

Union Calendar No. 420

106TH CONGRESS
2^D SESSION

H. R. 2773

[Report No. 106-739]

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

JULY 17, 2000

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on August 5, 1999]

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 Scenic*
5 *River Act of 2000”.*

6 **SEC. 2. FINDINGS.**

7 *The Congress finds the following:*

8 (1) *Public Law 104–311 (110 Stat. 3818)*
9 *amended section 5 of the Wild and Scenic Rivers Act*
10 *(16 U.S.C. 1276) to require the study of the Wekiva*
11 *River and its tributaries of Rock Springs Run and*
12 *Seminole Creek for potential inclusion in the national*
13 *wild and scenic rivers system.*

14 (2) *The study determined that the Wekiva River,*
15 *Wekiwa Springs Run, Rock Springs Run, and Black*
16 *Water Creek are eligible for inclusion in the national*
17 *wild and scenic rivers system.*

18 (3) *The State of Florida has demonstrated its*
19 *commitment to protecting these rivers and streams by*
20 *the enactment of the Wekiva River Protection Act*
21 *(Florida Statute chapter 369), by the establishment of*
22 *a riparian wildlife protection zone and water quality*
23 *protection zone by the St. Johns River Water Man-*
24 *agement District, and by the acquisition of lands ad-*

1 *adjacent to these rivers and streams for conservation*
2 *purposes.*

3 *(4) The Florida counties of Lake, Seminole, and*
4 *Orange have demonstrated their commitment to pro-*
5 *tect these rivers and streams in their comprehensive*
6 *land use plans and land development regulations.*

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

16 *(6) The entire lengths of the Wekiva River, Rock*
17 *Springs Run, and Black Water Creek are held in*
18 *public ownership or conservation easements or are de-*
19 *finied as waters of the State of Florida.*

20 **SEC. 3. DESIGNATION OF WEKIVA RIVER AND TRIBUTARIES,**
21 **FLORIDA, AS COMPONENTS OF NATIONAL**
22 **WILD AND SCENIC RIVERS SYSTEM.**

23 *Section 3(a) of the Wild and Scenic Rivers Act (16*
24 *U.S.C. 1274(a)) is amended by adding at the end the fol-*
25 *lowing new paragraph:*

1 “(161) WEKIVA RIVER, WEKIWA SPRINGS RUN, ROCK
2 SPRINGS RUN, AND BLACK WATER CREEK, FLORIDA.—The
3 41.6-mile segments referred to in this paragraph, to be ad-
4 ministered by the Secretary of the Interior:

5 “(A) WEKIVA RIVER AND WEKIWA SPRINGS
6 RUN.—The 14.9 miles of the Wekiva River, along
7 Wekiwa Springs Run from its confluence with the St.
8 Johns River to Wekiwa Springs, to be administered
9 in the following classifications:

10 “(i) From the confluence with the St. Johns
11 River to the southern boundary of the Lower
12 Wekiva River State Preserve, approximately 4.4
13 miles, as a wild river.

14 “(ii) From the southern boundary of the
15 Lower Wekiva River State Preserve to the north-
16 ern boundary of Rock Springs State Reserve at
17 the Wekiva River, approximately 3.4 miles, as a
18 recreational river.

19 “(iii) From the northern boundary of Rock
20 Springs State Reserve at the Wekiva River to the
21 southern boundary of Rock Springs State Re-
22 serve at the Wekiva River, approximately 5.9
23 miles, as a wild river.

24 “(iv) From the southern boundary of Rock
25 Springs State Reserve at the Wekiva River up-

1 *stream along Wekiwa Springs Run to Wekiwa*
2 *Springs, approximately 1.2 miles, as a rec-*
3 *reational river.*

4 “(B) *ROCK SPRINGS RUN.*—*The 8.8 miles from*
5 *the confluence of Rock Springs Run with the Wekiwa*
6 *Springs Run forming the Wekiva River to its head-*
7 *waters at Rock Springs, to be administered in the fol-*
8 *lowing classifications:*

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

13 “(ii) *From the western boundary of Rock*
14 *Springs Run State Reserve at Rock Springs Run*
15 *to Rock Springs, approximately 1.9 miles, as a*
16 *recreational river.*

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

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

1 “(ii) From approximately .25 mile down-
2 stream of the Seminole State Forest road to ap-
3 proximately .25 mile upstream of the Seminole
4 State Forest road crossing, approximately .5
5 mile, as a scenic river.

