

Calendar No. 598

118TH CONGRESS
2D SESSION**S. 3346**

To amend the Wild and Scenic Rivers Act to designate certain streams in the greater Yellowstone ecosystem and Smith River system in the State of Montana as components of the Wild and Scenic Rivers System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 27, 2023

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

NOVEMBER 21, 2024

Reported by Mr. MANCHIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Wild and Scenic Rivers Act to designate certain streams in the greater Yellowstone ecosystem and Smith River system in the State of Montana as components of the 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 “Montana Headwaters
3 Legacy Act”.

4 **SEC. 2. FINDINGS; PURPOSE.**

5 (a) FINDINGS.—Congress finds that—

6 (1) the streams designated as components of
7 the Wild and Scenic Rivers System by the amend-
8 ment made by section 4(a) are cherished by the peo-
9 ple of the State of Montana and visitors from across
10 the United States and around the world for their
11 clean water, abundant fish and wildlife, spectacular
12 natural settings, and outstanding recreational oppor-
13 tunities;

14 (2) Indian Tribes have used the streams re-
15 ferred to in paragraph (1) for hunting, fishing, gath-
16 ering, and other cultural purposes since time imme-
17 morial;

18 (3) recreational activities (including fishing,
19 hunting, camping, paddling, hiking, swimming, rock
20 climbing, horseback riding, and wildlife watching) on
21 the streams referred to in paragraph (1) and the
22 surrounding land generate billions of dollars annu-
23 ally for the economy of the State of Montana;

24 (4) the multi-billion dollar agricultural industry
25 in the State of Montana thrives on the availability

1 of clean water that originates in headwaters streams
 2 on Federal public land;

3 ~~(5) the streams referred to in paragraph (1)—~~

4 ~~(A) are national treasures;~~

5 ~~(B) possess outstandingly remarkable val-~~
 6 ~~ues; and~~

7 ~~(C) merit the high level of protection af-~~
 8 ~~forded by the Wild and Scenic Rivers Act (16~~
 9 ~~U.S.C. 1271 et seq.) in order to maintain the~~
 10 ~~benefits provided by the streams described in~~
 11 ~~paragraphs (1) through (3) for future genera-~~
 12 ~~tions to enjoy; and~~

13 ~~(6) designation of select public land segments of~~
 14 ~~the streams referred to in paragraph (1) under the~~
 15 ~~Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.)~~
 16 ~~would recognize the importance of maintaining the~~
 17 ~~values of each stream while—~~

18 ~~(A) preserving public access;~~

19 ~~(B) respecting private property rights;~~

20 ~~(C) allowing appropriate maintenance of~~
 21 ~~existing infrastructure; and~~

22 ~~(D) allowing historical uses to continue.~~

23 ~~(b) PURPOSE.—The purpose of this Act is to des-~~
 24 ~~ignate certain segments and tributaries of the Missouri~~
 25 ~~River and Yellowstone River Headwaters in the State of~~

1 Montana as components of the National Wild and Scenic
 2 Rivers System to preserve and protect for present and fu-
 3 ture generations the outstandingly remarkable values of
 4 each stream and tributary.

5 **SEC. 3. DEFINITIONS.**

6 In this Act:

7 (1) COVERED SEGMENT.—The term “covered
 8 segment” means a river segment designated by para-
 9 graphs ~~(233)~~ through ~~(252)~~ of section 3(a) of the
 10 Wild and Scenic Rivers Act ~~(16 U.S.C. 1274(a))~~ (as
 11 added by section 4(a)).

12 (2) INDIAN TRIBE.—The term “Indian Tribe”
 13 has the meaning given the term in section 4 of the
 14 Indian Self-Determination and Education Assistance
 15 Act ~~(25 U.S.C. 5304)~~.

16 (3) SECRETARY CONCERNED.—The term “Sec-
 17 retary concerned” means—

18 (A) the Secretary of the Interior, with re-
 19 spect to a covered segment under the jurisdic-
 20 tion of the Secretary of the Interior; and

21 (B) the Secretary of Agriculture, with re-
 22 spect to a covered segment under the jurisdic-
 23 tion of the Secretary of Agriculture.

24 (4) STATE.—The term “State” means the State
 25 of Montana.

