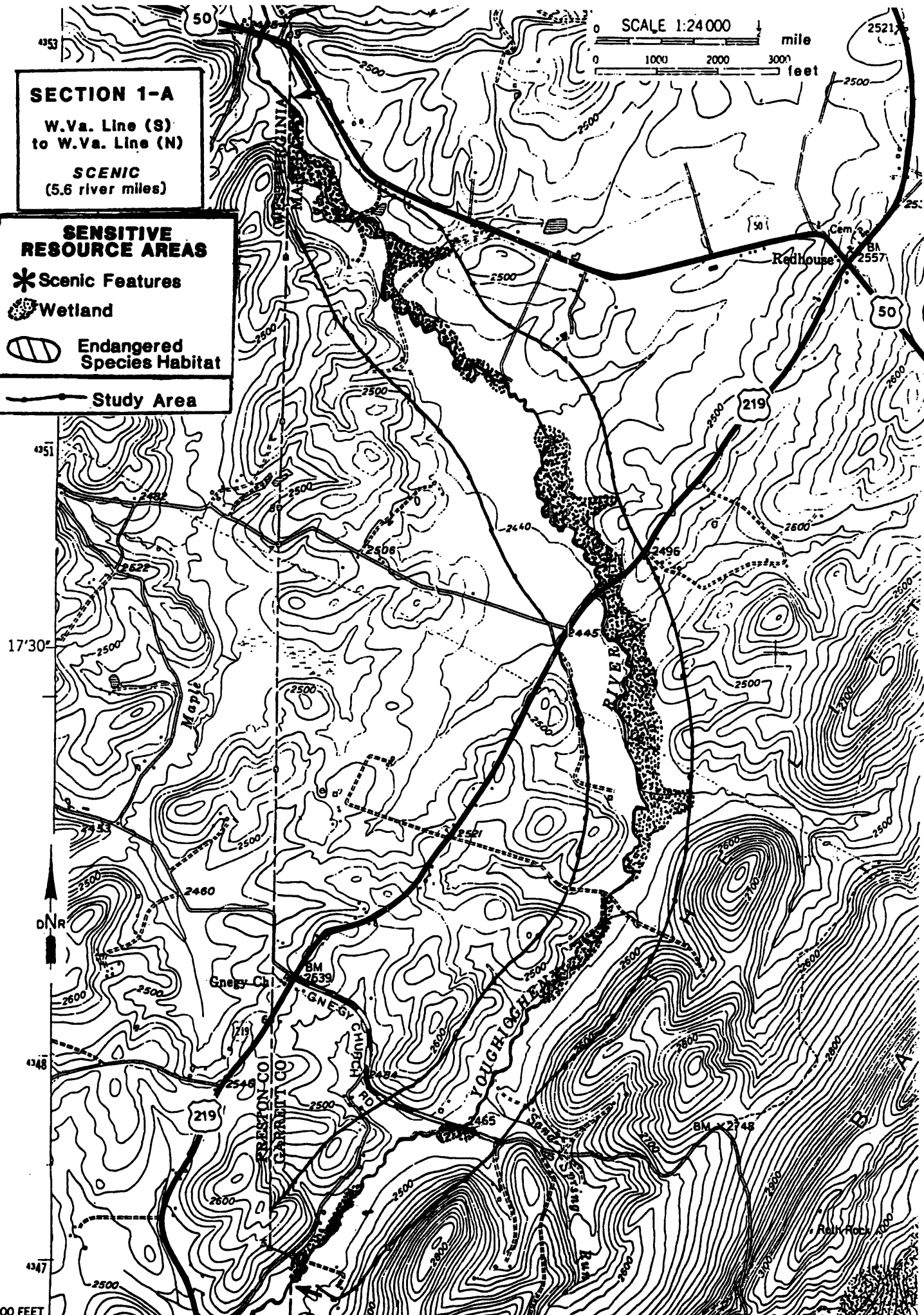
# ***APPENDIX I***

## **Sensitive Resource Areas Maps**

SCALE 1:24 000  
 0 1000 2000 3000  
 mile  
 feet

**SECTION 1-A**  
 W.Va. Line (S)  
 to W.Va. Line (N)  
**SCENIC**  
 (5.6 river miles)

**SENSITIVE RESOURCE AREAS**  
 \* Scenic Features  
 Wetland  
 Endangered Species Habitat  
 Study Area



**SECTION 1-B**

W.Va. Line  
to Chisholm Run

**SCENIC**  
(6.7 river miles)

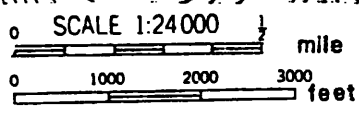
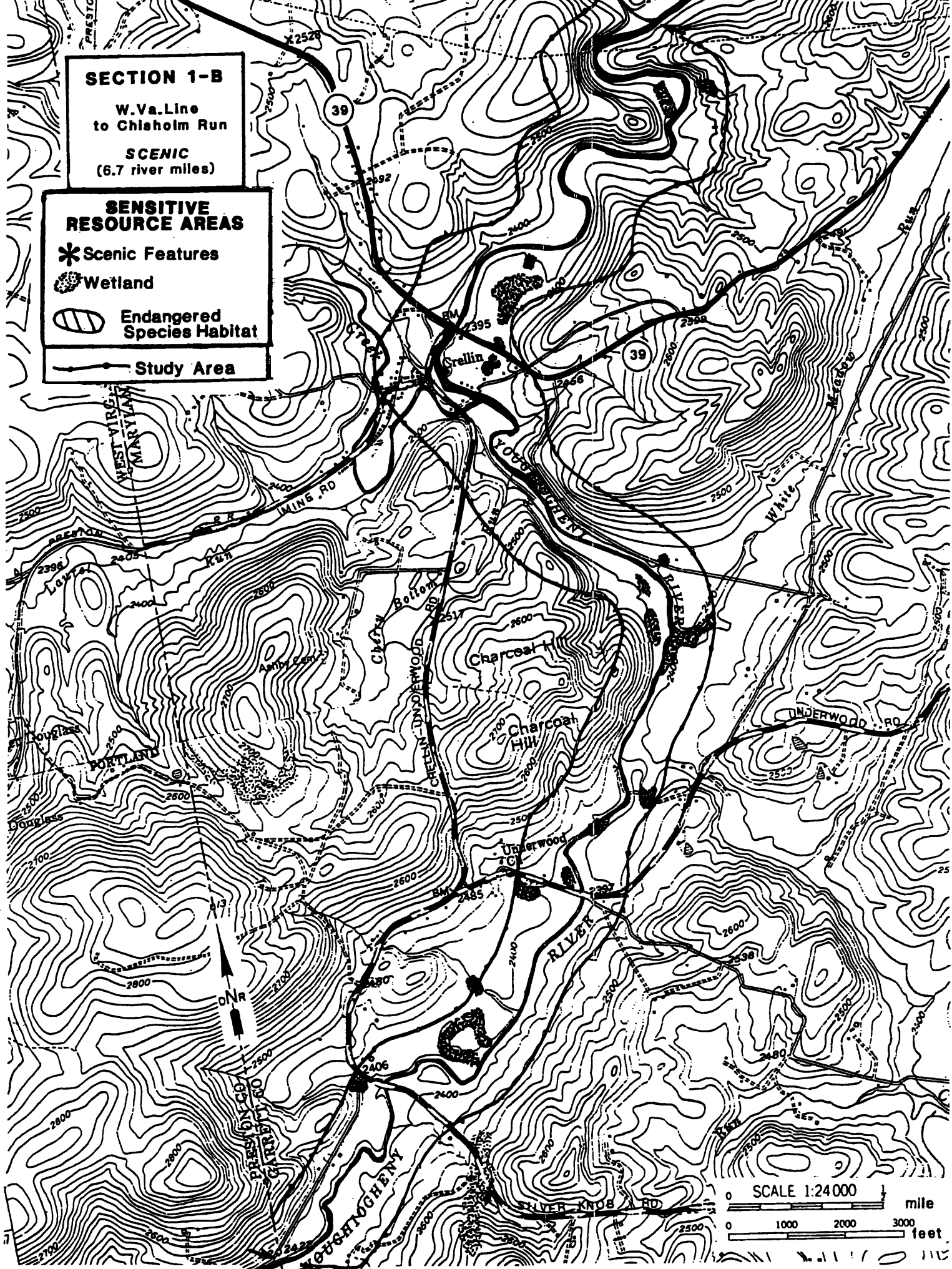
**SENSITIVE  
RESOURCE AREAS**

