

103D CONGRESS  
1ST SESSION

# S. 1380

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 system.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 5 (legislative day, JUNE 30), 1993

Mr. BRADLEY (for himself and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

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 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. FINDINGS AND PURPOSES.**

4 (a) FINDINGS.—Congress finds that—

5 (1) the Maurice River and its tributaries,  
6 Menantico Creek, the Manumuskin River, and  
7 Muskee Creek, are eligible for inclusion into the na-  
8 tional wild and scenic rivers system;

1           (2) a resource assessment of the Maurice River  
2       and its tributaries, Menantico Creek, the  
3       Manumuskin River, and the Muskee Creek shows  
4       that the area possesses numerous remarkable natu-  
5       ral, cultural, scenic, and recreational resources that  
6       are significant at the local, regional, and inter-  
7       national levels, including rare plant and animal spe-  
8       cies and critical habitats for birds migrating to and  
9       from the northern and southern hemispheres;

10          (3) a river management plan for the river sys-  
11       tem has been developed by the Cumberland County  
12       Department of Planning and Development and  
13       adopted by the Maurice River Township, Commer-  
14       cial Township, and the City of Millville that meets  
15       the requirements of section 6(c) of the Wild and  
16       Scenic Rivers Act (16 U.S.C. 1277(c));

17          (4) the city of Vineland has adopted a master  
18       plan that calls for river planning and management,  
19       and is in the process of adopting zoning ordinances  
20       to implement its plan; and

21          (5) Buena Vista Township in Atlantic County  
22       has adopted a land use plan consistent with the  
23       Pinelands Comprehensive Plan which is more re-  
24       strictive than the Cumberland County local river  
25       management plan.

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

2 (1) to declare the importance and irreplaceable  
3 resource value of the Maurice River and its tribu-  
4 taries to water quality, human health, traditional  
5 economic activities, ecosystem integrity, biotic diver-  
6 sity, fish and wildlife, scenic open space and recre-  
7 ation;

8 (2) to protect such values through the designa-  
9 tion of the segments as components of the national  
10 wild and scenic rivers system;

11 (3) to recognize that the Maurice River System  
12 will continue to be threatened by major development,  
13 and that land use regulations of the individual local  
14 political jurisdictions through which the river seg-  
15 ments pass cannot alone provide for an adequate  
16 balance between conservation of the resources of the  
17 river and commercial and industrial development;  
18 and

19 (4) to recognize that segments of the Maurice  
20 River and its tributaries other than to those des-  
21 ignated under this Act are eligible for potential des-  
22 ignation at some point in the near future.

1 **SEC. 2. DESIGNATION.**

2 (a) IN GENERAL.—Section 3(a) of the Wild and Sce-  
3 nic Rivers Act (16 U.S.C. 1274(a)) is amended by adding  
4 at the end the following new paragraphs:

5 “( ) MAURICE RIVER, MIDDLE SEGMENT.—From  
6 Route 670 Bridge at Mauricetown to 3.6 miles upstream  
7 (at drainage ditch just upstream of Fralinger Farm), ap-  
8 proximately 3.8 miles, to be administered by the Secretary  
9 of the Interior as a scenic river.

10 “( ) MAURICE RIVER, MIDDLE SEGMENT.—From  
11 the drainage ditch just upstream of Fralinger Farm to  
12 ½ mile upstream from the United States Geological Sur-  
13 vey Station at Burcham Farm, approximately 3.1 miles,  
14 to be administered by the Secretary of the Interior as a  
15 recreational river.

16 “( ) MAURICE RIVER, UPPER SEGMENT.—From ½  
17 mile upstream from the United States Geological Survey  
18 Station at Burcham Farm to the south side of the Millville  
19 sewage treatment plant, approximately 3.6 miles, to be ad-  
20 ministered by the Secretary of the Interior as a scenic  
21 river.

22 “( ) MENANTICO CREEK, LOWER SEGMENT.—  
23 From its confluence with the Maurice River to the Route  
24 55 Bridge, approximately 1.4 miles, to be administered by  
25 the Secretary of the Interior as a recreational river.

“( ) MENANTICO CREEK, UPPER SEGMENT.—From the Route 55 Bridge to the base of the impoundment at Menantico Lake, approximately 6.5 miles, to be administered by the Secretary of the Interior as a scenic river.

