105TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
105–691

SUDBURY, ASSABET, AND CONCORD WILD AND SCENIC RIVERS ACT

SEPTEMBER 9, 1998.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources, submitted the following

REPORT

together with

ADDITIONAL VIEWS

[To accompany H.R. 1110]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1110) to designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 1110 is to designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System.

BACKGROUND AND NEED FOR LEGISLATION

In 1990, Title VII of Public Law 101–628 designated segments of the Sudbury, Assabet, and Concord (SUASCO) Rivers for study as components of the National Wild and Scenic Rivers System. The National Park Service submitted the draft report in September 1996 which showed these river segments were appropriate for designation. All of the towns within the study area and the Commonwealth of Massachusetts strongly support this designation.

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Twenty-nine miles of the Sudbury, Assabet, and Concord Rivers were found suitable for inclusion in the Wild and Scenic Rivers System, based on their free-flowing character and the presence of five outstanding river-related resources: ecology, history, literature, recreation, and scenery. The eligible segments include 16.6 miles of the Sudbury River as scenic, 4.4 miles of the Assabet River as recreational, and 8 miles of the Concord River as recreational.

Management of the SUASCO Rivers will be coordinated between the National Park Service and the River Stewardship Council described in the River Conservation Plan approved in March 1995. The federal responsibility will ensure that any federal water resource projects do not impede the Rivers' free-flowing character, while the local governments would retain their existing land use authorities. The National Park Service at Minuteman National Historical Park and the U.S. Fish and Wildlife Service at Great Meadows National Wildlife Refuge will continue existing river management within their boundaries. No additional federal land acquisition is authorized in this legislation.

COMMITTEE ACTION

H.R. 1110 was introduced on March 18, 1997, by Congressman Martin T. Meehan (D–MA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks and Public Lands. On June 19, 1997, the Subcommittee met to consider H.R. 1110. No amendments were offered and the bill was ordered favorably reported to the Full Committee by voice vote. On July 29, 1998, the Full Resources Committee met to consider H.R. 1110. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(l)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact H.R. 1110.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 1110. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 1110 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 1110.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 1110 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 7, 1998.

Hon. DON YOUNG,
Chairman, Committee on Resources,
U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1110, the Sudbury, Assabet, and Concord Wild and Scenic Rivers Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Victoria V. Heid (for federal costs), and Marjorie Miller (for the state and local impact).

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

H.R. 1110—Sudbury, Assabet, and Concord Wild and Scenic Rivers Act

CBO estimates that implementing H.R. 1110 would not have a significant impact on the federal budget. Because H.R. 1110 would not affect direct spending or receipts, pay-as-you-go procedures would not apply. H.R. 1110 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no impact on the budgets of state, local, or tribal governments.

H.R. 1110 would designate 29 miles of river segments in Massachusetts as scenic and recreational rivers. The segments would be administered by the Secretary of the Interior in cooperation with the SUASCO River Stewardship Council, as provided for in a river conservation plan prepared by the National Park Service (NPS) and the Sudbury, Assabet, and Concord River Study Committee. The bill would authorize the NPS to provide financial and other assistance to the Commonwealth of Massachusetts and relevant local

governments under cooperative agreements aimed at facilitating the management of the newly designated river segments.

The bill would authorize the appropriation of up to $100,000 each year to implement the river conservation plan, including financial and other assistance to the state and local governments. For purposes of this estimate, CBO assumes that H.R. 1110 will be enacted by the end of the 105th Congress and that the authorized funding will be appropriated for fiscal year 2000 and each subsequent year. We estimate that outlays to implement the plan would total about $400,000 over the 2000–2003 period, assuming appropriation of the authorized amounts.

On August 7, 1998, CBO prepared a cost estimate for S. 469, the Sudbury, Assabet, and Concord Wild and Scenic Rivers Act, as ordered reported by the Senate Committee on Energy and Natural Resources on July 29, 1998. The two bills are similar, and the estimated costs are the same.