\* Scenic Features

Wetland

Endangered  
Species Habitat

Study Area



**SECTION 1-C**

Chisholm Run  
to Millers Run

**SCENIC**  
(5.2 river miles)

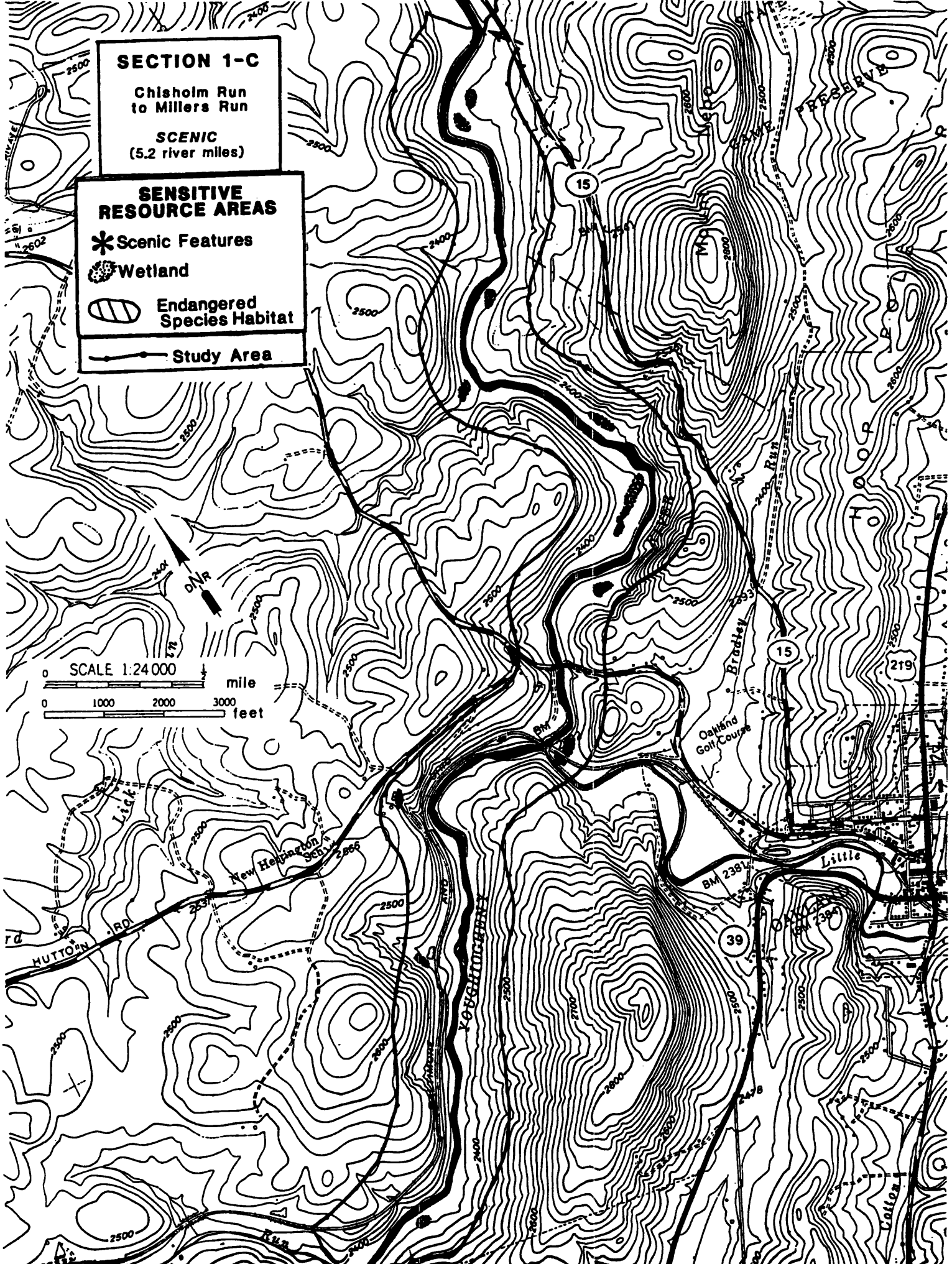
**SENSITIVE  
RESOURCE AREAS**

\* Scenic Features

Wetland

Endangered  
