

106TH CONGRESS
1ST SESSION

H. R. 2773

To amend the Wild and Scenic Rivers Act to designate the Wekiva River and its tributaries of Rock Springs Run and Black Water Creek in the State of Florida as components of the national wild and scenic rivers system.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 1999

Mr. McCOLLUM introduced the following bill; which was referred to the Committee on Resources

A BILL

To amend the Wild and Scenic Rivers Act to designate the Wekiva River and its tributaries of Rock Springs Run and Black Water Creek in the State of Florida as components of the national wild and scenic rivers system.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wekiva Wild and Sce-
5 nic River Act of 1999”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) Public Law 104–311 (110 Stat. 3818)
2 amended section 5 of the Wild and Scenic Rivers
3 Act (16 U.S.C. 1276) to require the study of the
4 Wekiva River and its tributaries of Rock Springs
5 Run and Seminole Creek, including Wekiwa Springs
6 Run and the tributary of Black Water Creek that
7 connects Seminole Creek to the Wekiva River, for
8 potential inclusion in the national wild and scenic
9 rivers system.

10 (2) The study determined that the Wekiva
11 River, Rock Springs Run, and Black Water Creek
12 are eligible for inclusion in the national wild and sce-
13 nic rivers system.

14 (3) The State of Florida has demonstrated its
15 commitment to protecting these rivers and streams
16 by the enactment of the Wekiva River Protection
17 Act (Florida Statute chapter 369), by the establish-
18 ment of a riparian wildlife protection zone and water
19 quality protection zone by the St. Johns River Water
20 Management District, and by the acquisition of
21 lands adjacent to these rivers and streams for con-
22 servation purposes.

23 (4) The Florida counties of Lake, Seminole,
24 and Orange have demonstrated their commitment to
25 protect these rivers and streams in their comprehen-

1 sive land use plans and land development regula-
2 tions.

3 (5) The desire for designation of these rivers
4 and streams as components of the national wild and
5 scenic rivers system has been demonstrated through
6 strong public support, State and local agency sup-
7 port, and the endorsement of designation by the
8 Wekiva River Basin Ecosystem Working Group,
9 which represents a broad cross section of State and
10 local agencies, landowners, environmentalists, non-
11 profit organizations, and recreational users.

12 (6) The entire lengths of the Wekiva River,
13 Rock Springs Run, and Black Water Creek are held
14 in public ownership or conservation easements or are
15 defined as waters of the State of Florida.

16 **SEC. 3. DESIGNATION OF WEKIVA RIVER AND TRIBU-**
17 **TARIES, FLORIDA, AS COMPONENTS OF NA-**
18 **TIONAL WILD AND SCENIC RIVERS SYSTEM.**

19 (a) DESIGNATION.—Section 3(a) of the Wild and
20 Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by add-
21 ing at the end the following new paragraph:

22 “(161) WEKIVA RIVER, ROCK SPRINGS RUN, AND
23 BLACK WATER CREEK, FLORIDA.—Subject to section 3A,
24 a total of 41.6 miles of the river segments referred to in

1 this paragraph, to be administered by the Secretary of the
2 Interior:

3 “(A) WEKIVA RIVER.—The 14.9 miles of the
4 Wekiva River from its confluence with the St. Johns
5 River to Wekiwa Springs, to be administered in the
6 following classifications:

7 “(i) From the confluence with the St.
8 Johns River to the southern boundary of the
9 Lower Wekiva River State Preserve, approxi-
10 mately 4.4 miles, as a wild river.

11 “(ii) From the southern boundary of the
12 Lower Wekiva River State Preserve to the
13 northern boundary of Rock Springs State Re-
14 serve at the Wekiva River, approximately 3.4
15 miles, as a recreational river.

16 “(iii) From the northern boundary of Rock
17 Springs State Reserve at the Wekiva River to
18 the southern boundary of Rock Springs State
19 Reserve at the Wekiva River, approximately 5.9
20 miles, as a wild river.

21 “(iv) From the southern boundary of Rock
22 Springs State Reserve at the Wekiva River up-
23 stream along Wekiwa Springs Run to Wekiwa
24 Springs, approximately 1.2 miles, as a rec-
25 reational river.

