

106TH CONGRESS
2^D SESSION

S. 2352

AN ACT

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.

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 Designation Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) Public Law 104–311 authorized the study
4 of the Wekiva River and the associated tributaries of
5 Rock Springs Run and Seminole Creek (including
6 Wekiwa Springs Run and the tributary of Black
7 Water Creek that connects Seminole Creek to the
8 Wekiva River) for potential inclusion in the National
9 Wild and Scenic Rivers System;

10 (2) the study referred to in paragraph (1) de-
11 termined that the Wekiva River and the associated
12 tributaries of Wekiwa Springs Run, Rock Springs
13 Run, Seminole Creek, and Black Water Creek down-
14 stream of Lake Norris to the confluence with the
15 Wekiva River are eligible for inclusion in the Na-
16 tional Wild and Scenic Rivers System based on the
17 free-flowing condition and outstanding scenic, rec-
18 reational, fishery, wildlife, historic, cultural, and
19 water quality values of those waterways;

20 (3) the public support for designation of the
21 Wekiva River as a component of the National Wild
22 and Scenic Rivers System has been demonstrated
23 through substantial attendance at public meetings,
24 State and local agency support, and the support and
25 endorsement of designation by the Wekiva River
26 Basin Working Group that was established by the

1 Department of Environmental Protection of the
2 State of Florida and represents a broad cross sec-
3 tion of State and local agencies, landowners, envi-
4 ronmentalists, nonprofit organizations, and rec-
5 reational users;

6 (4) the State of Florida has demonstrated a
7 commitment to protect the Wekiva River—

8 (A) by enacting Florida Statutes chapter
9 369, the Wekiva River Protection Act;

10 (B) by establishing a riparian habitat wild-
11 life protection zone and water quality protection
12 zone administered by the St. Johns River Water
13 Management District;

14 (C) by designating the Wekiva River as
15 outstanding Florida waters; and

16 (D) by acquiring State preserve, reserve,
17 and park land adjacent to the Wekiva River
18 and associated tributaries;

19 (5) Lake, Seminole, and Orange Counties, Flor-
20 ida, have demonstrated their commitment to protect
21 the Wekiva River and associated tributaries in the
22 comprehensive land use plans and land development
23 regulations of those counties; and

24 (6) the segments of the Wekiva River, Rock
25 Springs Run, and Black Water Creek described in

1 section 3, totaling approximately 41.6 miles, are in
2 public ownership, protected by conservation ease-
3 ments, or defined as waters of the State of Florida.

4 **SEC. 3. DESIGNATION.**

5 Section 3(a) of the Wild and Scenic Rivers Act (16
6 U.S.C. 1274(a)) is amended by adding at the end the fol-
7 lowing:

8 “(162) WEKIVA RIVER, WEKIWA SPRINGS RUN,
9 ROCK SPRINGS RUN, AND BLACK WATER CREEK,
10 FLORIDA.—

11 “(A) The 41.6 miles of river and tributary
12 segments in Florida, as follows:

13 “(i) WEKIVA RIVER, FLORIDA.—The
14 14.9 miles of the Wekiva River, from its
15 confluence with the St. Johns River to
16 Wekiwa Springs, to be administered by the
17 Secretary of the Interior in the following
18 classifications:

19 “(I) From the confluence with
20 the St. Johns River to the southern
21 boundary of the Lower Wekiva River
22 State Preserve, approximately 4.4
23 miles, as a wild river.

24 “(II) From the southern bound-
25 ary of the Lower Wekiva River State

1 Preserve to the northern boundary of
2 Rock Springs Run State Reserve at
3 the Wekiva River, approximately 3.4
4 miles, as a recreational river.

5 “(III) From the northern bound-
6 ary of Rock Springs Run State Re-
7 serve at the Wekiva River to the
8 southern boundary of Rock Springs
9 Run State Reserve at the Wekiva
10 River, approximately 5.9 miles, as a
11 wild river.

12 “(IV) From the southern bound-
13 ary of Rock Springs Run State Re-
14 serve at the Wekiva River upstream
15 along Wekiwa Springs Run to Wekiwa
16 Springs, approximately 1.2 miles, as a
17 recreational river.

18 “(ii) ROCK SPRINGS RUN, FLORIDA.—
19 The 8.8 miles of Rock Springs Run, from
20 its confluence with the Wekiwa Springs
21 Run to its headwaters at Rock Springs, to
22 be administered by the Secretary in the
23 following classifications:

24 “(I) From the confluence with
25 Wekiwa Springs Run to the western

1 boundary of Rock Springs Run State
2 Reserve at Rock Springs Run, ap-
3 proximately 6.9 miles, as a wild river.