1 **SEC. 4. DESIGNATION OF WILD AND SCENIC RIVER SEG-**
 2 **MENTS.**

3 (a) IN GENERAL.—Section 3(a) of the Wild and See-
 4 nie Rivers Act (16 U.S.C. 1274(a)) is amended by adding
 5 at the end the following:

6 “(233) SMITH RIVER, MONTANA.—The portion
 7 of the Smith River consisting of the approximately
 8 24-mile segment from the confluence of Tenderfoot
 9 Creek downstream to the confluence of Deep Creek,
 10 to be administered by the Secretary of Agriculture
 11 as a scenic river.

12 “(234) TENDERFOOT CREEK, MONTANA.—The
 13 portion of Tenderfoot Creek consisting of the ap-
 14 proximately 21-mile segment from the confluence
 15 with Iron Mines Creek downstream to the confluence
 16 with the Smith River, to be administered by the Sec-
 17 retary of Agriculture as a scenic river.

18 “(235) GALLATIN RIVER, MONTANA.—The por-
 19 tion of the Gallatin River in the State of Montana
 20 consisting of the approximately 39-mile segment
 21 from the Yellowstone National Park boundary down-
 22 stream to the confluence of Spanish Creek, to be ad-
 23 ministered by the Secretary of Agriculture as a rec-
 24 reational river.

25 “(236) HYALITE CREEK, MONTANA.—The por-
 26 tion of Hyalite Creek consisting of the approximately

1 6-mile segment from the source in the Gallatin
 2 Range downstream to Hyalite Reservoir, to be ad-
 3 ministered by the Secretary of Agriculture as a see-
 4 nie river.

5 “(237) TAYLOR CREEK, MONTANA.—The por-
 6 tion of Taylor Creek consisting of—

7 “(A) the approximately 3-mile segment
 8 from the source in the Madison Range down-
 9 stream to the Lee Metcalf Wilderness boundary,
 10 to be administered by the Secretary of Agri-
 11 culture as a wild river; and

12 “(B) the approximately 15-mile segment
 13 from the Lee Metcalf Wilderness boundary
 14 downstream to the Gallatin River, to be admin-
 15 istered by the Secretary of Agriculture as a rec-
 16 reational river, with the boundary of the cor-
 17 ridor flowing through the private land of Nine
 18 Quarter Circle Ranch being the ordinary high
 19 water mark.

20 “(238) MADISON RIVER, MONTANA.—The por-
 21 tions of the Madison River in the State of Montana,
 22 consisting of—

23 “(A) the approximately 42-mile segment
 24 from the confluence of Cabin Creek downstream
 25 to the point at which the river leaves Bureau of

Land Management land at the north boundary of T. 8 S., R. 1 W., sec. 10, approximately 1 mile north of the confluence of Cherry Creek, to be administered by the Secretary of Agriculture and the Secretary of the Interior as a recreational river;

“(B) the approximately 7-mile segment from 800 feet downstream of Madison Dam Powerhouse downstream to the Lee Metcalf Wilderness boundary, to be administered by the Secretary of the Interior as a wild river; and

“(C) the approximately 7-mile segment from the Lee Metcalf Wilderness Boundary downstream to the Bureau of Land Management boundary at the Black’s Ford Fishing Access Site, to be administered by the Secretary of the Interior as a recreational river.

“(239) BEAR CREEK, MONTANA.—The portions of Bear Creek consisting of—

“(A) the approximately 2-mile segment from the source downstream to the Absaroka-Beartooth Wilderness boundary, to be administered by the Secretary of Agriculture as a wild river; and

1 “(B) the approximately 7-mile segment
 2 from the Absaroka-Beartooth Wilderness
 3 boundary to the confluence with the Yellow-
 4 stone River, to be administered by the Sec-
 5 retary of Agriculture as a recreational river.

6 “(240) BOULDER RIVER, MONTANA.—The por-
 7 tions of the Boulder River consisting of—

8 “(A) the approximately 3-mile segment
 9 from the source in the Absaroka-Beartooth Wil-
 10 derness downstream to the Absaroka-Beartooth
 11 Wilderness boundary, to be administered by the
 12 Secretary of Agriculture as a wild river; and

13 “(B) the approximately 30-mile segment
 14 from the Absaroka-Beartooth Wilderness
 15 boundary downstream to the Custer Gallatin
 16 National Forest boundary downstream of Nat-
 17 ural Bridge Falls, to be administered by the
 18 Secretary of Agriculture as a recreational river.

