

Calendar No. 484

104TH CONGRESS
2^D SESSION

S. 1174

[Report No. 104-309]

A BILL

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

JUNE 28, 1996

Reported without amendment

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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

JUNE 28, 1996

Reported by Mr. MURKOWSKI, without amendment

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Lamprey Wild and
3 Scenic River Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

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

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

19 (3) during the study, the Lamprey River Advi-
20 sory Committee, with assistance from the National
21 Park Service and the New Hampshire Department
22 of Environmental Services, prepared a comprehen-
23 sive management plan for the studied river segment,
24 dated January 10, 1995 (referred to in this Act as
25 the “Lamprey River Management Plan”), which es-
26 tablishes objectives, standards, and action programs

1 that will ensure long-term protection of the out-
2 standing values of the river and compatible manage-
3 ment of the land and water resources of the river,
4 without Federal management of affected lands not
5 owned by the United States;

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

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

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

20 **SEC. 3. DESIGNATION.**

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

24 “() LAMPREY RIVER, NEW HAMPSHIRE.—The
25 11.5-mile segment extending from the southern Lee

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

16 **SEC. 4. MANAGEMENT.**

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

25 (b) LAND MANAGEMENT.—

1 (1) ZONING ORDINANCES.—For the purposes of
2 the segment, the zoning ordinances adopted by the
3 towns of Durham, Lee, and Newmarket, New
4 Hampshire, including provisions for conservation of
5 shorelands, floodplains, and wetlands associated with
6 the segment, shall be deemed to satisfy the stand-
7 ards and requirements of section 6(e) of the Wild
8 and Scenic Rivers Act (16 U.S.C. 1277(e)).

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

18 **SEC. 5. UPSTREAM SEGMENT.**

19 Upon request by the town of Epping, New Hamp-
20 shire, which abuts an additional 12 miles of river found
21 eligible for designation as a recreational river under the
22 study described in section 2(1), the Secretary of the Inte-
23 rior shall offer assistance concerning continued involve-
24 ment of the town of Epping in the implementation of the
25 Lamprey River Management Plan and in consideration of

1 potential future addition of the portion of the river within
2 Epping as a component of the National Wild and Scenic
3 Rivers System.

4 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

5 There are authorized to be appropriated such sums
6 as are necessary to carry out this Act and the amendment
7 made by this Act.