

104TH CONGRESS
2D SESSION

S. 2032

To designate a portion of the Sudbury, Assabet, and Concord Rivers as
a component of the National Wild and Scenic Rivers System.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 1996

Mr. KERRY (for himself and Mr. KENNEDY) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

A BILL

To designate a portion of the Sudbury, Assabet, and Concord
Rivers 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. SHORT TITLE**

4 This Act may be cited as the “Sudbury, Assabet, and
5 Concord Wild and Scenic Rivers Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) Title vii of Public Law 101–628—

1 (A) designated segments of the Sudbury,
2 Assabet, and Concord Rivers in the Common-
3 wealth of Massachusetts, totaling 29 river
4 miles, for study of potential addition to the Na-
5 tional Wild and Scenic Rivers Systems, and

6 (B) directed the Secretary of the Interior
7 to establish the Sudbury, Assabet, and Concord
8 River Study Committee (in this Act referred to
9 as the “Study Committee”) to advise the Sec-
10 retary of the Interior in conducting the study
11 and concerning management alternatives should
12 the river be included in the National Wild and
13 Scenic Rivers System.

14 (2) The study determination that—

15 (A) the 16.6 mile segment of the Sudbury
16 River beginning at the Danforth Street Bridge
17 in the Town of Framingham, to its confluence
18 with the Assabet River,

19 (B) the 4.4 mile segment of the Assabet
20 River from 1,000 feet downstream from the
21 Damon Mill Dam in the Town of Concord to
22 the confluence with the Sudbury River at Egg
23 Rock in Concord, and

24 (C) the 8 mile segment of the Concord
25 River from Egg Rock at the confluence of the

1 Sudbury and Assabet Rivers to the Route 3
2 Bridge in the Town of Billerica
3 are eligible for inclusion in the National Wild and
4 Scenic Rivers System based upon their free-flowing
5 condition and outstanding scenic, recreation, wildlife,
6 literary, and historic values.

7 (3) The towns that directly abut the segments,
8 including Framingham, Sudbury, Wayland, Lincoln,
9 Concord, Bedford, Carlisle, and Billerica, Massachu-
10 setts, have each demonstrated their desire for Na-
11 tional Wild and Scenic River designation through
12 town meeting votes endorsing designation.

13 (4) During the study, the Study Committee and
14 the National Park Service prepared a comprehensive
15 management plan for the segments, entitled “Sud-
16 bury, Assabet and Concord Wild and Scenic River
17 Study, River Management Plan”, dated March 16,
18 1995, which establishes objectives, standards, and
19 action programs that will ensure long-term protec-
20 tion of the rivers’ outstanding values and compatible
21 management of their land and water resources.

22 (5) The river management plan does not call
23 for federal land acquisition for Wild and Scenic
24 River purposes and relies upon State, local and pri-
25 vate entities to have the primary responsibility for

1 ownership and management of the Sudbury, Assabet
2 and Concord Wild and Scenic River resources.

3 (6) The Study Committee voted unanimously on
4 February 23, 1995, to recommend that the Congress
5 include these segments in the National Wild and
6 Scenic Rivers System for management in accordance
7 with the River Conservation Plan.

8 **SEC. 3. WILD, SCENIC, AND RECREATIONAL RIVER DES-**
9 **IGNATION.**

10 Section 3(a) of the Wild and Scenic Rivers Act (16
11 U.S.C. 1274(a)) is amended by adding at the end the fol-
12 lowing new paragraph:

13 “() Sudbury, Assabet and Concord Rivers,
14 Massachusetts—

15 “(A) IN GENERAL.—The 29 miles of river
16 segments in Massachusetts consisting of the
17 Sudbury River from the Danforth Street Bridge
18 in Framingham downstream to its confluence
19 with the Assabet River at Egg Rock; the
20 Assabet River from a point 1,000 feet down-
21 stream of the Damondale Dam in Concord to
22 its confluence with the Sudbury River at Egg
23 Rock; and the Concord River from its origin at
24 Egg Rock in Concord downstream to the Route
25 3 bridge in Billerica (in this paragraph referred

1 to as ‘segments’), as scenic and recreational
2 river segments. The segments shall be adminis-
3 tered by the Secretary of the Interior through
4 cooperative agreements between the Secretary
5 of the Interior and the Commonwealth of Mas-
6 sachusetts and its relevant political subdivisions
7 (including the Towns of Framingham, Wayland,
8 Sudbury, Lincoln, Concord Carlisle, Bedford,
9 and Billerica) pursuant to section 10(e) of this
10 Act. The segments shall be managed in accord-
11 ance with the plan entitled “Sudbury, Assabet
12 and Concord Wild and Scenic River Study,
13 River Conservation Plan” dated March 16,
14 1995 (in this paragraph referred to as the
15 ‘Plan’). The Plan is deemed to satisfy the re-
16 quirement for a comprehensive management
17 plan under section 3(d) of this Act.”.