19 “(241) HELLROARING CREEK, MONTANA.—The
 20 portion of Hellroaring Creek consisting of the ap-
 21 proximately 19-mile segment from the source in the
 22 Absaroka-Beartooth Wilderness downstream to the
 23 Custer Gallatin National Forest boundary, to be ad-
 24 ministered by the Secretary of Agriculture as a wild
 25 river.

1 “(242) LAKE FORK ROCK CREEK, MONTANA.—

2 The portions of Lake Fork Rock Creek consisting
3 of—

4 “(A) the approximately 11-mile segment
5 from the source in the Absaroka-Beartooth Wil-
6 derness downstream to the Absaroka-Beartooth
7 Wilderness boundary, to be administered by the
8 Secretary of Agriculture as a wild river; and

9 “(B) the approximately 2-mile segment
10 from the Absaroka-Beartooth Wilderness
11 boundary to the confluence with Rock Creek, to
12 be administered by the Secretary of Agriculture
13 as a recreational river.

14 “(243) ROCK CREEK, MONTANA.—The portion
15 of Rock Creek in the State of Montana consisting of
16 the approximately 14-mile segment from the border
17 between the States of Montana and Wyoming to the
18 Custer Gallatin National Forest boundary, to be ad-
19 ministered by the Secretary of Agriculture as a rec-
20 reational river.

21 “(244) SLOUGH CREEK, MONTANA.—The por-
22 tion of Slough Creek consisting of the approximately
23 19-mile segment from the source in the Absaroka-
24 Beartooth Wilderness downstream to the Custer

1 Gallatin National Forest boundary, to be adminis-
 2 tered by the Secretary of Agriculture as a wild river.

3 “(245) STILLWATER RIVER, MONTANA.—The
 4 portions of the Stillwater River consisting of—

5 “(A) the approximately 26-mile segment
 6 from the source in the Absaroka-Beartooth Wil-
 7 derness downstream to the Wilderness bound-
 8 ary, to be administered by the Secretary of Ag-
 9 riculture as a wild river; and

10 “(B) the approximately 3-mile segment
 11 from the Absaroka-Beartooth Wilderness
 12 boundary downstream to Flume Creek, to be
 13 administered by the Secretary of Agriculture as
 14 a recreational river.

15 “(246) WEST BOULDER RIVER, MONTANA.—
 16 The portion of the West Boulder River consisting of
 17 the approximately 15-mile segment from the source
 18 in the Absaroka-Beartooth Wilderness downstream
 19 to the Wilderness boundary, to be administered by
 20 the Secretary of Agriculture as a wild river.

21 “(247) WEST FORK STILLWATER RIVER, MON-
 22 TANA.—The portion of the West Fork Stillwater
 23 River consisting of the approximately 14-mile seg-
 24 ment from the source in the Absaroka-Beartooth
 25 Wilderness downstream to the Absaroka-Beartooth

1 Wilderness boundary, to be administered by the Sec-
2 retary of Agriculture as a wild river.

3 “(248) WEST FORK OF ROCK CREEK, MON-
4 TANA.—The portions of West Fork of Rock Creek
5 consisting of—

6 “(A) the approximately 9-mile segment
7 from the source in the Absaroka-Beartooth Wil-
8 derness downstream to the Absaroka-Beartooth
9 Wilderness boundary, to be administered by the
10 Secretary of Agriculture as a wild river, and

11 “(B) the approximately 11-mile segment
12 from the Absaroka-Beartooth Wilderness
13 boundary downstream to the Custer Gallatin
14 National Forest boundary, to be administered
15 by the Secretary of Agriculture as a rec-
16 reational river.

17 “(249) YELLOWSTONE RIVER, MONTANA.—The
18 portion of the Yellowstone River in the State of
19 Montana, consisting of the approximately 19-mile
20 segment from the Yellowstone National Park bound-
21 ary in Gardiner, Montana, downstream to the con-
22 fluence with Rock Creek at the Cabella Fishing Ac-
23 cess Site, to be administered by the Secretary of Ag-
24 riculture and the Secretary of the Interior as a rec-
25 reational river.

1 “(250) CABIN CREEK, MONTANA.—The portions
2 of Cabin Creek in the State of Montana, consisting
3 of—

4 “(A) the approximately 7-mile segment
5 from the source in the Madison Range down-
6 stream to the fish barrier, to be administered
7 by the Secretary of Agriculture as a wild river;
8 and

9 “(B) the approximately 1-mile segment
10 from the fish barrier downstream to the con-
11 fluence with the Madison River, to be adminis-
12 tered by the Secretary of Agriculture as a rec-
13 reational river, subject to the condition that the
14 designation of the segment shall not preclude
15 maintenance or management of the fish barrier
16 by cooperating Federal and State agencies.

