

Calendar No. 311109TH CONGRESS
1ST SESSION**S. 1096****[Report No. 109-193]**

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.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2005

Mr. CORZINE (for himself and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

DECEMBER 8, 2005

Reported under authority of the order of the Senate of November 18, 2005,
by Mr. DOMENICI, without amendment

A BILL

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Musconetcong Wild
3 and Scenic Rivers Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

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

12 (2) the Musconetcong Wild and Scenic River
13 Study Task Force, with assistance from the Na-
14 tional Park Service, has prepared a river manage-
15 ment plan for the study area entitled “Musconetcong
16 River Management Plan” and dated April 2002 that
17 establishes goals and actions to ensure long-term
18 protection of the outstanding values of the river and
19 compatible management of land and water resources
20 associated with the Musconetcong River; and

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

25 (A) express support for the Musconetcong
26 River Management Plan;

1 (B) agree to take action to implement the
2 goals of the management plan; and

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

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

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

13 (2) **MANAGEMENT PLAN.**—The term “manage-
14 ment plan” means the river management plan pre-
15 pared by the Musconetcong River Management Com-
16 mittee, the National Park Service, the Heritage Con-
17 servancy, and the Musconetcong Watershed Associa-
18 tion entitled “Musconetcong River Management
19 Plan” and dated April 2002 that establishes goals
20 and actions to—

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

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

1 (3) RIVER SEGMENT.—The term “river seg-
 2 ment” means any segment of the Musconetcong
 3 River, New Jersey, designated as a scenic river or
 4 recreational river by section 3(a)(167) of the Wild
 5 and Scenic Rivers Act (as added by section 4).

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

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

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

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

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

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

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

1 “(B) ADMINISTRATION.—Notwithstanding sec-
2 tion 10(c), the river segments designated under sub-
3 paragraph (A) shall not be administered as part of
4 the National Park System.”.

5 **SEC. 5. MANAGEMENT.**

6 (a) MANAGEMENT PLAN.—

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

10 (2) SATISFACTION OF REQUIREMENTS FOR
11 PLAN.—The management plan shall be considered to
12 satisfy the requirements for a comprehensive man-
13 agement plan for the river segments under section
14 3(d) of the Wild and Scenic Rivers Act (16 U.S.C.
15 1274(d)).

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

1 (4) IMPLEMENTATION.—The Secretary may
2 provide technical assistance, staff support, and fund-
3 ing to assist in the implementation of the manage-
4 ment plan.

5 (b) COOPERATION.—

6 (1) IN GENERAL.—The Secretary shall manage
7 the river segments in cooperation with appropriate
8 Federal, State, regional, and local agencies, includ-
9 ing—

10 (A) the Musconetcong River Management
11 Committee;

12 (B) the Musconetcong Watershed Associa-
13 tion;

14 (C) the Heritage Conservancy;

15 (D) the National Park Service; and

16 (E) the New Jersey Department of Envi-
17 ronmental Protection.

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

22 (A) shall be consistent with the manage-
23 ment plan; and

24 (B) may include provisions for financial or
25 other assistance from the United States to fa-

1 facilitate the long-term protection, conservation,
2 and enhancement of the river segment.

3 (c) LAND MANAGEMENT.—

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

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

16 (d) DESIGNATION OF ADDITIONAL RIVER SEG-
17 MENT.—

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

24 (2) DESIGNATION AND ADMINISTRATION.—If
25 the Secretary determines that there is adequate local

1 support for designating the additional river segment
2 as a recreational river—

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

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

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

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

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

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