Species Habitat

Study Area



SCALE 1:24 000

mile

0 1000 2000 3000  
feet

**SECTION 2**

**Millers Run to Round Glade Run**

**WILD**  
(2.7 river miles)

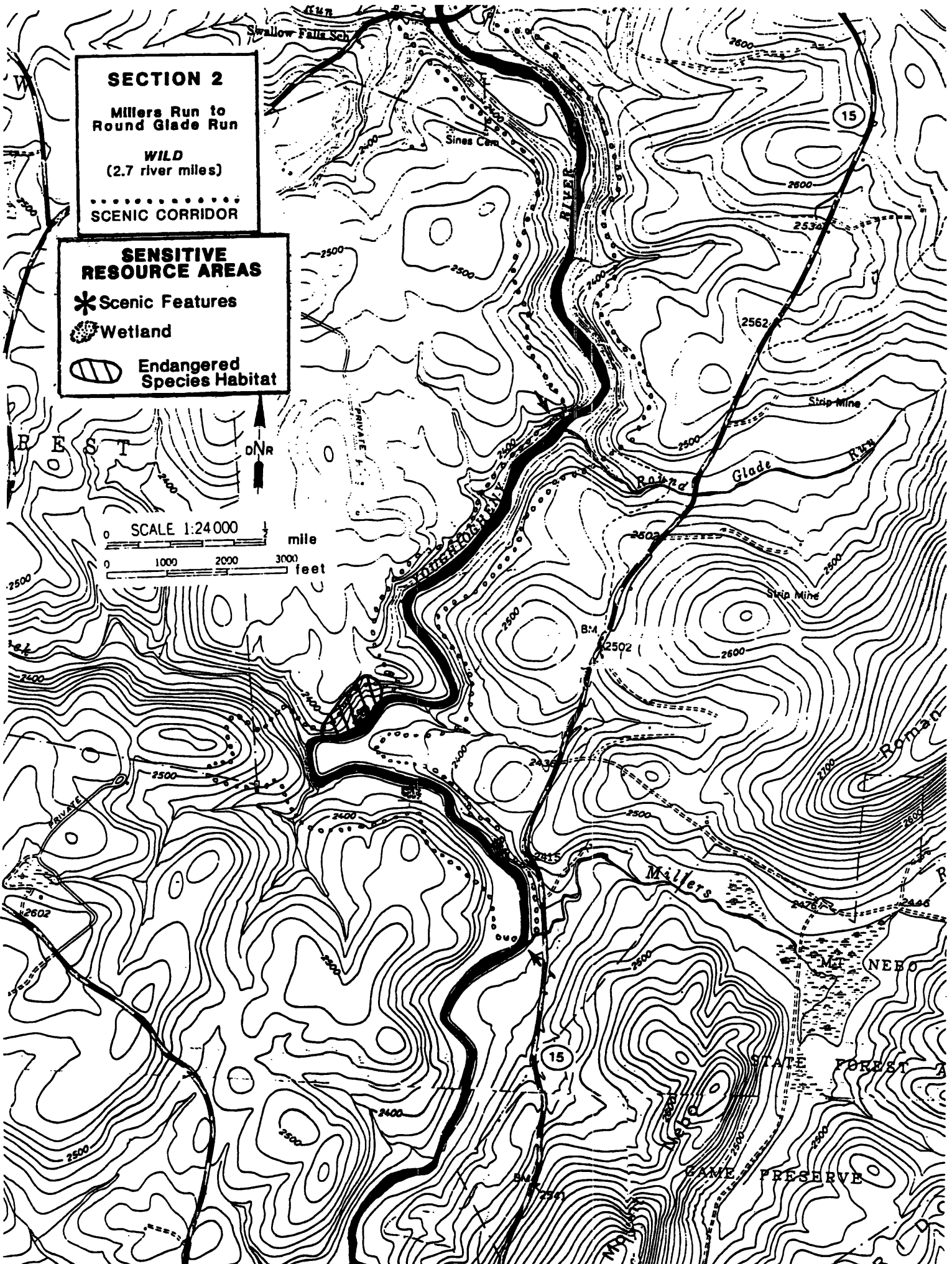
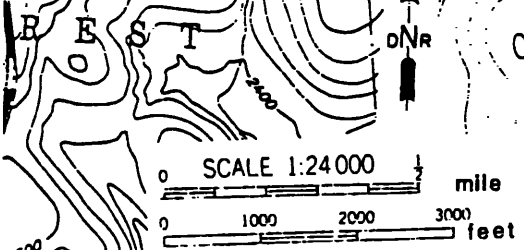
.....  
**SCENIC CORRIDOR**