4 “(II) From the western boundary
5 of Rock Springs Run State Reserve at
6 Rock Springs Run to Rock Springs,
7 approximately 1.9 miles, as a rec-
8 reational river.

9 “(iii) BLACK WATER CREEK, FLOR-
10 IDA.—The 17.9 miles of Black Water
11 Creek from its confluence with the Wekiva
12 River to the outflow from Lake Norris, to
13 be administered by the Secretary in the
14 following classifications:

15 “(I) From the confluence with
16 the Wekiva River to approximately .25
17 mile downstream of the Seminole
18 State Forest road crossing, approxi-
19 mately 4.0 miles, as a wild river.

20 “(II) From approximately .25
21 mile downstream of the Seminole
22 State Forest road to approximately
23 .25 mile upstream of the Seminole
24 State Forest road crossing, approxi-
25 mately .5 mile, as a scenic river.

1 “(III) From approximately .25
2 mile upstream of the Seminole State
3 Forest road crossing to approximately
4 .25 mile downstream of the old rail-
5 road grade crossing (approximately
6 river mile 9), approximately 4.5 miles,
7 as a wild river.

8 “(IV) From approximately .25
9 mile downstream of the old railroad
10 grade crossing (approximately river
11 mile 9) upstream to the boundary of
12 Seminole State Forest (approximately
13 river mile 10.6), approximately 1.6
14 miles, as a scenic river.

15 “(V) From the boundary of Sem-
16 inole State Forest (approximately
17 river mile 10.6) to approximately .25
18 mile downstream of the State Road
19 44 crossing, approximately .9 mile, as
20 a wild river.

21 “(VI) From approximately .25
22 mile downstream of State Road 44 to
23 approximately .25 mile upstream of
24 the State Road 44A crossing, approxi-
25 mately .5 mile, as a recreational river.

1 “(VII) From approximately .25
2 mile upstream of the State Road 44A
3 crossing to approximately .25 mile
4 downstream of the Lake Norris Road
5 crossing, approximately 4.8 miles, as
6 a wild river.

7 “(VIII) From approximately .25
8 mile downstream of the Lake Norris
9 Road crossing to the outflow from
10 Lake Norris, approximately 1.1 miles,
11 as a recreational river.

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

14 (a) DEFINITIONS.—As used in this Act:

15 (1) COMMITTEE.—The term “Committee”
16 means the Wekiva River System Advisory Manage-
17 ment Committee established pursuant to section 5.

18 (2) COMPREHENSIVE MANAGEMENT PLAN.—
19 The terms “comprehensive management plan” and
20 “plan” mean the comprehensive management plan to
21 be developed pursuant to section 3(d) of the Wild
22 and Scenic Rivers Act (16 U.S.C. 1274(d)).

23 (3) SECRETARY.—The term “Secretary” means
24 the Secretary of the Interior.

1 (4) WEKIVA RIVER SYSTEM.—The term
2 “Wekiva River system” means the segments of the
3 Wekiva River, Wekiwa Springs Run, Rock Springs
4 Run, and Black Water Creek in the State of Florida
5 designated as components of the National Wild and
6 Scenic Rivers System by paragraph (161) of section
7 3(a) of the Wild and Scenic Rivers Act (16 U.S.C.
8 1274(a)), as added by this Act.

9 (b) COOPERATIVE AGREEMENT.—

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

20 (2) EFFECT OF AGREEMENT.—Administration
21 by the Secretary of the Wekiva River system
22 through the use of cooperative agreements shall not
23 constitute National Park Service administration of
24 the Wekiva River system for purposes of section
25 10(c) of the Wild and Scenic Rivers Act (10 U.S.C.

1 1281(e)) and shall not cause the Wekiva River sys-
2 tem to be considered as a unit of the National Park
3 System. Publicly owned lands within the boundaries
4 of the Wekiva River system shall continue to be
5 managed by the agency having jurisdiction over the
6 lands, in accordance with the statutory authority
7 and mission of the agency.

8 (c) COMPLIANCE REVIEW.—After completion of the
9 comprehensive management plan, the Secretary shall bien-
10 nially review compliance with the plan and shall promptly
11 report to the Committee on Resources of the United
12 States House of Representatives and the Committee on
13 Energy and Natural Resources of the United States Sen-
14 ate any deviation from the plan that could result in any
15 diminution of the values for which the Wekiva River sys-
16 tem was designated as a component of the National Wild
17 and Scenic Rivers System.