The CBO staff contacts are Victoria V. Heid (for federal costs), and Marjorie Miller (for the state and local impact). This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

H.R. 1110 contains no unfunded mandates.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

SECTION 3 OF THE WILD AND SCENIC RIVERS ACT

SEC. 3. (a) The following rivers and the land adjacent thereto are hereby designated as components of the national wild and scenic rivers system:

(1) * * *

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( ) SUDBURY, ASSABET, AND CONCORD RIVERS, MASSACHUSETTS.—The 29 miles of river segments in Massachusetts consisting of the Sudbury River from the Danforth Street Bridge in Framingham downstream to its confluence with the Assabet River at Egg Rock; the Assabet River from a point 1,000 feet downstream of the Damondale Dam in Concord to its confluence with the Sudbury River at Egg Rock; and the Concord River from its origin at Egg Rock in Concord downstream to the Route 3 bridge in Billerica (in this paragraph referred to as the "segments"), as scenic and recreational river segments. The segments shall be administered by the Secretary of the Interior in cooperation with the SUASCO River Stewardship Council provided for in the plan through cooperative agreements under section 10(e) between the Secretary and the Commonwealth of Massachusetts and its relevant political subdivisions (including the towns of Framingham, Wayland, Sudbury, Lincoln, Con-

cord, Carlisle, Bedford, and Billerica). The segments shall be managed in accordance with the plan entitled "Sudbury, Assabet and Concord Wild and Scenic River Study, River Conservation Plan" dated March 16, 1995. The plan is deemed to satisfy the requirement for a comprehensive management plan under section 3(d).

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ADDITIONAL VIEWS OF REPRESENTATIVE EDWARD J. MARKEY

I am pleased that the Committee has voted to approve H.R. 1110, the Sudbury, Assabet, and Concord Wild and Scenic Rivers Act. This bill was introduced by Mr. Meehan, my colleague from Massachusetts, and I am proud to join with all of the Massachusetts and New Hampshire delegations, on a bipartisan basis, along with several colleagues from Connecticut, as original cosponsors of the bill. Former Governor Weld of Massachusetts has expressed his support for this legislation as well.

In 1990, I along with the rest of the Massachusetts delegation, cosponsored a bill which resulted in a study of the Sudbury, Assabet, and Concord Rivers for inclusion in the national wild and scenic rivers system. The study determined that these segments are eligible for inclusion. In addition, in true New England fashion, and reflecting the local, grassroots action which this Committee often favors, the towns abutting the proposed Scenic Rivers held town meetings at which they unanimously voted in favor of this proposal. A comprehensive management plan was developed by the local study committee in conjunction with the National Park Service regional office. H.R. 1110 explicitly limits the potential cost to the federal government, and the rivers are specifically exempted from becoming a part of the National Park System, being managed by the National Park System, or being subject to National Park System control. In sum, this bill has minimal expense and does not increase federal land acquisition authority of federal agencies, but improves the local control of the rivers.

Most of all, this bill is about love for these rivers. My district is an increasingly urbanized area, and many of my constituents enjoy the opportunity to commune with nature in these lovely local streams. The Sudbury and Assabet rivers meet at Concord to form the Concord river. The Concord river's place in American history is secure, for here, in the words of Ralph Waldo Emerson, "by the rude bridge that arched the flood, their flag to April's breeze unfurled, here once the embattl'd farmers stood, and fired the shot heard round the world." These rivers are not only memorable as the backdrop for the historic battle of Lexington and Concord, they also remain quite beautiful. Over 100 years ago, Nathaniel Hawthorne wrote: "Rowing our boat against the current, between wide meadows, we turn aside into the Assabet. A more lovely stream than this, for a mile above its junction with the Concord, has never flowed on Earth—nowhere, indeed, except to lave the interior of a poet's imagination." Today the Assabet, the Sudbury, and the Concord are still lovely enough to stir the imaginations of both poets and politicians. And while our country is blessed with many beautiful rivers, I can assure my colleagues that within the increasingly crowded Boston area, designating these rivers as wild and scenic

will help the local communities enjoy them, and protect them for future generations.

EDWARD J. MARKEY.

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