

103^D CONGRESS
1ST SESSION

H.R. 2650

IN THE SENATE OF THE UNITED STATES

OCTOBER 13, 1993

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To designate portions of the Maurice River and its tributaries in the State of New Jersey as components of the National Wild and Scenic Rivers Systems.

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. FINDINGS AND PURPOSES.**

4 (a) FINDINGS.—The Congress finds that—

1 (1) the Maurice River and its tributaries,
2 Menantico Creek, the Manumuskin River, and
3 Muskee Creek, are eligible for inclusion into the Na-
4 tional Wild and Scenic Rivers System, the segments
5 and their classifications being as follows—

6 (A) the Maurice River, lower segment,
7 from the United States Geological Survey Sta-
8 tion at Shellpile to Route 670 Bridge at
9 Mauricetown, approximately 7.0 miles, as a rec-
10 reational river;

11 (B) the Maurice River, middle segment,
12 from Route 670 Bridge at Mauricetown to 3.6
13 miles upstream (at drainage ditch just up-
14 stream of Fralinger Farm), approximately 3.8
15 miles as a scenic river;

16 (C) the Maurice River, middle segment,
17 from the drainage ditch just upstream of
18 Fralinger Farm to one-half mile upstream from
19 the United States Geological Survey Station at
20 Burcham Farm, approximately 3.1 miles, as a
21 recreational river;

22 (D) the Maurice River, upper segment,
23 from one-half mile upstream from the United
24 States Geological Survey Station at Burcham
25 Farm to the south side of the Millville sewage

1 treatment plant, approximately 3.6 miles, as a
2 scenic river;

3 (E) the Menantico Creek, lower segment,
4 from its confluence with the Maurice River to
5 the Route 55 Bridge, approximately 1.4 miles,
6 as a recreational river;

7 (F) the Menantico Creek, upper segment,
8 from the Route 55 Bridge to the base of the
9 Impoundment at Menantico Lake, approxi-
10 mately 6.5 miles, as a scenic river;

11 (G) the Manumuskin River, lower segment,
12 from its confluence with the Maurice River to
13 2.0 miles upstream, as a recreational river;

14 (H) the Manumuskin River, upper seg-
15 ment, from 2.0 miles upstream from its con-
16 fluence with the Maurice River to headwaters
17 near Route 557, approximately 12.3 miles, as a
18 scenic river; and

19 (I) the Muskee Creek from its confluence
20 to the Pennsylvania Reading Seashore Line
21 Railroad bridge, approximately 2.7 miles, as a
22 scenic river;

23 (2) a resource assessment of the Maurice River
24 and its tributaries, Menantico Creek, the
25 Manumuskin River, and the Muskee Creek shows

1 that the area possesses numerous outstandingly re-
2 markable natural, cultural, scenic, and recreational
3 resources that are significant at the local, regional,
4 and international levels, including rare plant and
5 animal species and critical habitats for birds migrat-
6 ing to and from the north and south hemispheres;
7 and

8 (3) a river management plan for the river sys-
9 tem has been developed by the Cumberland County
10 Department of Planning and Development and
11 adopted by the Maurice River Township, Commer-
12 cial Township, and the City of Millville that would
13 meet the requirements of section 6(c) of the Wild
14 and Scenic Rivers Act, the City of Vineland has
15 adopted a master plan which calls for river planning
16 and management and is in the process of adopting
17 zoning ordinances to implement their plan, and
18 Buena Vista Township in Atlantic County has
19 adopted a land use plan consistent with the Pine-
20 lands Comprehensive Plan which is more restrictive
21 than the Cumberland County local river manage-
22 ment plan.

23 (b) PURPOSES.—The purposes of this Act are to—

24 (1) declare the importance and irreplaceable re-
25 source values of the Maurice River and its tribu-

1 taries to water quality, human health, traditional
2 economic activities, ecosystem integrity, biotic diver-
3 sity, fish and wildlife, scenic open space and recre-
4 ation and protect such values through designation of
5 the segments as components of the National Wild
6 and Scenic Rivers System;

7 (2) recognize that the Maurice River System
8 will continue to be threatened by major development
9 and that land use regulations of the individual local
10 political jurisdictions through which the river seg-
11 ments pass cannot alone provide for an adequate
12 balance between conservation of the river's resources
13 and commercial and industrial development; and

14 (3) recognize that segments of the Maurice
15 River and its tributaries additional to those des-
16 ignated under this Act are eligible for potential des-
17 ignation at some point in the near future.

18 **SEC. 2. DESIGNATION.**

19 Section 3(a) of the Wild and Scenic Rivers Act (16
20 U.S.C. 1274(a)) is amended by adding the following new
21 paragraphs at the end thereof:

22 “() THE MAURICE RIVER, MIDDLE SEGMENT.—
23 From Route 670 Bridge at Mauricetown to 3.6 miles up-
24 stream (at drainage ditch just upstream of Fralinger

1 Farm), approximately 3.8 miles to be administered by the
2 Secretary of the Interior as a scenic river.

3 “() THE MAURICE RIVER, MIDDLE SEGMENT.—
4 From the drainage ditch just upstream of Fralinger Farm
5 to one-half mile upstream from the United States Geologi-
6 cal Survey Station at Burcham Farm, approximately 3.1
7 miles, to be administered by the Secretary of the Interior
8 as a recreational river.

9 “() THE MAURICE RIVER, UPPER SEGMENT.—
10 From one-half mile upstream from the United States Geo-
11 logical Survey Station at Burcham Farm to the south side
12 of the Millville sewage treatment plant, approximately 3.6
13 miles, to be administered by the Secretary of the Interior
14 as a scenic river.

