

109TH CONGRESS
2^D SESSION

H. R. 5885

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

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2006

Mr. SIMMONS (for himself, Mr. SHAYS, Mrs. JOHNSON of Connecticut, Mr. LARSON of Connecticut, and Ms. DELAURO) introduced the following bill; which was referred to the Committee on Resources

A BILL

To amend the Wild and Scenic Rivers Act to designate certain segments of the Eightmile River in the State of Connecticut 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 “Eightmile Wild and
5 Scenic River Act”.

6 **SEC. 2. WILD AND SCENIC RIVER DESIGNATION,**
7 **EIGHTMILE RIVER, CONNECTICUT.**

8 (a) FINDINGS.—Congress finds the following:

1 (1) The Eightmile River Wild and Scenic River
2 Study Act of 2001 (Public Law 107–65; 115 Stat.
3 484) authorized the study of the Eightmile River in
4 the State of Connecticut from its headwaters down-
5 stream to its confluence with the Connecticut River
6 for potential inclusion in the National Wild and Sce-
7 nic Rivers System.

8 (2) The segments of the Eightmile River cov-
9 ered by the study are in a free-flowing condition,
10 and the outstanding resource values of the river seg-
11 ments include the cultural landscape, water quality,
12 watershed hydrology, unique species and natural
13 communities, geology, and watershed ecosystem.

14 (3) The Eightmile River Wild and Scenic Study
15 Committee has determined that—

16 (A) the outstanding resource values of
17 these river segments depend on sustaining the
18 integrity and quality of the Eightmile River wa-
19 tershed;

20 (B) these resource values are manifest
21 within the entire watershed; and

22 (C) the watershed as a whole, including its
23 protection, is itself intrinsically important to
24 this designation.

1 (4) The Eightmile River Wild and Scenic Study
2 Committee took a watershed approach in studying
3 and recommending management options for the river
4 segments and the Eightmile River watershed as a
5 whole.

6 (5) During the study, the Eightmile River Wild
7 and Scenic Study Committee, with assistance from
8 the National Park Service, prepared a comprehen-
9 sive management plan for the Eightmile River wa-
10 tershed, dated December 8, 2005 (in this section re-
11 ferred to as the “Eightmile River Watershed Man-
12 agement Plan”), which establishes objectives, stand-
13 ards, and action programs that will ensure long-term
14 protection of the outstanding values of the river and
15 compatible management of the land and water re-
16 sources of the Eightmile River and its watershed,
17 without Federal management of affected lands not
18 owned by the United States.

19 (6) The Eightmile River Wild and Scenic Study
20 Committee voted in favor of inclusion of the
21 Eightmile River in the National Wild and Scenic
22 Rivers System and included this recommendation as
23 an integral part of the Eightmile River Watershed
24 Management Plan.

1 (7) The residents of the towns lying along the
2 Eightmile River and comprising most of its water-
3 shed (Salem, East Haddam, and Lyme, Con-
4 necticut), as well as the Boards of Selectmen and
5 Land Use Commissions of these towns, voted to en-
6 dorse the Eightmile River Watershed Management
7 Plan and to seek designation of the river as a com-
8 ponent of the National Wild and Scenic Rivers Sys-
9 tem.

10 (8) The State of Connecticut General Assembly
11 enacted Public Act 05–18 to endorse the Eightmile
12 River Watershed Management Plan and to seek des-
13 ignation of the river as a component of the National
14 Wild and Scenic Rivers System.

15 (b) DESIGNATION.—Section 3(a) of the Wild and
16 Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by add-
17 ing at the end the following new paragraph:

18 “() EIGHTMILE RIVER, CONNECTICUT.—Segments
19 of the main stem and specified tributaries of the Eightmile
20 River in the State of Connecticut, totaling approximately
21 25.3 miles, to be administered by the Secretary of the In-
22 terior as follows:

23 “(A) The entire 10.8-mile segment of the main
24 stem, starting at its confluence with Lake Hayward

1 Brook to its confluence with the Connecticut River
2 at the mouth of Hamburg Cove, as a scenic river.

3 “(B) The 8.0-mile segment of the East Branch
4 of the Eightmile River starting at Witch Meadow
5 Road to its confluence with the main stem of the
6 Eightmile River, as a scenic river.

7 “(C) The 3.9-mile segment of Harris Brook
8 starting with the confluence of an unnamed stream
9 lying 0.74 miles due east of the intersection of Hart-
10 ford Road (State Route 85) and Round Hill Road
11 to its confluence with the East Branch of the
12 Eightmile River, as a scenic river.

13 “(D) The 1.9-mile segment of Beaver Brook
14 starting at its confluence with Cedar Pond Brook to
15 its confluence with the main stem of the Eightmile
16 River, as a scenic river.