“( ) MANUMUSKIN RIVER, LOWER SEGMENT.—From its confluence with the Maurice River to a point 2 miles upstream, to be administered by the Secretary of the Interior as a recreational river.

“( ) MANUMUSKIN RIVER, UPPER SEGMENT.—From a point 2 miles upstream from its confluence with the Maurice River to its headwaters near Route 557, approximately 12.3 miles, to be administered by the Secretary of the Interior as a scenic river.

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

### SEC. 3. MANAGEMENT.

(a) DUTIES OF SECRETARY.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary of the Interior shall manage the river segments designated as components of the national wild and scenic rivers system by the amendments made by section 2 this Act through cooperative

1 agreements with the political jurisdictions within  
2 which the segments pass, pursuant to section 10(e)  
3 of the Wild and Scenic Rivers Act (16 U.S.C.  
4 1281(e)), and in consultation with such jurisdictions.

5 (2) PUBLICLY OWNED LANDS.—Publicly owned  
6 lands within the boundaries of the segments referred  
7 to in paragraph (1) shall be managed by the agency  
8 having jurisdiction over such lands on the date of  
9 enactment of this Act.

10 (b) COOPERATIVE AGREEMENTS.—

11 (1) REQUIREMENTS.—Cooperative agreements  
12 for the management of the river segments referred  
13 to in subsection (a) shall—

14 (A) provide for the long-term protection,  
15 preservation, and enhancement of such seg-  
16 ments;

17 (B) be consistent with the comprehensive  
18 management plan for such segments to be pre-  
19 pared by the Secretary of the Interior pursuant  
20 to section 3(d) of the Wild and Scenic Rivers  
21 Act (16 U.S.C. 1274(d)); and

22 (C) be consistent with the local river man-  
23 agement plans prepared by appropriate local  
24 political jurisdictions in conjunction with the  
25 Secretary of the Interior.

(2) DESIGNATION OF ZONING ORDINANCES.—

(A) REVIEW.—The Secretary of the Interior, in consultation with appropriate representatives of local political jurisdictions and the State of New Jersey, shall review the local river management plans described in paragraph (1) to ensure that the proper implementation of the plans will protect the values for which the river segments described in the amendments made by section 2 were designated as components of the national wild and scenic rivers system.

(B) ESTABLISHMENT OF ZONING ORDINANCES.—If, after the review required by subparagraph (A), the Secretary determines that the plans and their implementing local zoning ordinances meet the protection standards specified in section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)), the plans shall be deemed to constitute “local zoning ordinances” and each township and other incorporated local jurisdiction covered by such plans shall be deemed to constitute a “village” for the purposes of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

1           (3) COMPLIANCE.—The Secretary of the Inte-  
2       rior shall biennially review compliance with the local  
3       river management plans described in paragraph (1),  
4       and shall promptly report to the Committee on En-  
5       ergy and Natural Resources of the Senate and to the  
6       Committee on Natural Resources of the House of  
7       Representatives any deviation from the management  
8       plans that would result in any diminution of the val-  
9       ues for which the river segment concerned was des-  
10      ignated as a component of the national wild and sce-  
11      nic rivers system.

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

23       (d) SEGMENT ADDITIONS.—

24           (1) SEGMENTS.—The Secretary of the Interior  
25      is encouraged to continue to work with the local mu-



1 municipalities to negotiate agreement and support for  
2 designating those segments of the Maurice River and  
3 its tributaries that were found eligible for designa-  
4 tion pursuant to Public Law 100-33 (100 Stat.  
5 299) and were not designated by this Act.

6 (2) ADMINISTRATION.—For a period of 3 years  
7 beginning on the date of enactment of this Act, sub-  
8 sections (b), (c), and (d) of section 5 of the Wild  
9 and Scenic Rivers Act (16 U.S.C. 1276(b), (c), and  
10 (d)) shall apply to the eligible segments described in  
11 paragraph (1).

12 (3) REPORT.—Not later than 3 years after the  
13 date of enactment of this Act, the Secretary of the  
14 Interior shall report to the appropriate congressional  
15 committees on the status of discussions and negotia-  
16 tions with the local municipalities and on rec-  
17 ommendations toward inclusion of additional river  
18 segments into the national wild and scenic rivers  
19 system.

20 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
21 are authorized to be appropriated such sums as are nec-  
22 essary to carry out this Act and the amendments made  
23 by this Act.

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