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

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

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

23 “(vi) From approximately .25 mile down-
24 stream of State Road 44 to approximately .25

1 *mile upstream of the State Road 44A crossing,*
 2 *approximately .6 mile, as a recreational river.*

3 “(vi) *From approximately .25 mile up-*
 4 *stream of the State Road 44A crossing to ap-*
 5 *proximately .25 mile downstream of the Lake*
 6 *Norris Road crossing, approximately 4.7 miles,*
 7 *as a wild river.*

8 “(viii) *From approximately .25 mile down-*
 9 *stream of the Lake Norris Road crossing to the*
 10 *outflow from Lake Norris, approximately 1.1*
 11 *miles, as a recreational river.”.*

12 **SEC. 4. SPECIAL REQUIREMENTS APPLICABLE TO WEKIVA**
 13 **RIVER AND TRIBUTARIES.**

14 (a) *DEFINITIONS.—In this section and section 5:*

15 (1) *WEKIVA RIVER SYSTEM.—The term “Wekiva*
 16 *River system” means the segments of the Wekiva*
 17 *River, Wekiwa Springs Run, Rock Springs Run, and*
 18 *Black Water Creek in the State of Florida designated*
 19 *as components of the national wild and scenic rivers*
 20 *system by paragraph (161) of section 3(a) of the Wild*
 21 *and Scenic Rivers Act (16 U.S.C. 1274(a)), as added*
 22 *by this Act.*

23 (2) *COMMITTEE.—The term “Committee” means*
 24 *the Wekiva River System Advisory Management Com-*
 25 *mittee established pursuant to section 5.*

1 (3) *COMPREHENSIVE MANAGEMENT PLAN.*—*The*
2 *terms “comprehensive management plan” and “plan”*
3 *mean the comprehensive management plan to be de-*
4 *veloped pursuant to section 3(d) of the Wild and Sce-*
5 *nic Rivers Act (16 U.S.C. 1274(d)).*

6 (4) *SECRETARY.*—*The term “Secretary” means*
7 *the Secretary of the Interior.*

8 (b) *COOPERATIVE AGREEMENTS.*—

9 (1) *USE AUTHORIZED.*—*In order to provide for*
10 *the long-term protection, preservation, and enhance-*
11 *ment of the Wekiva River system, the Secretary shall*
12 *offer to enter into cooperative agreements pursuant to*
13 *sections 10(e) and 11(b)(1) of the Wild and Scenic*
14 *Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)) with the*
15 *State of Florida, appropriate local political jurisdic-*
16 *tions of the State, namely the counties of Lake, Or-*
17 *ange, and Seminole, and appropriate local planning*
18 *and environmental organizations.*

19 (2) *EFFECT OF AGREEMENT.*—*Administration*
20 *by the Secretary of the Wekiva River system through*
21 *the use of cooperative agreements shall not constitute*
22 *National Park Service administration of the Wekiva*
23 *River system for purposes of section 10(c) of such Act*
24 *(10 U.S.C. 1281(c)) and shall not cause the Wekiva*
25 *River system to be considered as being a unit of the*

1 *National Park System. Publicly owned lands within*
2 *the boundaries of the Wekiva River system shall con-*
3 *tinue to be managed by the agency having jurisdic-*
4 *tion over the lands, in accordance with the statutory*
5 *authority and mission of the agency.*

6 (c) *COMPLIANCE REVIEW.*—*After completion of the*
7 *comprehensive management plan, the Secretary shall bien-*
8 *nially review compliance with the plan and shall promptly*
9 *report to the Committee on Resources of the House of Rep-*
10 *resentatives and the Committee on Energy and Natural Re-*
11 *sources of the Senate any deviation from the plan that could*
12 *result in any diminution of the values for which the Wekiva*
13 *River system was designated as a component of the national*
14 *wild and scenic rivers system.*

15 (d) *TECHNICAL ASSISTANCE AND OTHER SUPPORT.*—
16 *The Secretary may provide technical assistance, staff sup-*
17 *port, and funding to assist in the development and imple-*
18 *mentation of the comprehensive management plan.*