**SENSITIVE RESOURCE AREAS**

\* Scenic Features

Wetland

Endangered Species Habitat





**SECTION 3**

**Round Glade Run to  
Penelec Power Plant**

**WILD**  
(4.1 river miles)

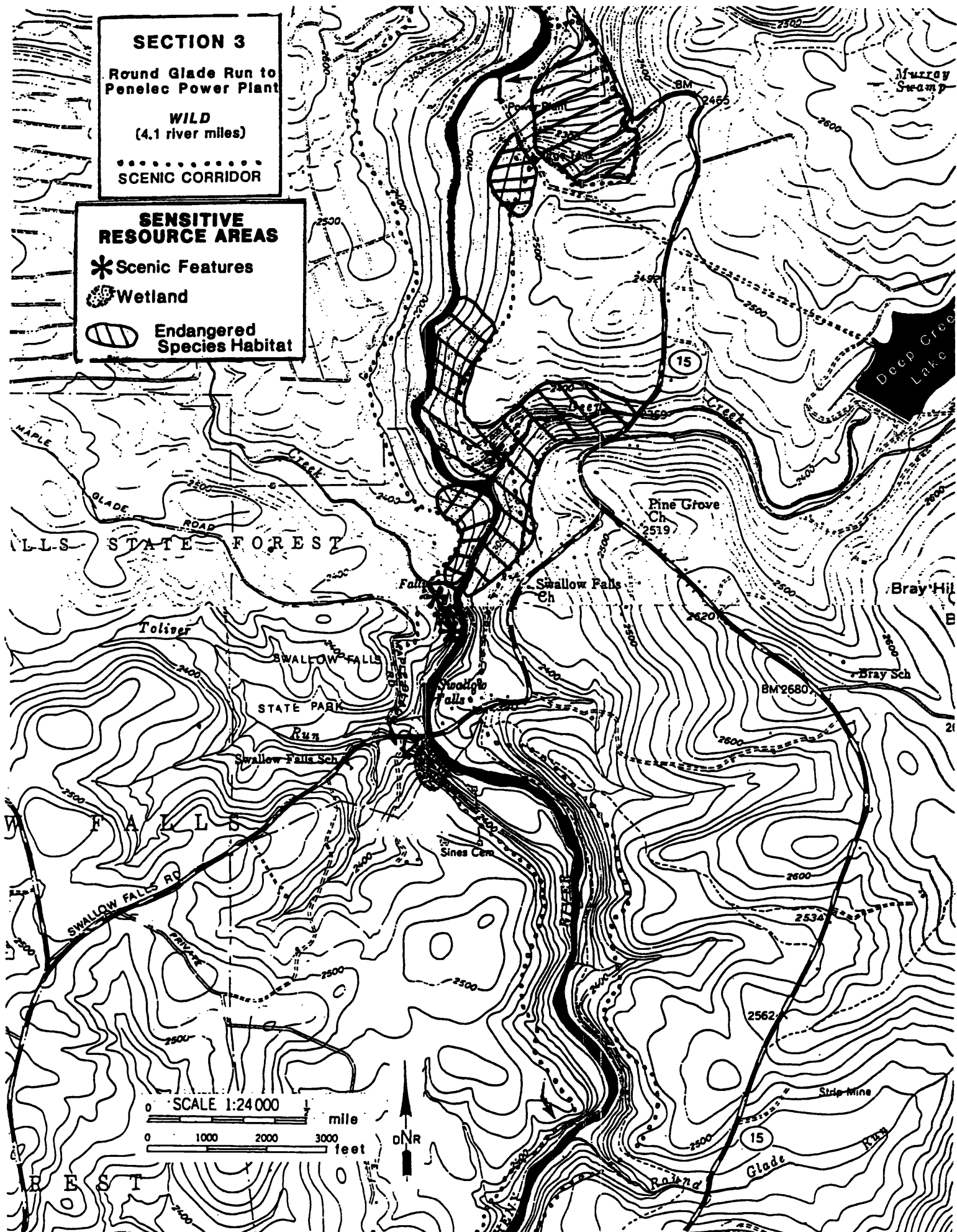
.....  
**SCENIC CORRIDOR**

**SENSITIVE  
RESOURCE AREAS**

\* **Scenic Features**

☼ **Wetland**

▨ **Endangered  
Species Habitat**