15 “() THE MENANTICO CREEK, LOWER SEGMENT.—
16 From its confluence with the Maurice River to the Route
17 55 Bridge, approximately 1.4 miles, to be administered by
18 the Secretary of the Interior as a recreational river.

19 “() THE MENANTICO CREEK, UPPER SEGMENT.—
20 From the Route 55 Bridge to the base of the impound-
21 ment at Menantico Lake, approximately 6.5 miles, to be
22 administered by the Secretary of the Interior as a scenic
23 river.

24 “() MANUMUSKIN RIVER, LOWER SEGMENT.—
25 From its confluence with the Maurice River to a point 2.0

1 miles upstream, to be administered by the Secretary of
2 the Interior as a recreational river.

3 “() MANUMUSKIN RIVER, UPPER SEGMENT.—
4 From a point 2.0 miles upstream from its confluence with
5 the Maurice River to its headwaters near Route 557, ap-
6 proximately 12.3 miles, to be administered by the Sec-
7 retary of the Interior as a scenic river.

8 “() MUSKEE CREEK, NEW JERSEY.—From its
9 confluence with the Maurice River to the Pennsylvania
10 Seashore Line Railroad Bridge, approximately 2.7 miles,
11 to be administered by the Secretary of the Interior as a
12 scenic river.”.

13 **SEC. 3. MANAGEMENT.**

14 (a) DUTIES OF SECRETARY.—The Secretary of the
15 Interior shall manage the river segments designated as
16 components of the National Wild and Scenic Rivers Sys-
17 tem by this Act through cooperative agreements with the
18 political jurisdictions within which such segments pass,
19 pursuant to section 10(e) of the Wild and Scenic Rivers
20 Act, and in consultation with such jurisdictions, except
21 that publicly-owned lands within the boundaries of such
22 segments shall continue to be managed by the agency hav-
23 ing jurisdiction over such lands.

24 (b) AGREEMENTS.—(1) Cooperative agreements for
25 management of the river segments referred to in sub-

1 section (a) shall provide for the long-term protection, pres-
2 ervation, and enhancement of such segments and shall be
3 consistent with the comprehensive management plan for
4 such segments to be prepared by the Secretary of the Inte-
5 rior pursuant to section 3(d) of the Wild and Scenic Rivers
6 Act and with the local river management plans prepared
7 by appropriate local political jurisdictions in conjunction
8 with the Secretary of the Interior.

9 (2) The Secretary of the Interior, in consultation with
10 appropriate representatives of local political jurisdictions
11 and the State of New Jersey, shall review local river man-
12 agement plans described in paragraph (1) to assure that
13 their proper implementation will protect the values for
14 which the river segments described in section 2 were des-
15 ignated as components of the National Wild and Scenic
16 Rivers System. If after such review the Secretary deter-
17 mines that such plans and their implementing local zoning
18 ordinances meet the protection standards specified in sec-
19 tion 6(c) of the Wild and Scenic Rivers Act, then such
20 plans shall be deemed to constitute “local zoning ordi-
21 nances” and each township and other incorporated local
22 jurisdiction covered by such plans shall be deemed to con-
23 stitute a “village” for the purposes of section 6(c) (prohib-
24 iting the acquisition of lands by condemnation) of the Wild
25 and Scenic Rivers Act.

1 (3) The Secretary of the Interior shall biennially re-
2 view compliance with the local river management plans de-
3 scribed in paragraph (1) and shall promptly report to the
4 Committee on Natural Resources of the United States
5 House of Representatives and to the Committee on En-
6 ergy and Natural Resources of the United States Senate
7 any deviation from such which would result in any diminu-
8 tion of the values for which the river segment concerned
9 was designated as a component of the National Wild and
10 Scenic Rivers System.

11 (c) PLANNING ASSISTANCE.—The Secretary of the
12 Interior may provide planning assistance to local political
13 subdivisions of the State of New Jersey through which
14 flow river segments that are designated as components of
15 the National Wild and Scenic Rivers System, and may
16 enter into memoranda of understanding or cooperative
17 agreements with officials or agencies of the United States
18 or the State of New Jersey to ensure that Federal and
19 State programs that could affect such segments are car-
20 ried out in a manner consistent with the Wild and Scenic
21 Rivers Act and applicable river management plans.

22 (d) SEGMENT ADDITIONS.—The Secretary of the In-
23 terior is encouraged to continue to work with the local mu-
24 nicipalities to negotiate agreement and support for des-
25 ignating those segments of the Maurice River and its trib-

1 utaries which were found eligible for designation pursuant
2 to Public Law 100–33 and were not designated pursuant
3 to this Act (hereinafter referred to as “additional eligible
4 segments”). For a period of 3 years after the date of en-
5 actment of this Act, the provisions of the Wild and Scenic
6 Rivers Act applicable to segments included in section 5
7 of that Act shall apply to the additional eligible segments.
8 The Secretary of the Interior is directed to report to the
9 appropriate congressional committees within 3 years after
10 the date of enactment of this Act on the status of discus-
11 sions and negotiations with the local municipalities and
12 on recommendations toward inclusion of additional river
13 segments into the National Wild and Scenic Rivers
14 System.

15 (e) APPROPRIATIONS.—For the purposes of the seg-
16 ment described by subsection (a), there are authorized to
17 be appropriated such sums as may be necessary to carry
18 out the provisions of this Act.

Passed the House of Representatives October 12,
1993.

Attest: DONNALD K. ANDERSON,
Clerk.