

Union Calendar No. 235

109TH CONGRESS
2^D SESSION

H. R. 1307

[Report No. 109-427]

To amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2005

Mr. GARRETT of New Jersey (for himself, Mr. FRELINGHUYSEN, and Mr. FERGUSON) introduced the following bill; which was referred to the Committee on Resources

APRIL 25, 2006

Additional sponsors: Mr. ANDREWS, Mr. SAXTON, Mr. MENENDEZ, Mr. PAYNE, Mr. PALLONE, Mr. ROTHMAN, Mr. SMITH of New Jersey, Mr. HOLT, Mr. LOBIONDO, and Mr. PASCRELL

APRIL 25, 2006

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System, and for other purposes.

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 “Musconetcong Wild
5 and Scenic Rivers Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The Secretary of the Interior, in coopera-
9 tion and consultation with appropriate Federal,
10 State, regional, and local agencies, is conducting a
11 study of the eligibility and suitability of the
12 Musconetcong River in the State of New Jersey for
13 inclusion in the Wild and Scenic Rivers System.

14 (2) The Musconetcong Wild and Scenic River
15 Study Task Force has prepared, with assistance
16 from the National Park Service, a river management
17 plan for the study area entitled “Musconetcong
18 River Management Plan” and dated April 2002,
19 which establishes goals and actions that will ensure
20 long-term protection of the outstanding values of the
21 river and compatible management of land and water
22 resources associated with the river.

23 (3) Thirteen municipalities and three counties
24 along segments of the Musconetcong River eligible
25 for designation have passed resolutions supporting

1 the Musconetcong River Management Plan, agreeing
2 to take action to implement the goals of the plan,
3 and endorsing designation of the river.

4 **SEC. 3. DESIGNATION OF PORTIONS OF MUSCONETCONG**
5 **RIVER, NEW JERSEY, AS SCENIC AND REC-**
6 **REATIONAL RIVERS.**

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

10 “(167) MUSCONETCONG RIVER, NEW JERSEY.—(A)
11 The 24.2 miles of river segments in New Jersey, to be
12 administered by the Secretary of the Interior, consisting
13 of—

14 “(i) the segment from Saxton Falls to the
15 Route 46 bridge (approximately 3.5 miles), as a sce-
16 nic river; and

17 “(ii) the segment from the Kings Highway
18 bridge to the railroad tunnels at Musconetcong
19 Gorge (approximately 20.7 miles), as a recreational
20 river.

21 “(B) Notwithstanding section 10(c), the river seg-
22 ments referred to in subparagraph (A) shall not be admin-
23 istered as part of the National Park System.”.

24 (b) MANAGEMENT OF SEGMENTS.—

1 (1) COMPLIANCE WITH MANAGEMENT PLAN.—

2 The Secretary of the Interior shall manage the seg-
3 ments of the Musconetcong River, New Jersey, des-
4 igned as a scenic river or recreational river by the
5 amendment made by subsection (a) in accordance
6 with the river management plan entitled
7 “Musconetcong River Management Plan” and dated
8 April 2002, prepared by the Musconetcong River
9 Management Committee, the National Park Service,
10 the Heritage Conservancy, and the Musconetcong
11 Watershed Association, which establishes goals and
12 actions that will ensure long-term protection of the
13 outstanding values of the river segments and com-
14 patible management of land and water resources as-
15 sociated with the river segments.

16 (2) COOPERATION.—The Secretary shall man-
17 age the river segments in cooperation with appro-
18 priate Federal, State, regional, and local agencies,
19 including—

20 (A) the Musconetcong River Management
21 Committee;

22 (B) the Musconetcong Watershed Associa-
23 tion;

24 (C) the Heritage Conservancy;

25 (D) the National Park Service; and

1 (E) the New Jersey Department of Envi-
2 ronmental Protection.

3 (c) SATISFACTION OF REQUIREMENTS FOR PLAN.—

4 The management plan shall be considered to satisfy the
5 requirements for a comprehensive management plan for
6 the river segments under subsection 3(d) of the Wild and
7 Scenic Rivers Act (16 U.S.C. 1274(d)).

