

115TH CONGRESS  
2D SESSION

# H. R. 3961

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## AN ACT

To amend the Wild and Scenic Rivers Act to designate segments of the Kissimmee River and its tributaries in the State of Florida for study for potential addition to 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 “Kissimmee River Wild  
3 and Scenic River Study Act of 2018”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) The Kissimmee River has undergone, over  
7 the course of two decades, the largest river restora-  
8 tion effort in the world.

9 (2) Extending approximately 105 miles from  
10 Orlando to Lake Okeechobee, the Kissimmee River  
11 forms the headwaters of Lake Okeechobee and the  
12 Everglades and serves as a vital component of eco-  
13 system restoration in South Florida as a whole.

14 (3) The Kissimmee River Restoration Project  
15 has significantly improved approximately 63,000  
16 acres of wetlands within the Kissimmee River water-  
17 shed and reestablished an environment suitable for  
18 fish, wildlife, and the wetland plants that existed  
19 prior to the Kissimmee River’s channelization in the  
20 1960s.

21 (4) The Kissimmee River Restoration Project is  
22 expected to be completed in 2020, at which point it  
23 is expected to reestablish historic hydrologic condi-  
24 tions, recreate historic river and floodplain  
25 connectivity, recreate the historic mosaic of wetland

1 plant communities, and restore historic biological di-  
2 versity and functionality.

3 (5) After decades of restoration efforts and the  
4 expenditure of nearly a billion dollars, upon comple-  
5 tion of the Kissimmee River Restoration Project, a  
6 study should be conducted to determine the eligi-  
7 bility of including the fully restored Kissimmee River  
8 into the National Wild and Scenic River program to  
9 preserve the fully restored free-flowing condition and  
10 immediate environment of the river for the benefit  
11 and enjoyment of present and future generations.

12 (6) Inclusion of the Kissimmee River into the  
13 National Wild and Scenic River program would be a  
14 fitting tribute to the hard work of the Army Corps  
15 of Engineers and the South Florida Water Manage-  
16 ment District's restoration work.

17 **SEC. 3. DESIGNATION FOR STUDY.**

18 (a) DESIGNATION FOR POTENTIAL ADDITION.—Sec-  
19 tion 5(a) of the Wild and Scenic Rivers Act (16 U.S.C.  
20 1276(a)) is amended by adding at the end the following:

21 “(\_\_\_\_) KISSIMMEE RIVER, FLORIDA.—The  
22 segment from the southern shore of Lake Kissimmee  
23 to its confluence with Lake Okeechobee.”.

1 (b) STUDY.—Section 5(b) of the Wild and Scenic Riv-  
2 ers Act (16 U.S.C. 1276(b)) is amended by adding at the  
3 end the following:

4 “(\_\_\_\_) KISSIMMEE RIVER, FLORIDA.—

5 “(A) IN GENERAL.—Not later than 3 years  
6 after the date on which funds are made avail-  
7 able to carry out this paragraph, the Secretary  
8 of the Interior shall complete a study of the  
9 Kissimmee River, as described in subsection  
10 (a)(\_\_\_\_), and submit a report describing the  
11 results of such study to the Committee on Nat-  
12 ural Resources of the House of Representatives  
13 and the Committee on Energy and Natural Re-  
14 sources of the Senate.

15 “(B) REPORT REQUIREMENTS.—The re-  
16 port required under subparagraph (A) shall—

17 “(i) include a discussion of the effect  
18 of the designation of the segment to be  
19 studied under subsection (a)(\_\_\_\_) on—

20 “(I) existing commercial and rec-  
21 reational activities, such as cattle  
22 ranching, dairy production, hunting,  
23 fishing, trapping, recreational shoot-  
24 ing, motor boat use, or bridge con-  
25 struction;

1 “(II) the authorization, construc-  
2 tion, operation, maintenance, or im-  
3 provement of energy production and  
4 transmission infrastructure;

5 “(III) military operations; and

6 “(IV) the authority of State and  
7 local governments to manage the ac-  
8 tivities described in subclauses (I) and  
9 (II); and

10 “(ii) identify—

11 “(I) all authorities that will au-  
12 thorize or require the Secretary of the  
13 Interior to influence local land use de-  
14 cisions (such as zoning) or place re-  
15 strictions on non-Federal land if the  
16 area studied under subsection  
17 (a)(\_\_\_\_) is designated under the  
18 Wild and Scenic Rivers Act;

19 “(II) all authorities that the Sec-  
20 retary of the Interior may use to con-  
21 demn property if the area studied  
22 under subsection (a)(\_\_\_\_) is des-  
23 ignated under the Wild and Scenic  
24 Rivers Act; and

1                   “(III) all private property located  
2                   in the area to be studied under sub-  
3                   section (a)(\_\_\_\_).

4                   “(C) NONINTERFERENCE.—This study  
5                   shall not interfere with the Kissimmee River  
6                   Restoration Project authorized under section  
7                   101(8) of the Water Resources Development  
8                   Act of 1992 (Public Law 102–580).”.

9                   (c) NO NEGATIVE IMPACT.—Nothing authorized by  
10                  this Act may negatively impact agricultural production in  
11                  the Kissimmee River basin.

12                  (d) NO EFFECT ON MANAGEMENT.—This Act and  
13                  the amendments made by this Act shall not interfere with  
14                  the current management of the area of the Kissimmee  
15                  River described in section 5(a)(\_\_\_\_) of the Wild and Sce-  
16                  nic Rivers Act, nor shall the fact that such area is listed  
17                  for study under the Wild and Scenic Rivers Act (16 U.S.C.  
18                  1271 et seq.) be used as justification for more restrictive  
19                  management, such as wilderness or as a category of wild

1 and scenic river, until Congress acts on the study rec-  
2 ommendations.

Passed the House of Representatives April 16, 2018.

Attest:

*Clerk.*

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