

115TH CONGRESS
1ST SESSION

H. R. 1535

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2017

Ms. ESTY (for herself and Mr. LARSON of Connecticut) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook 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 “Lower Farmington
5 River and Salmon Brook Wild and Scenic River Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

1 (1) the Lower Farmington River and Salmon
2 Brook Wild and Scenic River Study Act of 2005
3 (Public Law 109–370) authorized the study of the
4 Farmington River downstream from the segment
5 designated as a recreational river by section
6 3(a)(156) of the Wild and Scenic Rivers Act (16
7 U.S.C. 1274(a)(156)) to its confluence with the
8 Connecticut River, and the segment of the Salmon
9 Brook including its main stem and east and west
10 branches for potential inclusion in the National Wild
11 and Scenic Rivers System;

12 (2) the studied segments of the Lower Farm-
13 ington River and Salmon Brook support natural,
14 cultural, and recreational resources of exceptional
15 significance to the citizens of Connecticut and the
16 Nation;

17 (3) concurrently with the preparation of the
18 study, the Lower Farmington River and Salmon
19 Brook Wild and Scenic Study Committee prepared
20 the Lower Farmington River and Salmon Brook
21 Management Plan, June 2011, that establishes ob-
22 jectives, standards, and action programs that will
23 ensure the long-term protection of the outstanding
24 values of the river segments without Federal man-

1 agement of affected lands not owned by the United
2 States;

3 (4) the Lower Farmington River and Salmon
4 Brook Wild and Scenic Study Committee has voted
5 in favor of Wild and Scenic River designation for the
6 river segments, and has included this recommenda-
7 tion as an integral part of the management plan;

8 (5) there is strong local support for the protec-
9 tion of the Lower Farmington River and Salmon
10 Brook, including votes of support for Wild and Sce-
11 nic designation from the governing bodies of all ten
12 communities abutting the study area;

13 (6) the State of Connecticut General Assembly
14 has endorsed the designation of the Lower Farm-
15 ington River and Salmon Brook as components of
16 the National Wild and Scenic Rivers System (Public
17 Act 08–37); and

18 (7) the Rainbow Dam and Reservoir are located
19 entirely outside of the river segments designated by
20 the amendment made in section 3, and, based on the
21 findings of the study of the Lower Farmington River
22 pursuant to Public Law 109–370, this hydroelectric
23 project (including all aspects of its facilities, oper-
24 ations and transmission lines) is compatible with
25 such designation.

1 **SEC. 3. DESIGNATION.**

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

5 “(213) LOWER FARMINGTON RIVER AND SALM-
6 ON BROOK, CONNECTICUT.—Segments of the main
7 stem and its tributary, Salmon Brook, totaling ap-
8 proximately 62 miles, to be administered by the Sec-
9 retary of the Interior as follows:

10 “(A) The approximately 27.2-mile segment
11 of the Farmington River beginning 0.2 miles
12 below the tailrace of the Lower Collinsville Dam
13 and extending to the site of the Spoonville Dam
14 in Bloomfield and East Granby as a rec-
15 reational river.

16 “(B) The approximately 8.1-mile segment
17 of the Farmington River extending from 0.5
18 miles below the Rainbow Dam to the confluence
19 with the Connecticut River in Windsor as a rec-
20 reational river.

21 “(C) The approximately 2.4-mile segment
22 of the main stem of Salmon Brook extending
23 from the confluence of the East and West
24 Branches to the confluence with the Farm-
25 ington River as a recreational river.

1 “(D) The approximately 12.6-mile segment
2 of the West Branch of Salmon Brook extending
3 from its headwaters in Hartland, Connecticut,
4 to its confluence with the East Branch of Salm-
5 on Brook as a recreational river.

6 “(E) The approximately 11.4-mile segment
7 of the East Branch of Salmon Brook extending
8 from the Massachusetts-Connecticut State line
9 to the confluence with the West Branch of
10 Salmon Brook as a recreational river.”.

11 **SEC. 4. MANAGEMENT.**

12 (a) **IN GENERAL.**—The Lower Farmington River and
13 Salmon Brook Wild and Scenic Committee, in coordina-
14 tion with the Secretary, shall lead and coordinate imple-
15 mentation of the management plan for the river segments
16 designated by the amendment made in section 3 in accord-
17 ance with such amendments to the management plan as
18 the Secretary determines are consistent with this Act. The
19 management plan shall be deemed to satisfy the require-
20 ments for a comprehensive management plan pursuant to
21 section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C.
22 1274(d)).

23 (b) **COOPERATIVE AGREEMENTS.**—

24 (1) **IN GENERAL.**—In order to provide for the
25 long-term protection, preservation, and enhancement

1 of the river segments designated by the amendment
2 made in section 3 of this Act, the Secretary is au-
3 thorized to enter into cooperative agreements pursu-
4 ant to sections 10(e) and 11(b)(1) of the Wild and
5 Scenic Rivers Act with—

6 (A) the State of Connecticut;

7 (B) the towns of Avon, Bloomfield, Bur-
8 lington, East Granby, Farmington, Granby,
9 Hartland, Simsbury, and Windsor in Con-
10 necticut; and

11 (C) appropriate local planning and environ-
12 mental organizations.

13 (2) CONSISTENCY.—All cooperative agreements
14 provided for under this Act shall be consistent with
15 the management plan and may include provisions for
16 financial or other assistance from the United States.

17 (c) LAND MANAGEMENT.—

18 (1) ZONING ORDINANCES.—For the purposes of
19 the river segments designated by the amendment
20 made in section 3, the zoning ordinances adopted by
21 the towns in Avon, Bloomfield, Burlington, East
22 Granby, Farmington, Granby, Hartland, Simsbury,
23 and Windsor in Connecticut, including provisions for
24 conservation of floodplains, wetlands and water-
25 courses associated with the segments, shall be

1 deemed to satisfy the standards and requirements of
2 section 6(e) of the Wild and Scenic Rivers Act (16
3 U.S.C. 1277(e)).

4 (2) ACQUISITION OF LAND.—The provisions of
5 section 6(e) of the Wild and Scenic Rivers Act (16
6 U.S.C. 1277(e)) that prohibit Federal acquisition of
7 lands by condemnation shall apply to the river seg-
8 ments designated by the amendment made in section
9 3 of this Act. The authority of the Secretary to ac-
10 quire lands and permanent structures for the pur-
11 poses of the river segments designated by the
12 amendment made in section 3 of this Act shall be
13 limited to acquisition by donation or acquisition with
14 the consent of the owner of the lands, and shall be
15 subject to the additional criteria set forth in the
16 management plan.

17 (d) RAINBOW DAM.—The designation made by the
18 amendment in section 3 shall not be construed to—

19 (1) prohibit, pre-empt, or abridge the potential
20 future licensing of the Rainbow Dam and Reservoir
21 (including any and all aspects of its facilities, oper-
22 ations and transmission lines) by the Federal En-
23 ergy Regulatory Commission as a federally licensed
24 hydroelectric generation project under the Federal
25 Power Act; or

1 (1) MANAGEMENT PLAN.—The term “manage-
2 ment plan” means the management plan referred to
3 in section 2(3).

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

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