**SECTION 4**

**Penelec Power Plant  
to Gap Run**

**WILD**  
(6.3 river miles)

.....  
**SCENIC CORRIDOR**

**SENSITIVE  
RESOURCE AREAS**

\* Scenic Features

Wetland

Endangered  
Species Habitat



**SECTION 5**

Gap Run to  
Laurel Run

**WILD**  
(4.8 river miles)

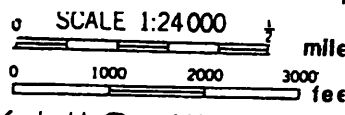
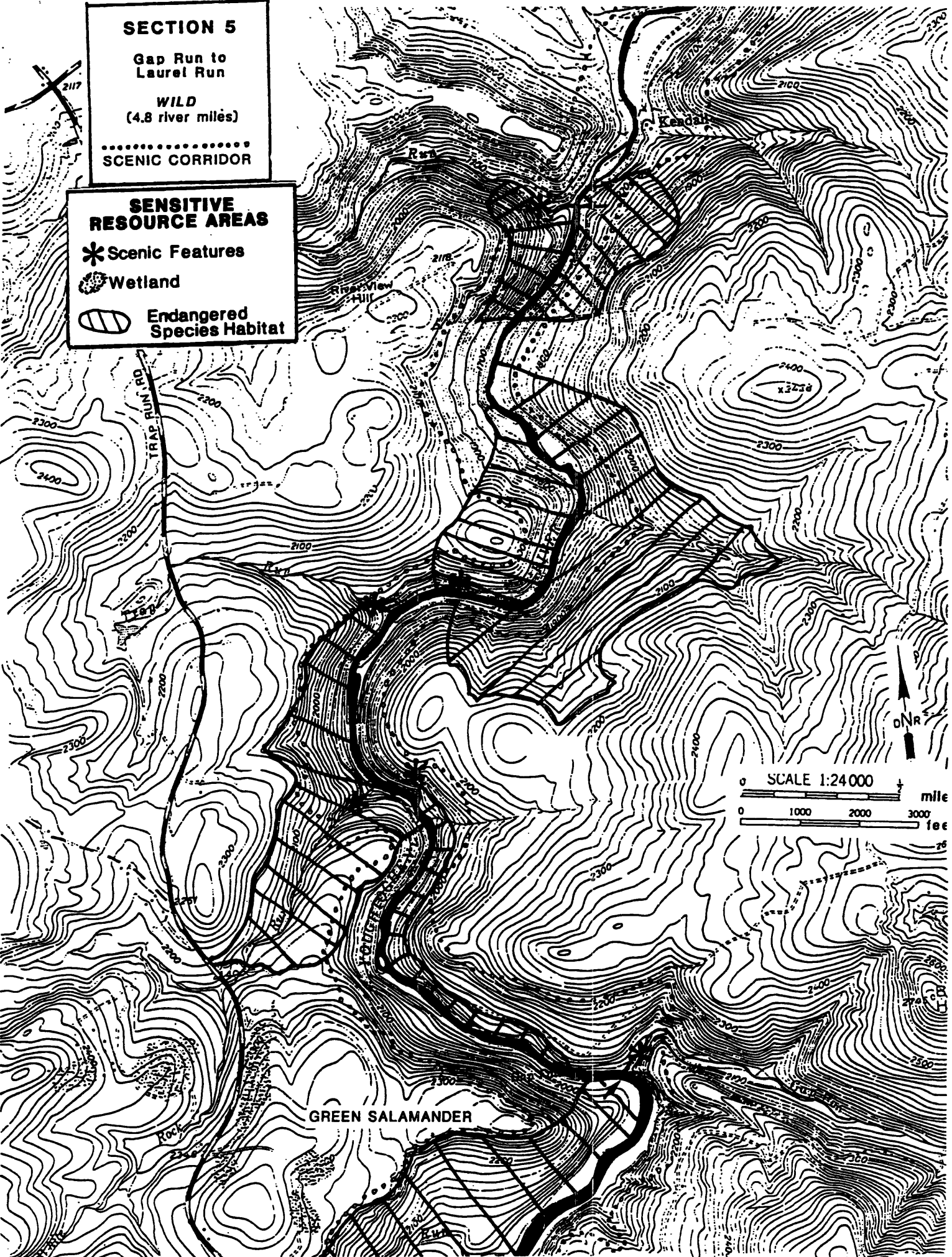
.....  
**SCENIC CORRIDOR**

