

Calendar No. 887

110TH CONGRESS
2D SESSION**H. R. 415**

IN THE SENATE OF THE UNITED STATES

JULY 17, 2008

Received; read twice and placed on the calendar

AN ACT

To amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts 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. DESIGNATION OF TAUNTON RIVER, MASSACHU-**
4 **SETTS.**

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

8 “(____) TAUNTON RIVER, MASSACHUSETTS.—The
9 main stem of the Taunton River from its headwaters at
10 the confluence of the Town and Matfield Rivers in the

1 Town of Bridgewater downstream 40 miles to the con-
2 fluence with the Quequechan River at the Route 195
3 Bridge in the City of Fall River, to be administered by
4 the Secretary of the Interior in cooperation with the Taun-
5 ton River Stewardship Council as follows:

6 “(A) The 18-mile segment from the confluence
7 of the Town and Matfield Rivers to Route 24 in the
8 Town of Raynham, as a scenic river.

9 “(B) The 5-mile segment from Route 24 to 0.5
10 miles below Weir Bridge in the City of Taunton, as
11 a recreational river.

12 “(C) The 8-mile segment from 0.5 miles below
13 Weir Bridge to Muddy Cove in the Town of
14 Dighton, as a scenic river.

15 “(D) The 9-mile segment from Muddy Cove to
16 the confluence with the Quequechan River at the
17 Route 195 Bridge in the City of Fall River, as a rec-
18 reational river.”.

19 **SEC. 2. MANAGEMENT OF TAUNTON RIVER, MASSACHU-**
20 **SETTS.**

21 (a) TAUNTON RIVER STEWARDSHIP PLAN.—

22 (1) IN GENERAL.—Each river segment added to
23 section 3(a) of the Wild and Scenic Rivers Act by
24 section 1 of this Act shall be managed in accordance
25 with the Taunton River Stewardship Plan, dated

1 July 2005 (including any amendment to the Taun-
2 ton River Stewardship Plan that the Secretary of
3 the Interior (referred to in this section as the “Sec-
4 retary”) determines to be consistent with this Act).

5 (2) EFFECT.—The Taunton River Stewardship
6 Plan described in paragraph (1) shall be considered
7 to satisfy each requirement relating to the com-
8 prehensive management plan required under section
9 3(d) of the Wild and Scenic Rivers Act (16 U.S.C.
10 1274(d)).

11 (b) COOPERATIVE AGREEMENTS.—To provide for the
12 long-term protection, preservation, and enhancement of
13 each river segment added to section 3(a) of the Wild and
14 Scenic Rivers Act by section 1 of this Act, pursuant to
15 sections 10(e) and 11(b)(1) of the Wild and Scenic Rivers
16 Act (16 U.S.C. 1281(e) and 1282(b)(1)), the Secretary
17 may enter into cooperative agreements (which may include
18 provisions for financial and other assistance) with—

19 (1) the Commonwealth of Massachusetts (in-
20 cluding political subdivisions of the Commonwealth
21 of Massachusetts);

22 (2) the Taunton River Stewardship Council;
23 and

24 (3) any appropriate nonprofit organization, as
25 determined by the Secretary.

1 (c) RELATION TO NATIONAL PARK SYSTEM.—Not-
2 withstanding section 10(c) of the Wild and Scenic Rivers
3 Act (16 U.S.C. 1281(c)), each river segment added to sec-
4 tion 3(a) of the Wild and Scenic Rivers Act by section
5 1 of this Act shall not be—

6 (1) administered as a unit of the National Park
7 System; or

8 (2) subject to the laws (including regulations)
9 that govern the administration of the National Park
10 System.

11 (d) LAND MANAGEMENT.—

12 (1) ZONING ORDINANCES.—The zoning ordi-
13 nances adopted by the Towns of Bridgewater, Hali-
14 fax, Middleborough, Raynham, Berkley, Dighton,
15 Freetown, and Somerset, and the Cities of Taunton
16 and Fall River, Massachusetts (including any provi-
17 sion of the zoning ordinances relating to the con-
18 servation of floodplains, wetlands, and watercourses
19 associated with any river segment added to section
20 3(a) of the Wild and Scenic Rivers Act by section
21 1 of this Act), shall be considered to satisfy each
22 standard and requirement described in section 6(c)
23 of the Wild and Scenic Rivers Act (16 U.S.C.
24 1277(c)).

1 (2) VILLAGES.—For the purpose of section 6(c)
2 of the Wild and Scenic Rivers Act (16 U.S.C.
3 1277(c)), each town described in paragraph (1) shall
4 be considered to be a village.

5 (3) ACQUISITION OF LAND.—

6 (A) LIMITATION OF AUTHORITY OF SEC-
7 RETARY.—With respect to each river segment
8 added to section 3(a) of the Wild and Scenic
9 Rivers Act by section 1 of this Act, the Sec-
10 retary may only acquire parcels of land—

11 (i) by donation; or

12 (ii) with the consent of the owner of
13 the parcel of land.

14 (B) PROHIBITION RELATING TO ACQUI-
15 SITION OF LAND BY CONDEMNATION.—In accord-
16 ance with section 6(c) of the Wild and Scenic
17 Rivers Act (16 U.S.C. 1277(c)), with respect to
18 each river segment added to section 3(a) of the
19 Wild and Scenic Rivers Act by section 1 of this
20 Act, the Secretary may not acquire any parcel
21 of land by condemnation.

22 **SEC. 3. ENERGY AND CONGRESSIONAL REVIEW.**

23 The Secretary of the Interior, in consultation with the
24 Secretary of Energy and private industry, shall complete
25 and submit to the Committee on Natural Resources of the

1 House of Representatives, the Committee on Energy and
2 Natural Resources of the Senate, and Senators and Rep-
3 resentatives from the States affected by the designation,
4 a report using the best available data and regarding the
5 energy resources available on the lands and waters in-
6 cluded in the segments of the Taunton River designated
7 under section 2 of this Act. The report shall—

8 (1) contain the best available description of the
9 energy resources available on the land and report on
10 the specific amount of energy withdrawn from pos-
11 sible development; and

12 (2) identify cubic feet of natural gas, natural
13 gas transmission and storage potential, megawatts
14 of geothermal, wind and solar energy that could be
15 commercially produced, annual available biomass for
16 energy production, and any megawatts of hydro-
17 power resources available, including tidal, traditional
18 dams, and in-stream flow turbines.

19 **SEC. 4. HUNTING, FISHING, TRAPPING, AND REC-**
20 **REATIONAL SHOOTING.**

21 Nothing in this Act shall be construed as affecting
22 the authority, jurisdiction, or responsibility of the Com-
23 monwealth of Massachusetts to manage, control, or regu-
24 late fish and resident wildlife under State law or regula-
25 tions, including the regulation of hunting, fishing, trap-

1 ping, and recreational shooting. Nothing in this Act shall
2 be construed as limiting access for hunting, fishing, trap-
3 ping, or recreational shooting.

4 **SEC. 5. DOMESTICALLY-PRODUCED ENERGY RESOURCES.**

5 Nothing in this Act shall impact the supply of domes-
6 tically-produced energy resources.

Passed the House of Representatives July 16, 2008.

Attest: LORRAINE C. MILLER,
Clerk.

By ROBERT F. REEVES,
Deputy Clerk.

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