1 “(B) ROCK SPRINGS RUN.—The 8.8 miles from
2 the confluence of Rock Springs Run with the
3 Wekiwa Springs Run forming the Wekiva River to
4 its headwaters at Rock Springs, to be administered
5 in the following classifications:

6 “(i) From the confluence with Wekiwa
7 Springs Run to the western boundary of Rock
8 Springs Run State Reserve at Rock Springs
9 Run, approximately 6.9 miles, as a wild river.

10 “(ii) From the western boundary of Rock
11 Springs Run State Reserve at Rock Springs
12 Run to Rock Springs, approximately 1.9 miles,
13 as a recreational river.

14 “(C) BLACK WATER CREEK.—The 17.9 miles
15 from the confluence of Black Water Creek with the
16 Wekiva River to outflow from Lake Norris, to be ad-
17 ministered in the following classifications:

18 “(i) From the confluence with the Wekiva
19 River to approximately .25 mile downstream of
20 the Seminole State Forest road crossing, ap-
21 proximately 4.1 miles, as a wild river.

22 “(ii) From approximately .25 mile down-
23 stream of the Seminole State Forest road to ap-
24 proximately .25 mile upstream of the Seminole

1 State Forest road crossing, approximately .5
2 mile, as a scenic river.

3 “(iii) From approximately .25 mile up-
4 stream of the Seminole State Forest road cross-
5 ing to approximately .25 mile downstream of
6 the old railroad grade crossing (approximately
7 River Mile 9), approximately 4.4 miles, as a
8 wild river.

9 “(iv) From approximately .25 mile down-
10 stream of the old railroad grade crossing (ap-
11 proximately River Mile 9), upstream to the
12 boundary of Seminole State Forest (approxi-
13 mately River Mile 10.6), approximately 1.6
14 miles, as a scenic river.

15 “(v) From the boundary of Seminole State
16 Forest (approximately River Mile 10.6) to ap-
17 proximately .25 mile downstream of the State
18 Road 44 crossing, approximately .9 mile, as a
19 wild river.

20 “(vi) From approximately .25 mile down-
21 stream of State Road 44 to approximately .25
22 mile upstream of the State Road 44A crossing,
23 approximately .6 mile, as a recreational river.

24 “(vii) From approximately .25 mile up-
25 stream of the State Road 44A crossing to ap-

1 proximately .25 mile downstream of the Lake
2 Norris Road crossing, approximately 4.7 miles,
3 as a wild river.

4 “(viii) From approximately .25 mile down-
5 stream of the Lake Norris Road crossing to the
6 outflow from Lake Norris, approximately 1.1
7 miles, as a recreational river.”.

8 (b) SPECIAL REQUIREMENTS.—The Wild and Scenic
9 Rivers Act is amended by inserting after section 3 (16
10 U.S.C. 1274) the following new section:

11 **“SEC. 3A. SPECIAL REQUIREMENTS APPLICABLE TO**
12 **WEKIVA RIVER AND TRIBUTARIES, FLORIDA.**

13 “(a) DEFINITIONS.—In this section:

14 “(1) WEKIVA RIVER SYSTEM.—The term
15 ‘Wekiva river system’ means the segments of the
16 Wekiva River, Rock Springs Run, and Black Water
17 Creek in the State of Florida designated as compo-
18 nents of the national wild and scenic rivers system
19 by section 3(a)(161).

20 “(2) COMMITTEE.—The term ‘Committee’
21 means the Wekiva River System Advisory Manage-
22 ment Committee.

23 “(3) COMPREHENSIVE MANAGEMENT PLAN.—
24 The terms ‘comprehensive management plan’ and

1 ‘plan’ mean the comprehensive management plan to
2 be developed pursuant to section 3(d).

3 “(4) SECRETARY.—The term ‘Secretary’ means
4 the Secretary of the Interior.

5 “(b) COOPERATIVE AGREEMENTS.—

6 “(1) USE AUTHORIZED.—In order to provide
7 for the long-term protection, preservation, and en-
8 hancement of the Wekiva river system, the Secretary
9 shall offer to enter into cooperative agreements pur-
10 suant to sections 10(e) and 11(b)(1) with the State
11 of Florida, appropriate local political jurisdictions of
12 the State, namely the counties of Lake, Orange, and
13 Seminole, and appropriate local planning and envi-
14 ronmental organizations.

