

110TH CONGRESS
1ST SESSION

S. 1281

To amend the Wild and Scenic Rivers Act to designate certain rivers and streams of the headwaters of the Snake River System as additions to the National Wild and Scenic Rivers System.

IN THE SENATE OF THE UNITED STATES

MAY 3, 2007

Mr. THOMAS introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Wild and Scenic Rivers Act to designate certain rivers and streams of the headwaters of the Snake River System as additions to 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. SHORT TITLE.**

4 This Act may be cited as the “Snake Headwaters
5 Legacy Act of 2007”.

6 **SEC. 2. FINDINGS; PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

1 (1) the headwaters of the Snake River System
2 in northwest Wyoming feature some of the cleanest
3 sources of freshwater, healthiest native trout fish-
4 eries, and most intact rivers and streams in the
5 lower 48 States;

6 (2) the rivers and streams of the headwaters of
7 the Snake River System—

8 (A) provide unparalleled fishing, hunting,
9 boating, and other recreational activities for—

10 (i) local residents; and

11 (ii) millions of visitors from around
12 the world; and

13 (B) are national treasures;

14 (3) each year, recreational activities on the riv-
15 ers and streams of the headwaters of the Snake
16 River System generate millions of dollars for the
17 economies of—

18 (A) Teton County, Wyoming;

19 (B) Lincoln County, Wyoming; and

20 (C) Sublette County, Wyoming;

21 (4) to ensure that future generations of citizens
22 of the United States enjoy the benefits of the rivers
23 and streams of the headwaters of the Snake River
24 System, Congress should apply the protections pro-

1 vided by the Wild and Scenic Rivers Act (16 U.S.C.
2 1271 et seq.) to those rivers and streams; and

3 (5) the designation of the rivers and streams of
4 the headwaters of the Snake River System under the
5 Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.)
6 will signify to the citizens of the United States the
7 importance of maintaining the outstanding and re-
8 markable qualities of the Snake River System
9 while—

10 (A) preserving public access to those rivers
11 and streams;

12 (B) respecting private property rights (in-
13 cluding existing water rights); and

14 (C) continuing to allow traditional uses of
15 the rivers and streams, including—

16 (i) fishing;

17 (ii) hunting;

18 (iii) camping;

19 (iv) the use of all-terrain vehicles;

20 (v) boating;

21 (vi) snowmobiling;

22 (vii) outfitting; and

23 (viii) livestock grazing.

24 (b) PURPOSES.—The purposes of this Act are—

1 (1) to protect for current and future genera-
2 tions of citizens of the United States the remarkable
3 scenic, natural, wildlife, fishery, recreational, sci-
4 entific, historic, and ecological values of the rivers
5 and streams of the headwaters of the Snake River
6 System; and

7 (2) to designate 442.5 miles of the rivers and
8 streams of the headwaters of the Snake River Sys-
9 tem as additions to the National Wild and Scenic
10 Rivers System.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) SECRETARY CONCERNED.—The term “Sec-
14 retary concerned” means—

15 (A) the Secretary of Agriculture (acting
16 through the Chief of the Forest Service), with
17 respect to each river segment described in para-
18 graph (170) of section 3(a) of the Wild and
19 Scenic Rivers Act (16 U.S.C. 1274(a)) (as
20 added by section 4(4)) that is not located in the
21 Grand Teton National Park; and

22 (B) the Secretary of the Interior, with re-
23 spect to each river segment described in para-
24 graph (170) of section 3(a) of the Wild and
25 Scenic Rivers Act (16 U.S.C. 1274(a)) (as

1 added by section 4(4)) that is located in the
2 Grand Teton National Park.

3 (2) STATE.—The term “State” means the State
4 of Wyoming.

5 **SEC. 4. WILD AND SCENIC RIVER DESIGNATIONS, SNAKE**
6 **RIVER SYSTEM.**

7 Section 3(a) of the Wild and Scenic Rivers Act (16
8 U.S.C. 1274(a)) is amended—

9 (1) by redesignating paragraph (167) (relating
10 to the Musconetcong River, New Jersey) as para-
11 graph (169);

12 (2) by designating the undesignated paragraph
13 relating to the White Salmon River, Washington, as
14 paragraph (167);

15 (3) by designating the undesignated paragraph
16 relating to the Black Butte River, California, as
17 paragraph (168); and

18 (4) by adding at the end the following:

19 “(170) WILD AND SCENIC RIVER DESIGNA-
20 TIONS, SNAKE RIVER SYSTEM.—The following seg-
21 ments of the Snake River System, in the State of
22 Wyoming:

23 “(A) BAILEY CREEK.—The 7-mile segment
24 of Bailey Creek, from the divide with the Little

1 Greys River north to its confluence with the
2 Snake River, as a wild river.

3 “(B) BLACKROCK CREEK.—The 22-mile
4 segment from its source to the Bridger-Teton
5 National Forest boundary, as a scenic river.

6 “(C) BUFFALO FORK OF THE SNAKE
7 RIVER.—The portions of the Buffalo Fork of
8 the Snake River, consisting of—

9 “(i) the 55-mile segment consisting of
10 the North Fork, the Soda Fork, and the
11 South Fork, upstream from Turpin Mead-
12 ows, as a wild river;

13 “(ii) the 14-mile segment from Turpin
14 Meadows to the upstream boundary of
15 Grand Teton National Park, as a scenic
16 river; and

17 “(iii) the 7.7-mile segment from the
18 upstream boundary of Grand Teton Na-
19 tional Park to its confluence with the
20 Snake River, as a scenic river.

