

109TH CONGRESS
1ST SESSION

S. 1096

AN ACT

To amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component 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 “Musconetcong Wild
5 and Scenic Rivers Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) the Secretary of the Interior, in cooperation
4 and consultation with appropriate Federal, State, re-
5 gional, and local agencies, is conducting a study of
6 the eligibility and suitability of the Musconetcong
7 River in the State of New Jersey for inclusion in the
8 Wild and Scenic Rivers System;

9 (2) the Musconetcong Wild and Scenic River
10 Study Task Force, with assistance from the Na-
11 tional Park Service, has prepared a river manage-
12 ment plan for the study area entitled “Musconetcong
13 River Management Plan” and dated April 2003 that
14 establishes goals and actions to ensure long-term
15 protection of the outstanding values of the river and
16 compatible management of land and water resources
17 associated with the Musconetcong River; and

18 (3) 13 municipalities and 3 counties along seg-
19 ments of the Musconetcong River that are eligible
20 for designation have passed resolutions in which the
21 municipalities and counties—

22 (A) express support for the Musconetcong
23 River Management Plan;

24 (B) agree to take action to implement the
25 goals of the management plan; and

1 (C) endorse designation of the
2 Musconetcong River as a component of the
3 Wild and Scenic Rivers System.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

6 (1) **ADDITIONAL RIVER SEGMENT.**—The term
7 “additional river segment” means the approximately
8 4.3-mile Musconetcong River segment designated as
9 “C” in the management plan, from Hughesville Mill
10 to the Delaware River Confluence.

11 (2) **MANAGEMENT PLAN.**—The term “manage-
12 ment plan” means the river management plan pre-
13 pared by the Musconetcong River Management Com-
14 mittee, the National Park Service, the Heritage Con-
15 servancy, and the Musconetcong Watershed Associa-
16 tion entitled “Musconetcong River Management
17 Plan” and dated April 2003 that establishes goals
18 and actions to—

19 (A) ensure long-term protection of the out-
20 standing values of the river segments; and

21 (B) compatible management of land and
22 water resources associated with the river seg-
23 ments.

24 (3) **RIVER SEGMENT.**—The term “river seg-
25 ment” means any segment of the Musconetcong

1 River, New Jersey, designated as a scenic river or
 2 recreational river by section 3(a)(167) of the Wild
 3 and Scenic Rivers Act (as added by section 4).

4 (4) SECRETARY.—The term “Secretary” means
 5 the Secretary of the Interior.

6 **SEC. 4. DESIGNATION OF PORTIONS OF MUSCONETCONG**
 7 **RIVER, NEW JERSEY, AS SCENIC AND REC-**
 8 **REATIONAL RIVERS.**

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:

12 “(167) MUSCONETCONG RIVER, NEW JERSEY.—

13 “(A) DESIGNATION.—The 24.2 miles of river
 14 segments in New Jersey, consisting of—

15 “(i) the approximately 3.5-mile segment
 16 from Saxton Falls to the Route 46 bridge, to be
 17 administered by the Secretary of the Interior as
 18 a scenic river; and

19 “(ii) the approximately 20.7-mile segment
 20 from the Kings Highway bridge to the railroad
 21 tunnels at Musconetcong Gorge, to be adminis-
 22 tered by the Secretary of the Interior as a rec-
 23 reational river.

24 “(B) ADMINISTRATION.—Notwithstanding sec-
 25 tion 10(c), the river segments designated under sub-

1 paragraph (A) shall not be administered as part of
2 the National Park System.”.

3 **SEC. 5. MANAGEMENT.**

4 (a) **MANAGEMENT PLAN.**—

5 (1) **IN GENERAL.**—The Secretary shall manage
6 the river segments in accordance with the manage-
7 ment plan.

8 (2) **SATISFACTION OF REQUIREMENTS FOR**
9 **PLAN.**—The management plan shall be considered to
10 satisfy the requirements for a comprehensive man-
11 agement plan for the river segments under section
12 3(d) of the Wild and Scenic Rivers Act (16 U.S.C.
13 1274(d)).

14 (3) **RESTRICTIONS ON WATER RESOURCE**
15 **PROJECTS.**—For purposes of determining whether a
16 proposed water resources project would have a direct
17 and adverse effect on the values for which a river
18 segment is designated as part of the Wild and Sce-
19 nic Rivers System under section 7(a) of the Wild
20 and Scenic Rivers Act (16 U.S.C. 1278(a)), the Sec-
21 retary shall consider the extent to which the pro-
22 posed water resources project is consistent with the
23 management plan.

24 (4) **IMPLEMENTATION.**—The Secretary may
25 provide technical assistance, staff support, and fund-

1 ing to assist in the implementation of the manage-
2 ment plan.

3 (b) COOPERATION.—

4 (1) IN GENERAL.—The Secretary shall manage
5 the river segments in cooperation with appropriate
6 Federal, State, regional, and local agencies,
7 including—

8 (A) the Musconetcong River Management
9 Committee;

10 (B) the Musconetcong Watershed Associa-
11 tion;

12 (C) the Heritage Conservancy;

13 (D) the National Park Service; and

14 (E) the New Jersey Department of Envi-
15 ronmental Protection.

16 (2) COOPERATIVE AGREEMENTS.—Any coopera-
17 tive agreement entered into under section 10(e) of
18 the Wild and Scenic Rivers Act (16 U.S.C. 1281(e))
19 relating to a river segment—

20 (A) shall be consistent with the manage-
21 ment plan; and

22 (B) may include provisions for financial or
23 other assistance from the United States to fa-
24 cilitate the long-term protection, conservation,
25 and enhancement of the river segment.

1 (c) LAND MANAGEMENT.—

2 (1) IN GENERAL.—The Secretary may provide
3 planning, financial, and technical assistance to local
4 municipalities and nonprofit organizations to assist
5 in the implementation of actions to protect the nat-
6 ural and historic resources of the river segments.

7 (2) PLAN REQUIREMENTS.—After adoption of
8 recommendations made in section IV of the manage-
9 ment plan, the zoning ordinances of the municipali-
10 ties bordering the segments shall be considered to
11 satisfy the standards and requirements under sec-
12 tion 6(c) of the Wild and Scenic Rivers Act (16
13 U.S.C. 1277(c)).

14 (d) DESIGNATION OF ADDITIONAL RIVER SEG-
15 MENT.—

16 (1) FINDING.—Congress finds that the addi-
17 tional river segment is suitable for designation as a
18 recreational river if the Secretary determines that
19 there is adequate local support for the designation of
20 the additional river segment in accordance with
21 paragraph (3).

22 (2) DESIGNATION AND ADMINISTRATION.—If
23 the Secretary determines that there is adequate local
24 support for designating the additional river segment
25 as a recreational river—

1 (A) the Secretary shall publish in the Fed-
2 eral Register notice of the designation of the
3 segment;

4 (B) the segment shall be designated as a
5 recreational river in accordance with the Wild
6 and Scenic Rivers Act (16 U.S.C. 1271 et seq.);
7 and

8 (C) the Secretary shall administer the ad-
9 ditional river segment as a recreational river.

10 (3) CRITERIA FOR LOCAL SUPPORT.—In deter-
11 mining whether there is adequate local support for
12 the designation of the additional river segment, the
13 Secretary shall consider the preferences of local gov-
14 ernments expressed in resolutions concerning des-
15 ignation of the additional river segment.

16 (e) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated such sums as are nec-
18 essary to carry out this Act and the amendments made
19 by this Act.

Passed the Senate December 16, 2005.

Attest:

Secretary.

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