15 “(2) EFFECT OF AGREEMENT.—Use of a coop-
16 erative agreement under paragraph (1) shall not
17 constitute National Park Service administration of
18 the Wekiva river system for purposes of section
19 10(c) and shall not cause the Wekiva river system
20 to be considered as being a unit of the National
21 Park System. Publicly owned lands within the
22 boundaries of the Wekiva river system shall continue
23 to be managed by the agency having jurisdiction
24 over the lands.

25 “(c) COMMITTEE.—

1 “(1) ESTABLISHMENT.—The Secretary shall es-
2 tablish an advisory committee, to be known as the
3 Wekiva River System Advisory Management Com-
4 mittee, to assist in the development of the com-
5 prehensive management plan for the Wekiva river
6 system. The Committee shall be composed of a rep-
7 resentative of each of the following agencies and or-
8 ganizations:

9 “(A) The Department of the Interior, rep-
10 resented by the Director of the National Park
11 Service or the Director’s designee.

12 “(B) The East Central Florida Regional
13 Planning Council.

14 “(C) The Florida Department of Environ-
15 mental Protection, Division of Recreation and
16 Parks, Wekiva River GEOPark.

17 “(D) The Florida Department of Environ-
18 mental Protection, Wekiva River Aquatic Pre-
19 serve.

20 “(E) The Florida Department of Environ-
21 mental Protection, Office of Ecosystem Plan-
22 ning and Coordination.

23 “(F) The Florida Department of Agri-
24 culture and Community Affairs, Division of
25 Forestry, Seminole State Forest.

1 “(G) The Florida Audubon Society.

2 “(H) The nonprofit organization known as
3 the Friends of the Wekiva.

4 “(I) The Lake County Water Authority.

5 “(J) The Lake County Planning Depart-
6 ment.

7 “(K) The Orange County Parks and
8 Recreation Department, Kelly Park.

9 “(L) The Seminole County Planning De-
10 partment.

11 “(M) The St. Johns River Water Manage-
12 ment District.

13 “(N) The Florida Fish and Wildlife Con-
14 servation Commission.

15 “(2) ADDITIONAL MEMBERS.—Other interested
16 parties may be added to the Committee by request
17 to the Secretary and unanimous consent of the exist-
18 ing members.

19 “(3) APPOINTMENT.—Representatives and al-
20 ternates to the Committee shall be appointed as fol-
21 lows:

22 “(A) State agency representatives, by the
23 Governor.

24 “(B) County representatives, by the
25 Boards of County Commissioners.

1 “(C) Water management district, by the
2 Governing Board.

3 “(D) Department of the Interior represent-
4 ative, by the Southeast Regional Director, Na-
5 tional Park Service.

6 “(E) East Central Florida Regional Plan-
7 ning Council, by Governing Board.

8 “(F) Other organizations, by the Southeast
9 Regional Director, National Park Service.

10 “(4) VOTING AND COMMITTEE PROCEDURES.—
11 Each member agency, agency division, or organiza-
12 tion referred to in paragraph (1) shall have 1 vote
13 and provide 1 member and 1 alternate. Committee
14 decisions and actions will be made with consent of
15 $\frac{3}{4}$ of all voting members. Additional necessary Com-
16 mittee procedures shall be developed as part of the
17 comprehensive management plan.

18 “(5) ROLE OF COMMITTEE.—The Committee
19 shall serve as an advisory group to the Secretary in
20 determining whether a proposed water resources
21 project for the Wekiva river system would have a di-
22 rect and adverse effect on the values for which the
23 Wekiva river system was designated as a component
24 of the national wild and scenic rivers system. The

1 Committee shall have an advisory role only, it will
2 not have regulatory or land acquisition authority.

3 “(d) COMPLIANCE REVIEW.—After completion of the
4 comprehensive management plan, the Secretary shall bien-
5 nially review compliance with the plan and shall promptly
6 report to the Committee on Resources of the House of
7 Representatives and the Committee on Energy and Nat-
8 ural Resources of the Senate any deviation from the plan
9 that could result in any diminution of the values for which
10 the Wekiva river system was designated as a component
11 of the national wild and scenic rivers system.

12 “(e) TECHNICAL ASSISTANCE AND OTHER SUP-
13 PORT.—The Secretary may provide technical assistance,
14 staff support, and funding to assist in the development
15 and implementation of the comprehensive management
16 plan.

17 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated such sums as may be
19 necessary to carry out this section and section
20 3(a)(161).”.

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