21 “(D) CLIFF CREEK.—The portions of Cliff
22 Creek, consisting of—

23 “(i) the 9-mile segment from its
24 source to Cliff Creek Falls trailhead, as a
25 wild river; and

1 “(ii) the lower 8-mile segment to the
2 confluence of the Hoback River, as a sce-
3 nic river.

4 “(E) CRYSTAL CREEK.—The portions of
5 Crystal Creek, consisting of—

6 “(i) the 14-mile segment from its
7 source to the Gros Ventre Wilderness
8 boundary, as a wild river; and

9 “(ii) the 5-mile segment from the
10 Gros Ventre Wilderness boundary to its
11 confluence with the Gros Ventre River, as
12 a scenic river.

13 “(F) GRANITE CREEK.—The portions of
14 Granite Creek, consisting of—

15 “(i) the 12-mile segment from its
16 source to the end of Granite Creek Road,
17 as a wild river; and

18 “(ii) the 10.5-mile segment from
19 Granite Hot Springs to its confluence with
20 the Hoback River, as a scenic river.

21 “(G) GROS VENTRE RIVER.—The portions
22 of the Gros Ventre River, consisting of—

23 “(i) the 16.5-mile segment from its
24 source to Darwin Ranch, as a wild river;

1 “(ii) the 39-mile segment from Dar-
2 win Ranch to the upstream boundary of
3 Grand Teton National Park, excluding the
4 section along Lower Slide Lake, as a sce-
5 nic river; and

6 “(iii) the 10.8-mile segment flowing
7 across the southern boundary of Grand
8 Teton National Park to the Highway 89
9 bridge, as a scenic river.

10 “(H) HOBACK RIVER.—The portions of the
11 Hoback River, consisting of—

12 “(i) the 7.5-mile segment from its
13 source to the end of Forest Road 30710,
14 as a wild river; and

15 “(ii) the 17-mile segment from the
16 mouth of Cliff Creek to its confluence with
17 the Snake River, as a recreational river.

18 “(I) LEWIS RIVER.—The portions of the
19 Lewis River, consisting of—

20 “(i) the 5-mile segment from Sho-
21 shone Lake to Lewis Lake, as a wild river;
22 and

23 “(ii) the 12-mile segment from the
24 outlet of Lewis Lake to its confluence with
25 the Snake River, as a scenic river.

1 “(J) PACIFIC CREEK.—The portions of Pa-
2 cific Creek, consisting of—

3 “(i) the 22.5-mile segment from its
4 source to the Teton Wilderness boundary,
5 as a wild river; and

6 “(ii) the 11-mile segment from the
7 Wilderness boundary to its confluence with
8 the Snake River, as a scenic river.

9 “(K) SHOAL CREEK.—The 17-mile seg-
10 ment from its source to its confluence with the
11 Hoback River, as a wild river.

12 “(L) SNAKE RIVER.—The portions of the
13 Snake River, consisting of—

14 “(i) the 47-mile segment from its
15 source to Jackson Lake, as a wild river;

16 “(ii) the 24.8-mile segment from 1
17 mile downstream of Jackson Lake Dam to
18 1 mile downstream of the Teton Park
19 Road bridge at Moose, Wyoming, as a sce-
20 nic river; and

21 “(iii) the 20-mile segment from the
22 mouth of the Hoback River to Palisades
23 Reservoir, as a recreational river.

1 “(M) WILLOW CREEK.—The 21-mile seg-
2 ment from its source to its confluence with the
3 Hoback River, as a wild river.

4 “(N) WOLF CREEK.—The 7-mile segment
5 from its source to its confluence with the Snake
6 River, as a wild river.”.

7 **SEC. 5. MANAGEMENT.**

8 (a) IN GENERAL.—Each river segment described in
9 paragraph (170) of section 3(a) of the Wild and Scenic
10 Rivers Act (16 U.S.C. 1274(a)) (as added by section 4(4))
11 shall be managed by the Secretary concerned.

12 (b) MANAGEMENT PLAN.—Not later than 3 years
13 after the date of enactment of this Act, the Secretary con-
14 cerned shall develop a management plan for each river
15 segment described in paragraph (170) of section 3(a) of
16 the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as
17 added by section 4(4)) that is located in an area under
18 the jurisdiction of the Secretary concerned.

19 (c) FEDERAL RESERVED WATER RIGHT.—

20 (1) IN GENERAL.—Subject to paragraph (2), in
21 accordance with the laws (including regulations) of
22 the State, the Secretary concerned shall apply for
23 the quantification of the water right reserved by
24 each river segment described in paragraph (170) of
25 section 3(a) of the Wild and Scenic Rivers Act (16

1 U.S.C. 1274(a)) (as added by section 4(4)) that is
2 located in an area under the jurisdiction of the Sec-
3 retary concerned.

4 (2) REQUIREMENTS.—Notwithstanding any law
5 (including a regulation) of the State relating to the
6 granting or exercising of any water right, each river
7 segment that is the subject of an application under
8 paragraph (1) shall—

9 (A) be designated for a beneficial use; and

10 (B) have a priority date that is the date of
11 enactment of this Act.

12 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

13 There are authorized to be appropriated—

14 (1) \$350,000 to develop a management plan for
15 each river segment described in paragraph (170) of
16 section 3(a) of the Wild and Scenic Rivers Act (16
17 U.S.C. 1274(a)) (as added by section 4(4)) that is
18 located in the Bridger-Teton National Forest; and

19 (2) \$250,000 to develop a management plan for
20 each river segment described in paragraph (170) of
21 section 3(a) of the Wild and Scenic Rivers Act (16
22 U.S.C. 1274(a)) (as added by section 4(4)) that is
23 located in Grand Teton National Park.

○