8 (d) FEDERAL ROLE.—

9 (1) RESTRICTIONS ON WATER RESOURCE
10 PROJECTS.—In determining under section 7(a) of
11 the Wild and Scenic Rivers Act (16 U.S.C. 1278(a))
12 whether a proposed water resources project would
13 have a direct and adverse effect on the values for
14 which a river segment is designated as part of the
15 Wild and Scenic Rivers System, the Secretary shall
16 consider the extent to which the project is consistent
17 with the management plan.

18 (2) COOPERATIVE AGREEMENTS.—Any coopera-
19 tive agreements entered into under section 10(e) of
20 the Wild and Scenic Rivers Act (16 U.S.C. 1281(e))
21 relating to a river segment—

22 (A) shall be consistent with the manage-
23 ment plan; and

24 (B) may include provisions for financial or
25 other assistance from the United States to fa-

1 facilitate the long-term protection, conservation,
2 and enhancement of the river segment.

3 (3) SUPPORT FOR IMPLEMENTATION.—The
4 Secretary may provide technical assistance, staff
5 support, and funding to assist in the implementation
6 of the management plan.

7 (e) LAND MANAGEMENT.—

8 (1) IN GENERAL.—The Secretary may provide
9 planning, financial, and technical assistance to local
10 municipalities and non-profit organizations to assist
11 in the implementation of actions to protect the nat-
12 ural and historic resources of the river segments.

13 (2) PLAN REQUIREMENTS.—After adoption of
14 recommendations made in section IV of the manage-
15 ment plan, the zoning ordinances of the municipali-
16 ties bordering the segments shall be considered to
17 satisfy the standards and requirements under sec-
18 tion 6(c) of the Wild and Scenic Rivers Act (16
19 U.S.C. 1277(c)).

20 (f) DESIGNATION OF ADDITIONAL RIVER SEG-
21 MENT.—

22 (1) FINDING.—Congress finds that the
23 Musconetcong River segment “C”, as described in
24 the management plan, is suitable for designation as
25 a recreational river pursuant to this subsection if the

1 Secretary determines that there is adequate local
2 support for the designation.

3 (2) DESIGNATION AND ADMINISTRATION.—If
4 the Secretary determines that there is adequate local
5 support for designating the additional river segment
6 as a recreational river—

7 (A) the Secretary shall publish in the Fed-
8 eral Register a notice of the designation of the
9 segment;

10 (B) the segment shall thereby be des-
11 ignated as a recreational river in accordance
12 with the Wild and Scenic Rivers Act (16 U.S.C.
13 1271 et seq.); and

14 (C) the Secretary shall administer the ad-
15 ditional river segment as a recreational river.

16 (3) CRITERIA FOR LOCAL SUPPORT.—In deter-
17 mining whether there is adequate local support for
18 the designation of the additional river segment, the
19 Secretary shall consider, among other things, the
20 preferences of local governments expressed in resolu-
21 tions concerning designation of the segment.

22 (g) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated such funds as are nec-
24 essary to carry out this section, including the amendment
25 to the Wild and Scenic Rivers Act made by this section.

1 (h) DEFINITIONS.—In this section:

2 (1) ADDITIONAL RIVER SEGMENT.—The term
3 “additional river segment” means Musconetcong
4 River segment “C”, as described in the management
5 plan, from Hughesville Mill to the Delaware River
6 Confluence (approximately 4.3 miles).

7 (2) MANAGEMENT PLAN.—The term “manage-
8 ment plan” means the river management plan enti-
9 tled “Musconetcong River Management Plan” and
10 dated April 2002.

11 (3) RIVER SEGMENTS.—The term “river seg-
12 ments” means the segments of the Musconetcong
13 River, New Jersey, designated as a scenic river or
14 recreational river by the amendment made by sub-
15 section (a) in accordance with the management plan.

16 (4) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior.

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