18 **SEC. 4 MANAGEMENT.**

19 (a) COMMITTEE.—The Director of the National Park
20 Service (in this paragraph referred to as the ‘Director’),
21 or his or her designee, shall represent the Secretary of
22 the Interior on the SUASCO River Stewardship Council
23 provided for in the “Sudbury, Assabet and Concord Wild
24 and Scenic River Study, River Management Plan” (the
25 ‘Plan’).

1 (b) FEDERAL ROLE.—(1) The Director represents
2 the Secretary of the Interior in the implementation of the
3 Plan and the provisions of the Wild and Scenic Rivers Act
4 with respect to the segments, including the review of pro-
5 posed federally assisted water resources projects which
6 could have a direct and adverse effect on the values for
7 which the segments are established, as authorized under
8 section 7(a) of the Wild and Scenic Rivers Act.

9 (2) Pursuant to section 10(e) and section 11(b)(1),
10 the Director shall offer to enter into cooperative agree-
11 ments with the Commonwealth of Massachusetts, its rel-
12 evant political subdivisions, the Sudbury Valley Trustees,
13 and the Organization for the Assabet River. Such coopera-
14 tive agreements shall be consistent with the Plan and may
15 include provisions for financial or other assistance from
16 the United States to facilitate the long-term protection,
17 conservation and enhancement of the segments.

18 (3) The Director may provide technical assistance,
19 staff support, and funding to assist in the implementation
20 of the Plan, except that the total cost to the Federal Gov-
21 ernment of activities to implement the Plan may not ex-
22 ceed \$100,000 each fiscal year.

23 (4) Notwithstanding the provisions of section 10(c)
24 of the Wild and Scenic Rivers Act, any portion of the seg-

1 ments not already within the National Park System shall
2 not under this Act—

3 (A) become a part of the National Park Sys-
4 tem;

5 (B) be managed by the National Park Service;
6 or

7 (C) be subject to regulations which govern the
8 National Park System.

9 (c) WATER RESOURCES PROJECTS.—(1) In deter-
10 mining whether a proposed water resources project would
11 have a direct and adverse effect on the values for which
12 the segments were included in the National Wild and Sce-
13 nic Rivers System, the Secretary shall specifically consider
14 the extent to which the project is consistent with the Plan.

15 (2) The Plan, including the detailed Water Resources
16 Study incorporated by reference therein and such addi-
17 tional analysis as may be incorporated in the future, shall
18 serve as the primary source of information regarding the
19 flows needed to maintain instream resources and potential
20 compatibility between resource protection and possible ad-
21 ditional water withdrawals.

22 (d) LAND MANAGEMENT.—(1) The zoning bylaws of
23 the towns of Framingham, Sudbury, Wayland, Lincoln,
24 Concord, Carlisle, Bedford, and Billerica, Massachusetts,
25 as in effect on the date of enactment of this paragraph,

1 are deemed to satisfy the standards and requirements
2 under section 6(c) of the Wild and Scenic Rivers Act. For
3 the purpose of section 6(c) of the Wild and Scenic Rivers
4 Act, the towns are deemed to be ‘villages’ and the provi-
5 sions of that section which prohibit Federal acquisition of
6 lands shall apply

7 (2) The United States Government shall not acquire
8 by any means title to land, easements, or other interests
9 in land along the segments for the purposes of designation
10 of the segments under this Act or the Wild and Scenic
11 Rivers Act. Nothing in this Act or the Wild and Scenic
12 Rivers Act shall prohibit Federal acquisition of interests
13 in land along the segments under other laws for other pur-
14 poses.

15 **SEC. 5. FUNDING AUTHORIZATION.**

16 There are authorized to be appropriated to the Sec-
17 retary of the Interior to carry out the purposes of this
18 Act no more than \$100,000 for each fiscal year.

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