

Union Calendar No. 466

110TH CONGRESS
2^D SESSION

H. R. 415

[Report No. 110-735]

To amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 11, 2007

Mr. FRANK of Massachusetts (for himself and Mr. MCGOVERN) introduced the following bill; which was referred to the Committee on Natural Resources

JULY 8, 2008

Additional sponsors: Mr. MARKEY, Mr. OLVER, Mr. TIERNEY, Mr. LYNCH, Mr. LANGEVIN, Mr. NEAL of Massachusetts, Mr. DELAHUNT, Mr. CAPUANO, Mr. KENNEDY, and Ms. TSONGAS

JULY 8, 2008

Reported with an amendment, 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 *italic*]

[For text of introduced bill, see copy of bill as introduced on January 11, 2007]

A BILL

To amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component 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. DESIGNATION OF TAUNTON RIVER, MASSACHU-**
4 **SETTS.**

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 “(____) *TAUNTON RIVER, MASSACHUSETTS.—The*
9 *main stem of the Taunton River from its headwaters at*
10 *the confluence of the Town and Matfield Rivers in the Town*
11 *of Bridgewater downstream 40 miles to the confluence with*
12 *the Quequechan River at the Route 195 Bridge in the City*
13 *of Fall River, to be administered by the Secretary of the*
14 *Interior in cooperation with the Taunton River Steward-*
15 *ship Council as follows:*

16 “(A) *The 18-mile segment from the confluence of*
17 *the Town and Matfield Rivers to Route 24 in the*
18 *Town of Raynham, as a scenic river.*

19 “(B) *The 5-mile segment from Route 24 to 0.5*
20 *miles below Weir Bridge in the City of Taunton, as*
21 *a recreational river.*

22 “(C) *The 8-mile segment from 0.5 miles below*
23 *Weir Bridge to Muddy Cove in the Town of Dighton,*
24 *as a scenic river.*

1 “(D) *The 9-mile segment from Muddy Cove to*
2 *the confluence with the Quequechan River at the*
3 *Route 195 Bridge in the City of Fall River, as a rec-*
4 *reational river.”.*

5 **SEC. 2. MANAGEMENT OF TAUNTON RIVER, MASSACHU-**
6 **SETTS.**

7 *(a) TAUNTON RIVER STEWARDSHIP PLAN.—*

8 *(1) IN GENERAL.—Each river segment added to*
9 *section 3(a) of the Wild and Scenic Rivers Act by sec-*
10 *tion 1 of this Act shall be managed in accordance*
11 *with the Taunton River Stewardship Plan, dated*
12 *July 2005 (including any amendment to the Taunton*
13 *River Stewardship Plan that the Secretary of the In-*
14 *terior (referred to in this section as the “Secretary”)*
15 *determines to be consistent with this Act).*

16 *(2) EFFECT.—The Taunton River Stewardship*
17 *Plan described in paragraph (1) shall be considered*
18 *to satisfy each requirement relating to the comprehen-*
19 *sive management plan required under section 3(d) of*
20 *the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).*

21 *(b) COOPERATIVE AGREEMENTS.—To provide for the*
22 *long-term protection, preservation, and enhancement of*
23 *each river segment added to section 3(a) of the Wild and*
24 *Scenic Rivers Act by section 1 of this Act, pursuant to sec-*
25 *tions 10(e) and 11(b)(1) of the Wild and Scenic Rivers Act*

1 *(16 U.S.C. 1281(e) and 1282(b)(1)), the Secretary may*
2 *enter into cooperative agreements (which may include pro-*
3 *visions for financial and other assistance) with—*

4 *(1) the Commonwealth of Massachusetts (includ-*
5 *ing political subdivisions of the Commonwealth of*
6 *Massachusetts);*

7 *(2) the Taunton River Stewardship Council; and*

8 *(3) any appropriate nonprofit organization, as*
9 *determined by the Secretary.*

10 *(c) RELATION TO NATIONAL PARK SYSTEM.—Notwith-*
11 *standing section 10(c) of the Wild and Scenic Rivers Act*
12 *(16 U.S.C. 1281(c)), each river segment added to section*
13 *3(a) of the Wild and Scenic Rivers Act by section 1 of this*
14 *Act shall not be—*

15 *(1) administered as a unit of the National Park*
16 *System; or*

17 *(2) subject to the laws (including regulations)*
18 *that govern the administration of the National Park*
19 *System.*

20 *(d) LAND MANAGEMENT.—*

21 *(1) ZONING ORDINANCES.—The zoning ordi-*
22 *nances adopted by the Towns of Bridgewater, Hali-*
23 *fax, Middleborough, Raynham, Berkley, Dighton,*
24 *Freetown, and Somerset, and the Cities of Taunton*
25 *and Fall River, Massachusetts (including any provi-*

1 *sion of the zoning ordinances relating to the conserva-*
2 *tion of floodplains, wetlands, and watercourses associ-*
3 *ated with any river segment added to section 3(a) of*
4 *the Wild and Scenic Rivers Act by section 1 of this*
5 *Act), shall be considered to satisfy each standard and*
6 *requirement described in section 6(c) of the Wild and*
7 *Scenic Rivers Act (16 U.S.C. 1277(c)).*

8 (2) *VILLAGES.—For the purpose of section 6(c)*
9 *of the Wild and Scenic Rivers Act (16 U.S.C.*
10 *1277(c)), each town described in paragraph (1) shall*
11 *be considered to be a village.*

12 (3) *ACQUISITION OF LAND.—*

13 (A) *LIMITATION OF AUTHORITY OF SEC-*
14 *RETARY.—With respect to each river segment*
15 *added to section 3(a) of the Wild and Scenic*
16 *Rivers Act by section 1 of this Act, the Secretary*
17 *may only acquire parcels of land—*

18 (i) *by donation; or*

19 (ii) *with the consent of the owner of the*
20 *parcel of land.*

21 (B) *PROHIBITION RELATING TO ACQUI-*
22 *SITION OF LAND BY CONDEMNATION.—In accord-*
23 *ance with section 6(c) of the Wild and Scenic*
24 *Rivers Act (16 U.S.C. 1277(c)), with respect to*
25 *each river segment added to section 3(a) of the*

1 *Wild and Scenic Rivers Act by section 1 of this*
2 *Act, the Secretary may not acquire any parcel of*
3 *land by condemnation.*

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