

104TH CONGRESS
1ST SESSION

S. 1174

To amend the Wild and Scenic Rivers Act to designate certain segments of the Lamprey River in New Hampshire as components of the National Wild and Scenic Rivers System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 10 (legislative day, JULY 10), 1995

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

A BILL

To amend the Wild and Scenic Rivers Act to designate certain segments of the Lamprey River in New Hampshire as components 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 “Lamprey Wild and
5 Scenic River Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) the Lamprey River Study Act of 1991
2 (Public Law 102–214; 105 Stat. 1663) authorized
3 the study of a segment of the Lamprey River in New
4 Hampshire for potential inclusion in the National
5 Wild and Scenic Rivers System;

6 (2) the study determined that the segment of
7 river from the Bunker Pond Dam in Epping, New
8 Hampshire, to the confluence with the Piscassic
9 River near the Durham-Newmarket town line is eli-
10 gible for inclusion in the National Wild and Scenic
11 Rivers System based on the free-flowing condition
12 and outstanding ecological, anadromous fish, and
13 historical values of the segment;

14 (3) during the study, the Lamprey River Advi-
15 sory Committee, with assistance from the National
16 Park Service and the New Hampshire Department
17 of Environmental Services, prepared a comprehen-
18 sive management plan for the studied river segment,
19 dated January 10, 1995 (referred to in this Act as
20 the “Lamprey River Management Plan”), which es-
21 tablishes objectives, standards, and action programs
22 that will ensure long-term protection of the out-
23 standing values of the river and compatible manage-
24 ment of the land and water resources of the river,

1 without Federal management of affected lands not
2 owned by the United States;

3 (4) the Lamprey River Advisory Committee has
4 unanimously voted in favor of wild and scenic river
5 designation for the river, and has included this rec-
6 ommendation as an integral part of the Lamprey
7 River Management Plan; and

8 (5)(A) the governing bodies of the towns of
9 Newmarket, Durham, and Lee have voted to endorse
10 the Lamprey River Management Plan and to seek
11 designation of the river as a component of the Na-
12 tional Wild and Scenic Rivers System; and

13 (B) the upstream town of Epping, which par-
14 ticipated in the study on an informal basis, has cho-
15 sen not to vote on the Lamprey River Management
16 Plan or designation at this time.

17 **SEC. 3. DESIGNATION.**

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

21 “() LAMPREY RIVER, NEW HAMPSHIRE.—The
22 11.5-mile segment extending from the southern Lee
23 town line to the confluence with the Piscassic River
24 in the vicinity of the Durham-Newmarket town line
25 (referred to in this paragraph as the ‘segment’) as

1 a recreational river. The segment shall be adminis-
2 tered by the Secretary of the Interior through coop-
3 erative agreements between the Secretary and the
4 State of New Hampshire and the towns of Durham,
5 Lee, and Newmarket, New Hampshire, under sec-
6 tion 10(e). The segment shall be managed in accord-
7 ance with the Lamprey River Management Plan
8 dated January 10, 1995, and such amendments to
9 the plan as the Secretary of the Interior determines
10 are consistent with this Act. The plan shall be
11 deemed to satisfy the requirements for a comprehen-
12 sive management plan pursuant to section 3(d).”.

13 **SEC. 4. MANAGEMENT.**

14 (a) COMMITTEE.—The Secretary of the Interior shall
15 coordinate the management responsibilities of the Sec-
16 retary under this Act and the amendment made by this
17 Act with respect to the river segment designated by the
18 amendment made by section 3 (referred to in this section
19 as the “segment”) with the Lamprey River Advisory Com-
20 mittee established under section 483 of the New Hamp-
21 shire Revised Statutes Annotated.

22 (b) LAND MANAGEMENT.—

23 (1) ZONING ORDINANCES.—For the purposes of
24 the segment, the zoning ordinances adopted by the
25 towns of Durham, Lee, and Newmarket, New

1 Hampshire, including provisions for conservation of
2 shorelands, floodplains, and wetlands associated with
3 the segment, shall be deemed to satisfy the stand-
4 ards and requirements of section 6(c) of the Wild
5 and Scenic Rivers Act (16 U.S.C. 1277(c)).

6 (2) ACQUISITION OF LANDS.—The provisions of
7 section 6(c) that prohibit Federal acquisition of
8 lands by condemnation shall apply to the segment.
9 The authority of the Secretary to acquire lands for
10 the purposes of the segment shall be limited to ac-
11 quisition by donation or acquisition with the consent
12 of the owner of the lands, and shall be subject to the
13 additional criteria set forth in the Lamprey River
14 Management Plan.

15 **SEC. 5. UPSTREAM SEGMENT.**

16 Upon request by the town of Epping, New Hamp-
17 shire, which abuts an additional 12 miles of river found
18 eligible for designation as a recreational river under the
19 study described in section 2(1), the Secretary of the Inte-
20 rior shall offer assistance concerning continued involve-
21 ment of the town of Epping in the implementation of the
22 Lamprey River Management Plan and in consideration of
23 potential future addition of the portion of the river within
24 Epping as a component of the National Wild and Scenic
25 Rivers System.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums
3 as are necessary to carry out this Act and the amendment
4 made by this Act.

