

# Union Calendar No. 390

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1110

[Report No. 105-691]

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 1997

Mr. MEEHAN (for himself, Mr. MARKEY, Mr. TIERNEY, Mr. MOAKLEY, Mr. OLVER, Mr. FRANK of Massachusetts, Mr. NEAL of Massachusetts, Mr. MCGOVERN, Mr. KENNEDY of Massachusetts, Mr. DELAHUNT, Mrs. JOHNSON of Connecticut, Mr. BASS, Mr. SUNUNU, and Mr. SHAYS) introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 9, 1998

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

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## 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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. FINDINGS.**

5 The Congress finds the following:

6 (1) Title VII of Public Law 101–628—

7 (A) designated segments of the Sudbury,  
8 Assabet, and Concord Rivers in the Common-  
9 wealth of Massachusetts, totaling 29 river  
10 miles, for study and potential addition to the  
11 National Wild and Scenic Rivers System, and

12 (B) directed the Secretary of the Interior  
13 to establish the Sudbury, Assabet, and Concord  
14 River Study Committee to advise the Secretary  
15 of the Interior in conducting the study and the  
16 consideration of management alternatives  
17 should the river be included in the National  
18 Wild and Scenic Rivers System.

19 (2) The study determined the following river  
20 segments are eligible for inclusion in the National  
21 Wild and Scenic Rivers System based on their free-  
22 flowing condition and outstanding scenic, recreation,  
23 wildlife, cultural, and historic values:

24 (A) The 16.6-mile segment of the Sudbury  
25 River beginning at the Danforth Street Bridge

1 in the town of Framingham, to its confluence  
2 with the Assabet River.

3 (B) The 4.4-mile segment of the Assabet  
4 River from 1,000 feet downstream from the  
5 Damon Mill Dam in the town of Concord to the  
6 confluence with the Sudbury River at Egg Rock  
7 in Concord.

8 (C) The 8-mile segment of the Concord  
9 River from Egg Rock at the confluence of the  
10 Sudbury and Assabet Rivers to the Route 3  
11 bridge in the town of Billerica.

12 (3) The towns that directly abut the segments,  
13 including Framingham, Sudbury, Wayland, Lincoln,  
14 Concord, Bedford, Carlisle, and Billerica, Massachu-  
15 setts, have each demonstrated their desire for Na-  
16 tional Wild and Scenic River Designation through  
17 town meeting votes endorsing designation.

18 (4) During the study, the Study Committee and  
19 the National Park Service prepared a comprehensive  
20 management plan for the segment, entitled “Sud-  
21 bury, Assabet and Concord Wild and Scenic River  
22 Study, River Conservation Plan”, dated March 16,  
23 1995, which establishes objectives, standards, and  
24 action programs that will ensure long-term protec-

1 tion of the rivers' outstanding values and compatible  
2 management of their land and water resources.

3 (5) 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. DESIGNATION.**

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

12 “( ) SUDBURY, ASSABET, AND CONCORD RIV-  
13 ERS, MASSACHUSETTS.—The 29 miles of river seg-  
14 ments in Massachusetts consisting of the Sudbury  
15 River from the Danforth Street Bridge in Fra-  
16 mingham downstream to its confluence with the  
17 Assabet River at Egg Rock; the Assabet River from  
18 a point 1,000 feet downstream of the Damondale  
19 Dam in Concord to its confluence with the Sudbury  
20 River at Egg Rock; and the Concord River from its  
21 origin at Egg Rock in Concord downstream to the  
22 Route 3 bridge in Billerica (in this paragraph re-  
23 ferred to as the ‘segments’), as scenic and rec-  
24 reational river segments. The segments shall be ad-  
25 ministered by the Secretary of the Interior in co-

1 operation with the SUASCO River Stewardship  
2 Council provided for in the plan through cooperative  
3 agreements under section 10(e) between the Sec-  
4 retary and the Commonwealth of Massachusetts and  
5 its relevant political subdivisions (including the  
6 towns of Framingham, Wayland, Sudbury, Lincoln,  
7 Concord, Carlisle, Bedford, and Billerica). The seg-  
8 ments shall be managed in accordance with the plan  
9 entitled ‘Sudbury, Assabet and Concord Wild and  
10 Scenic River Study, River Conservation Plan’ dated  
11 March 16, 1995. The plan is deemed to satisfy the  
12 requirement for a comprehensive management plan  
13 under section 3(d).”.