18 (d) TECHNICAL ASSISTANCE AND OTHER SUP-
19 PORT.—The Secretary may provide technical assistance,
20 staff support, and funding to assist in the development
21 and implementation of the comprehensive management
22 plan.

23 (e) FUTURE DESIGNATION OF SEMINOLE CREEK.—
24 If the Secretary finds that Seminole Creek in the State
25 of Florida, from its headwaters at Seminole Springs to

1 its confluence with Black Water Creek, is eligible for des-
2 ignation under the Wild and Scenic Rivers Act (16 U.S.C.
3 1271 et seq.), and the owner of the property through
4 which Seminole Creek runs notifies the Secretary of the
5 owner's support for designation, the Secretary may des-
6 ignate that tributary as an additional component of the
7 National Wild and Scenic Rivers System. The Secretary
8 shall publish notice of the designation in the Federal Reg-
9 ister, and the designation shall become effective on the
10 date of publication.

11 (f) LIMITATION ON FEDERAL SUPPORT.—Nothing in
12 this section shall be construed to authorize funding for
13 land acquisition, facility development, or operations.

14 **SEC. 5. WEKIVA RIVER SYSTEM ADVISORY MANAGEMENT**
15 **COMMITTEE.**

16 (a) ESTABLISHMENT.—The Secretary shall establish
17 an advisory committee, to be known as the Wekiva River
18 System Advisory Management Committee, to assist in the
19 development of the comprehensive management plan for
20 the Wekiva River system.

21 (b) MEMBERSHIP.—The Committee shall be com-
22 posed of a representative of each of the following agencies
23 and organizations:

1 (1) The Department of the Interior, rep-
2 resented by the Director of the National Park Serv-
3 ice or the Director's designee.

4 (2) The East Central Florida Regional Plan-
5 ning Council.

6 (3) The Florida Department of Environmental
7 Protection, Division of Recreation and Parks.

8 (4) The Florida Department of Environmental
9 Protection, Wekiva River Aquatic Reserve.

10 (5) The Florida Department of Agriculture and
11 Consumer Services, Division of Forestry, Seminole
12 State Forest.

13 (6) The Florida Audobon Society.

14 (7) The nonprofit organization known as the
15 Friends of the Wekiva.

16 (8) The Lake County Water Authority.

17 (9) The Lake County Planning Department.

18 (10) The Orange County Parks and Recreation
19 Department, Kelly Park.

20 (11) The Seminole County Planning Depart-
21 ment.

22 (12) The St. Johns River Water Management
23 District.

24 (13) The Florida Fish and Wildlife Conserva-
25 tion Commission.

1 (14) The City of Altamonte Springs.

2 (15) The City of Longwood.

3 (16) The City of Apopka.

4 (17) The Florida Farm Bureau Federation.

5 (18) The Florida Forestry Association.

6 (c) ADDITIONAL MEMBERS.—Other interested par-
7 ties may be added to the Committee by request to the Sec-
8 retary and unanimous consent of the existing members.

9 (d) APPOINTMENTS.—Representatives and alternates
10 to the Committee shall be appointed as follows:

11 (1) State agency representatives, by the head of
12 the agency.

13 (2) County representatives, by the Board of
14 County Commissioners.

15 (3) Water management district, by the Gov-
16 erning Board.

17 (4) Department of the Interior representative,
18 by the Southeast Regional Director, National Park
19 Service.

20 (5) East Central Florida Regional Planning
21 Council, by Governing Board.

22 (6) Other organizations, by the Southeast Re-
23 gional Director, National Park Service.

24 (e) ROLE OF COMMITTEE.—The Committee shall as-
25 sist in the development of the comprehensive management

1 plan for the Wekiva River system and provide advice to
2 the Secretary in carrying out the management responsibil-
3 ities of the Secretary under this Act. The Committee shall
4 have an advisory role only, it will not have regulatory or
5 land acquisition authority.

6 (f) VOTING AND COMMITTEE PROCEDURES.—Each
7 member agency, agency division, or organization referred
8 to in subsection (b) shall have one vote and provide one
9 member and one alternate. Committee decisions and ac-
10 tions will be made with the consent of $\frac{3}{4}$ of all voting
11 members. Additional necessary Committee procedures
12 shall be developed as part of the comprehensive manage-
13 ment plan.

14 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated such sums
16 as may be necessary to carry out this Act.

Passed the Senate July 27, 2000.

Attest:

Secretary.

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