19 (e) *LIMITATION ON FEDERAL SUPPORT.*—*Nothing in*
20 *this section shall be construed to authorize funding for land*
21 *acquisition, facility development, or operations.*

22 **SEC. 5. WEKIVA RIVER SYSTEM ADVISORY MANAGEMENT**
23 **COMMITTEE.**

24 (a) *ESTABLISHMENT.*—*The Secretary shall establish*
25 *an advisory committee, to be known as the Wekiva River*

1 *System Advisory Management Committee, to assist in the*
2 *development of the comprehensive management plan for the*
3 *Wekiva River system.*

4 (b) *MEMBERSHIP.—The Committee shall be composed*
5 *of a representative of each of the following agencies and or-*
6 *ganizations:*

7 (1) *The Department of the Interior, represented*
8 *by the Director of the National Park Service or the*
9 *Director’s designee.*

10 (2) *The East Central Florida Regional Planning*
11 *Council.*

12 (3) *The Florida Department of Environmental*
13 *Protection, Division of Recreation and Parks.*

14 (4) *The Florida Department of Environmental*
15 *Protection, Wekiva River Aquatic Preserve.*

16 (5) *The Florida Department of Agriculture and*
17 *Consumer Services, Division of Forestry, Seminole*
18 *State Forest.*

19 (6) *The Florida Audubon Society.*

20 (7) *The nonprofit organization known as the*
21 *Friends of the Wekiva.*

22 (8) *The Lake County Water Authority.*

23 (9) *The Lake County Planning Department.*

24 (10) *The Orange County Parks and Recreation*
25 *Department, Kelly Park.*

1 (11) *The Seminole County Planning Depart-*
2 *ment.*

3 (12) *The St. Johns River Water Management*
4 *District.*

5 (13) *The Florida Fish and Wildlife Conservation*
6 *Commission.*

7 (14) *The City of Altamonte Springs.*

8 (15) *The City of Longwood.*

9 (16) *The City of Apopka.*

10 (17) *The Florida Farm Bureau Federation.*

11 (18) *The Florida Forestry Association.*

12 (c) *ADDITIONAL MEMBERS.*—*Other interested parties*
13 *may be added to the Committee by request to the Secretary*
14 *and unanimous consent of the existing members.*

15 (d) *APPOINTMENT.*—*Representatives and alternates to*
16 *the Committee shall be appointed as follows:*

17 (1) *State agency representatives, by the head of*
18 *the agency.*

19 (2) *County representatives, by the Boards of*
20 *County Commissioners.*

21 (3) *Water management district, by the Gov-*
22 *erning Board.*

23 (4) *Department of the Interior representative, by*
24 *the Southeast Regional Director, National Park Serv-*
25 *ice.*

1 (5) *East Central Florida Regional Planning*
2 *Council, by Governing Board.*

3 (6) *Other organizations, by the Southeast Re-*
4 *gional Director, National Park Service.*

5 (f) *ROLE OF COMMITTEE.*—*The Committee shall assist*
6 *in the development of the comprehensive management plan*
7 *for the Wekiva River system and provide advice to the Sec-*
8 *retary in carrying out the management responsibilities of*
9 *the Secretary under this Act. The Committee shall have an*
10 *advisory role only, it will not have regulatory or land ac-*
11 *quisition authority.*

12 (e) *VOTING AND COMMITTEE PROCEDURES.*—*Each*
13 *member agency, agency division, or organization referred*
14 *to in subsection (b) shall have 1 vote and provide 1 member*
15 *and 1 alternate. Committee decisions and actions will be*
16 *made with consent of $\frac{3}{4}$ of all voting members. Additional*
17 *necessary Committee procedures shall be developed as part*
18 *of the comprehensive management plan.*

19 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

20 *There are authorized to be appropriated such sums as*
21 *may be necessary to carry out this Act and paragraph (161)*
22 *of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C.*
23 *1274(a)), as added by this Act.*

Amend the title so as to read: “A bill to amend the Wild and Scenic Rivers Act to designate the Wekiva River and its tributaries of Wekiwa Springs Run, Rock

Springs Run, and Black Water Creek in the State of Florida as components of the national wild and scenic rivers system.”.

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