**SENSITIVE  
RESOURCE AREAS**

\* Scenic Features

Wetland

Endangered  
Species Habitat



**GREEN SALAMANDER**

DNR

TRAP RUN RD

118.8

Rock

Keadah

River View Hill

LAUREL RUN

GAP RUN

CR

CR

CR

CR

**SECTION 6**

Laurel Run to  
Friendsville  
S. Corp Lmts

**WILD**  
(2.9 river miles)

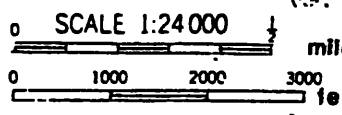
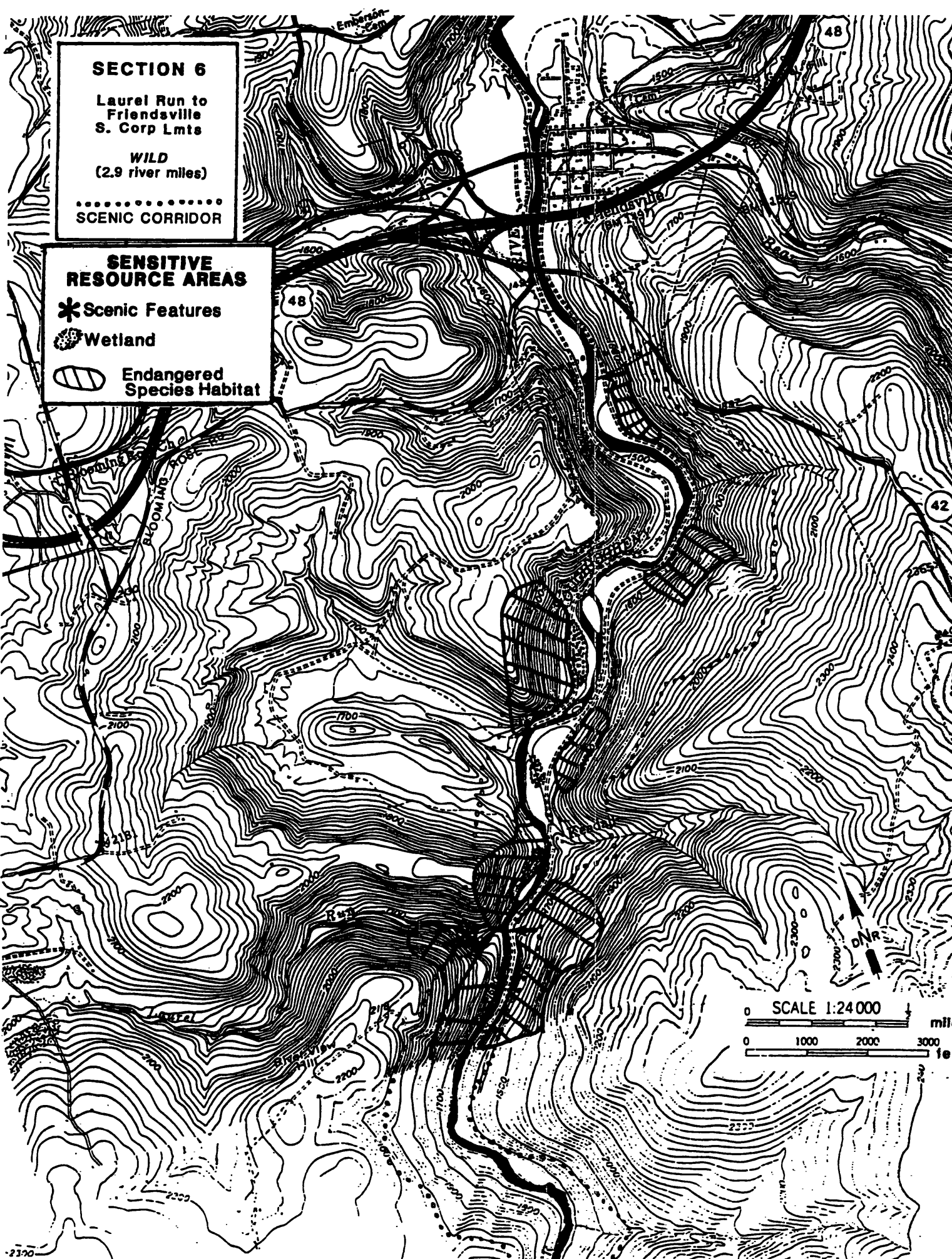
.....  
**SCENIC CORRIDOR**