14 **SEC. 4. MANAGEMENT.**

15 (a) FEDERAL ROLE.—(1) The Director of the Na-  
16 tional Park Service or his or her designee shall represent  
17 the Secretary in the implementation of the Plan and the  
18 provisions of this Act and the Wild and Scenic Rivers Act  
19 with respect to each of the segments designated by section  
20 3, including the review of proposed federally assisted water  
21 resources projects that could have a direct and adverse  
22 effect on the values for which the segment is established,  
23 as authorized under section 7(a) of the Wild and Scenic  
24 Rivers Act (16 U.S.C. 1278(a)).

1           (2) Pursuant to sections 10(e) and section 11(b)(1)  
2 of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e),  
3 1282(b)(1)), the Director shall offer to enter into coopera-  
4 tive agreements with the Commonwealth of Massachu-  
5 setts, its relevant political subdivisions, the Sudbury Val-  
6 ley Trustees, and the Organization for the Assabet River.  
7 Such cooperative agreements shall be consistent with the  
8 Plan and may include provisions for financial or other as-  
9 sistance from the United States to facilitate the long-term  
10 protection, conservation, and enhancement of each of the  
11 segments designated by section 3 of this Act.

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

17           (4) Notwithstanding section 10(c) of the Wild and  
18 Scenic Rivers Act (16 U.S.C. 1281(c)), any portion of a  
19 segment not already within the National Park System  
20 shall not under this Act—

21                   (A) become a part of the National Park Sys-  
22 tem;

23                   (B) be managed by the National Park Service;

24           or

1           (C) be subject to regulations which govern the  
2       National Park System.

3       (b) WATER RESOURCES PROJECTS.—(1) In deter-  
4       mining whether a proposed water resources project would  
5       have a direct and adverse effect on the values for which  
6       the segments designated under section 3 were included in  
7       the National Wild and Scenic Rivers System, the Sec-  
8       retary shall specifically consider the extent to which the  
9       project is consistent with the Plan.

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

17       (c) LAND MANAGEMENT.—(1) The zoning bylaws of  
18       the towns of Framingham, Sudbury, Wayland, Lincoln,  
19       Concord, Carlisle, Bedford, and Billerica, Massachusetts,  
20       as in effect on the date of enactment of this Act, are  
21       deemed to satisfy the standards and requirements under  
22       section 6(e) of the Wild and Scenic Rivers Act (16 U.S.C.  
23       1277(c)). For the purpose of that section, the towns are  
24       deemed to be “villages” and the provisions of that section

1 which prohibit Federal acquisition of lands through con-  
2 demnation shall apply.

3 (2) The United States Government shall not acquire  
4 by any means title to land, easements, or other interests  
5 in land along the segments designated under section 3 or  
6 their tributaries for the purposes of designation of the seg-  
7 ments under section 3. Nothing in this Act shall prohibit  
8 Federal acquisition of interests in land along those seg-  
9 ments or tributaries under other laws for other purposes.

10 **SEC. 5. DEFINITIONS.**

11 In this Act:

12 (1) **DIRECTOR.**—The term “Director” means  
13 the Director of the National Park Service.

14 (2) **PLAN.**—The term “Plan” means the plan  
15 prepared by the Study Committee and the National  
16 Park Service entitled “Sudbury, Assabet and Con-  
17 cord Wild and Scenic River Study, River Conserva-  
18 tion Plan” and dated March 16, 1995.

19 (3) **STUDY COMMITTEE.**—The term “Study  
20 Committee” means the Sudbury, Assabet, and Con-  
21 cord River Study Committee established by the Sec-  
22 retary of the Interior under title VII of Public Law  
23 101–628.

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

2       There are authorized to be appropriated to the Sec-  
3 retary of the Interior to carry out this Act not to exceed  
4 \$100,000 for each fiscal year.

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