17 “(E) The 0.7-mile segment of Falls Brook from
18 its confluence with Tisdale Brook to its confluence
19 with the main stem of the Eightmile River at Ham-
20 burg Cove, as a scenic river.”.

21 (c) MANAGEMENT.—The segments of the main stem
22 and certain tributaries of the Eightmile River in the State
23 of Connecticut designated as components of the National
24 Wild and Scenic Rivers System by the amendment made
25 by subsection (b) (in this section referred to as the

1 “Eightmile River”) shall be managed in accordance with
2 the Eightmile River Watershed Management Plan and
3 such amendments to the plan as the Secretary of the Inte-
4 rior determines are consistent with this section. The
5 Eightmile River Watershed Management Plan is deemed
6 to satisfy the requirements for a comprehensive manage-
7 ment plan required by section 3(d) of the Wild and Scenic
8 Rivers Act (16 U.S.C. 1274(d)).

9 (d) COMMITTEE.—The Secretary of the Interior shall
10 coordinate the management responsibilities of the Sec-
11 retary with regard to the Eightmile River with the
12 Eightmile River Coordinating Committee, as specified in
13 the Eightmile River Watershed Management Plan.

14 (e) COOPERATIVE AGREEMENTS.—In order to pro-
15 vide for the long-term protection, preservation, and en-
16 hancement of the Eightmile River, the Secretary of the
17 Interior may enter into cooperative agreements pursuant
18 to sections 10(e) and 11(b)(1) of the Wild and Scenic Riv-
19 ers Act (16 U.S.C. 1281(e), 1282(b)(1)) with the State
20 of Connecticut, the towns of Salem, Lyme, and East
21 Haddam, Connecticut, and appropriate local planning and
22 environmental organizations. All cooperative agreements
23 authorized by this subsection shall be consistent with the
24 Eightmile River Watershed Management Plan and may in-

1 clude provisions for financial or other assistance from the
2 United States.

3 (f) RELATION TO NATIONAL PARK SYSTEM.—Not-
4 withstanding section 10(c) of the Wild and Scenic Rivers
5 Act (16 U.S.C. 1281(c), the Eightmile River shall not be
6 administered as part of the National Park System or be
7 subject to regulations which govern the National Park
8 System.

9 (g) LAND MANAGEMENT.—

10 (1) ZONING ORDINANCES.—For the purposes of
11 the Eightmile River, the zoning ordinances adopted
12 by the towns of Salem, East Haddam, and Lyme,
13 Connecticut, in effect as of December 8, 2005, in-
14 cluding provisions for conservation of floodplains,
15 wetlands and watercourses associated with the seg-
16 ments, are deemed to satisfy the standards and re-
17 quirements of section 6(e) of the Wild and Scenic
18 Rivers Act (16 U.S.C. 1277(e)).

19 (2) ACQUISITION OF LANDS.—The provisions of
20 section 6(e) of the Wild and Scenic Rivers Act that
21 prohibit Federal acquisition of lands by condemna-
22 tion shall apply to the Eightmile River. The author-
23 ity of the Secretary of the Interior to acquire lands
24 for the purpose of managing the Eightmile River as

1 a component of the National Wild and Scenic Rivers
2 System shall be—

3 (A) limited to acquisition by donation or
4 acquisition with the consent of the owner of the
5 lands; and

6 (B) subject to the additional criteria set
7 forth in the Eightmile River Watershed Man-
8 agement Plan.

9 (h) WATERSHED APPROACH.—

10 (1) IN GENERAL.—In furtherance of the water-
11 shed approach to resource preservation and enhance-
12 ment articulated in the Eightmile River Watershed
13 Management Plan, the tributaries of the Eightmile
14 River watershed specified in paragraph (2) are rec-
15 ognized as integral to the protection and enhance-
16 ment of the Eightmile River and its watershed.

17 (2) COVERED TRIBUTARIES.—Paragraph (1)
18 applies with respect to Beaver Brook, Big Brook,
19 Burnhams Brook, Cedar Pond Brook, Cranberry
20 Meadow Brook, Early Brook, Falls Brook, Fraser
21 Brook, Harris Brook, Hedge Brook, Lake Hayward
22 Brook, Malt House Brook, Muddy Brook, Ransom
23 Brook, Rattlesnake Ledge Brook, Shingle Mill
24 Brook, Strongs Brook, Tisdale Brook, Witch Mead-

1 ow Brook, and all other perennial streams within the
2 Eightmile River watershed.

3 (i) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated such sums as are nec-
5 essary to carry out this section and the amendment made
6 by subsection (b).

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