**SENSITIVE  
RESOURCE AREAS**

\* Scenic Features

Wetland

Endangered  
Species Habitat



DNR






**SECTION 6**

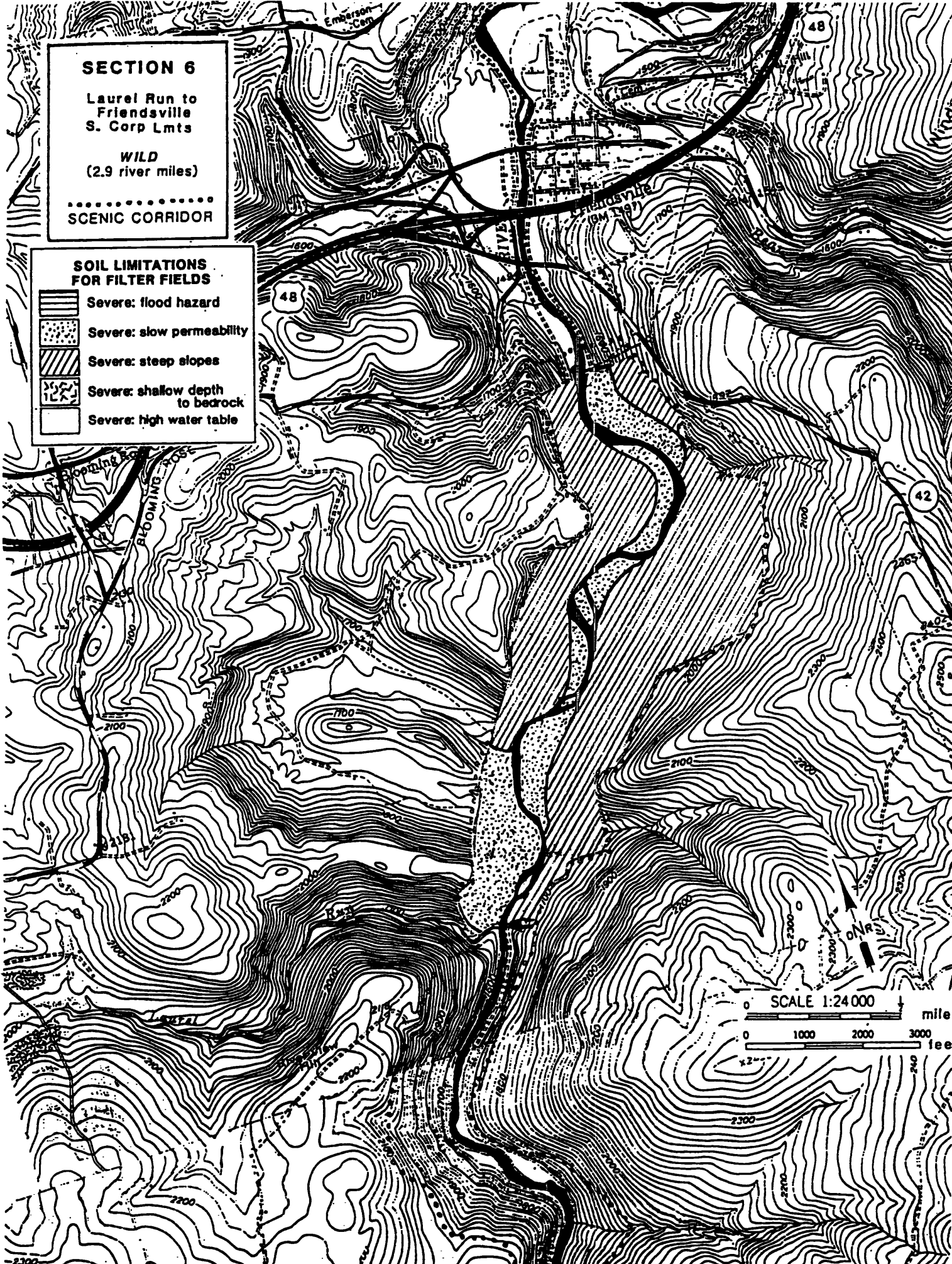
Laurel Run to  
Friendsville  
S. Corp Lmts

**WILD**  
(2.9 river miles)

.....  
**SCENIC CORRIDOR**

**SOIL LIMITATIONS  
FOR FILTER FIELDS**

-  Severe: flood hazard
-  Severe: slow permeability
-  Severe: steep slopes
-  Severe: shallow depth to bedrock
-  Severe: high water table



***APPENDIX J***  
**Land Designations**

**DEPARTMENT OF NATURAL RESOURCES  
LAND DESIGNATIONS**

**State Parks** - Authority of Natural Resources Article, §5-209, Annotated Code of Maryland, as defined in COMAR 08.07.06.01.

**"General Recreation Park"** means an area suitable for light to medium recreational development and use. Development may include any of the facilities found in a multi-use state park, but on a lesser scale.

**"Historic Or Scenic Area"** means an area of special or unique State historic interest or scenic interest. Development depends on the size and the significance of the area and may include any facility found in a multi-use state park, but may not intrude on the historical or scenic features of the area.

**"Natural Environment Area"** means an area, generally 1,000 acres or more of significant natural attraction or unique geological, botanical, or biological significance. Development is generally confined to trails, interpretive facilities, and limited parking, water and sanitary facilities, and picnicking facilities.

**"Natural Resources Management Area"** means an area where multiple-use management practices are employed for the maximum use of the natural resources of the area. Preparation of plans for the development and management of an area are the joint responsibility of the Forest, Park, and Wildlife Service and the Tidewater Administration. Upon approval of a plan for an area, the Secretary of Natural Resources shall designate the responsibility for coordinating the management of the area to a unit of the Department.

**"Multiple-Use State Park"** means an area, generally 1,000 acre or more, with physiographic features suitable for intensive recreational development and use. Development may include roads, parking areas, picnic areas, camping areas, cabins, beaches or pools, bathhouses, sanitary facilities, marinas and boat launching facilities, hiking, visitor centers, nature study, historic or scenic areas, facilities for the handicapped, and other related developments.

**"Roadside Picnic Area"** means a roadside area developed only for picnicking, including a parking area and water and sanitary facilities.

**"Sensitive Management Area"** means an area generally less than 100 acres of unique and fragile physiography, flora and fauna considered in need of special protection to preserve its special characteristics. Sensitive management areas are withdrawn from all development and artificial alteration. Only those activities compatible with preservation of these areas are permitted such as hiking, birdwatching, and nature walks.

**"State Park"** means any unit of the State Park system.

**"Waterfront Park"** means an area with a waterfront on the ocean, a bay, or a lake as its principal attraction. Development may include any facility found in a multi-use state park.

**Wildlife Management Areas** - Authority of Natural Resources Article, 10-808, Annotated Code of Maryland, as defined in COMAR 08.03.02.01.B

**"Cooperative wildlife management area"** means an area under private, corporate, or government ownership for which the landowner or his agent allows controlled public wildlife recreation opportunities in accordance with the provisions of a cooperative agreement of lease with the Forest, Park, and Wildlife Service.

**"Managed hunting area"** means a wildlife management area, cooperative wildlife management area, or wildlife natural resource management area for which written permission from the Service is required for hunting.

**"Wildlife management area"** means an area acquired by the state to protect, propagate, or manage wildlife, or for hunting purposes, and for which entire control of the area of land and water shall be under the Services's direction

**"State wildlife refuge"** means a designated area on any State owned or leased or federally-owned forest, land, or water in which wildlife may not be hunted, disturbed, or molested at any time.

**"Wildlife natural resources management area"** means an area where multiple-use management practices are employed for the maximum use of the natural resources of the area. Preparation of plans for the development and management of an area is the joint responsibility of the Forest, Park and Wildlife Service and the Capital Program Administration.

**State Forests** - Authority of Natural Resources Article, §5-209, Annotated Code of Maryland, as defined in COMAR 08.07.01.01.A

**Management of State Forests.** The State forests of Maryland are managed to promote the coordinated use of the varied resources and values for the benefit of all people, for all time. Water, wildlife, wood, natural beauty and opportunities for natural environmental recreation, wildlands experience, research demonstration areas, and outdoor education are major forest benefits.

**Wildlands** - Authority of Natural Resources Article, §5-1201, annotated Code of Maryland, 1990 Supplement

**"State Wildlands"** means wildlands owned by the State and includes the following three types:

Type 1. A primitive area which by its size or location is in effect untouched by urban civilization, and can offer the experience of solitude and self-reliance. Since lands at the higher elevations are important for protection of watersheds, are ecologically vulnerable if unwisely altered by human interference, and may be uneconomic for logging and construction, they may be suitable for this classification.

Type 2. A unit of importance for all the natural sciences, especially ecology, and with outstanding value for education, research, and appreciation of natural processes. Preservation in the desired natural condition is the prevailing purpose of these holdings. Visitation shall be regulated to ensure this preservation on a permanent basis.

Type 3. An area which is not of ecological or primitive stature, but which has the appearance of being in an untouched natural state or is capable of attaining the appearance if held and managed for this purpose.



**Power Plant Sites** - Authority of Natural Resource Article, §3-303, Annotated Code of Maryland

**Power Plant Sites** [§3-305(a)(4)(b)] - ... The Secretary holds the property in the name of the State and may not permit its temporary use for any purpose which might logically be expected to impede its prompt availability for power plant siting as and when needed. Temporary uses which the Secretary may authorize may include but are not limited to public recreational facilities, including open space areas, parks, forests and beaches, fish and wildlife refuges and other public recreational uses as authorized within this article.

**Fish Management Areas** - Authority of Natural Resources Article, §4-401, Annotated Code of Maryland

**State Fish Refuges and Hatcheries in Tidal and Nontidal Water** (§4-404 - An acquired area of water or land may be used to create and maintain State fish refuges, or for fish management.

(§4-408) - The Department may erect and maintain any suitable fish hatchery, nursery, pond, or rearing station to propagate fish in order to manage the waters of the state. Hatcheries, nurseries, ponds, and rearing stations shall be maintained by Department funds.

**Natural Heritage Areas** Authority of Natural Resources Article, §5-1501, Annotated Code of Maryland

**Heritage Areas** §5-1504(a) - The Department shall manage land or interests in land acquired under this subtitle to assure:

- (1) The continued existence of any unique ecological features;
- (2) The continued survival of any rare, threatened, or endangered plant or animal;
- (3) The protection of forestlands and wetlands, although timber harvesting may be allowed under an approved forest conservation plan; and
- (4) The protection of the Chesapeake Bay and its tributaries and of water quality anywhere in the State.



*... the Youghiogeny River and its tributaries possess unique natural, cultural and recreational resources that are unequaled by those of any other in the State of Maryland, and quite possibly the east coast of the United States ...*

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