17 “(251) MIDDLE FORK OF CABIN CREEK, MON-
18 TANA.—The portion of the Middle Fork of Cabin
19 Creek in the State of Montana, consisting of the ap-
20 proximately 5-mile segment from the source in the
21 Madison Range downstream to the confluence with
22 Cabin Creek, to be administered by the Secretary of
23 Agriculture as a wild river.

24 “(252) CLARKS FORK OF THE YELLOWSTONE
25 RIVER, MONTANA.—The portions of the Clarks Fork

1 of the Yellowstone River in the State of Montana;
 2 consisting of—

3 “(A) the approximately 1-mile segment
 4 from Broadwater River downstream to the Ab-
 5 saroka-Beartooth Wilderness boundary, to be
 6 administered by the Secretary of Agriculture as
 7 a scenic river; and

8 “(B) the approximately 2-mile segment
 9 from Absaroka-Beartooth Wilderness boundary
 10 downstream to the Montana-Wyoming State
 11 line, to be administered by the Secretary of Ag-
 12 riculture as a wild river.”.

13 (b) CONSENT OF OWNER OF LAND REQUIRED.—No
 14 land or interest in land located within the boundary of
 15 a covered segment may be acquired by the Secretary con-
 16 cerned without the consent of the owner of the land or
 17 interest in land.

18 (c) EFFECT OF DESIGNATIONS ON WATER
 19 RIGHTS.—Nothing in this Act or an amendment made by
 20 this Act affects valid existing rights, including—

21 (1) Federal, Tribal, and interstate water com-
 22 pacts in existence on the date of enactment of this
 23 Act (including full development of any apportion-
 24 ment made in accordance with the compacts);

25 (2) water rights in the State; and

1 ~~(3) water rights held by the United States.~~

2 ~~(d) EFFECT OF DESIGNATIONS ON HEBGEN AND~~
 3 ~~MADISON DEVELOPMENTS.—~~The designation of a covered
 4 segment by section 4(a) shall not—

5 (1) prohibit, preempt, or abridge the licensing
 6 by the Federal Energy Regulatory Commission as a
 7 current or future federally licensed hydroelectric
 8 generation project under part I of the Federal
 9 Power Act (16 U.S.C. 792 et seq.) of any hydro-
 10 electric project (including any aspect of existing or
 11 future facilities, operations, and transmission lines
 12 of the hydroelectric project) constructed on the
 13 Madison River as of the date of enactment of this
 14 Act;

15 (2) prohibit, preempt, or abridge the licensing
 16 or development by the Federal Energy Regulatory
 17 Commission as a federally licensed generation
 18 project under part I of the Federal Power Act (16
 19 U.S.C. 792 et seq.) of any future hydroelectric gen-
 20 eration that might be added to the Hebgen and
 21 Madison Developments (Federal Energy Commission
 22 project number 2188) (including any aspect of exist-
 23 ing or future facilities, operations, and transmission
 24 lines); or

1 ~~(3)~~ affect the operation of, or impose any, flow
 2 release requirements at the Hebgen and Madison
 3 Developments described in paragraph ~~(2)~~ that are
 4 intended to satisfy current or future—

5 (A) Federal Energy Regulatory Commis-
 6 sion license conditions; or

7 (B) compliance or management plans ap-
 8 proved by the Federal Energy Regulatory Com-
 9 mission.

10 ~~(c) AUTHORIZATION OF APPROPRIATIONS.—~~There
 11 are authorized to be appropriated such sums as are nec-
 12 essary to carry out this Act (including the amendments
 13 made by this Act).

14 **SECTION 1. SHORT TITLE.**

15 *This Act may be cited as the “Montana Headwaters*
 16 *Legacy Act”.*

17 **SEC. 2. PURPOSE.**

18 *The purpose of this Act is to designate certain segments*
 19 *and tributaries of the Missouri River and Yellowstone River*
 20 *Headwaters in the State of Montana as components of the*
 21 *National Wild and Scenic Rivers System to preserve and*
 22 *protect for present and future generations the outstandingly*
 23 *remarkable values of each stream and tributary.*

24 **SEC. 3. DEFINITIONS.**

25 *In this Act:*

1 (1) *COVERED SEGMENT.*—*The term “covered seg-*
 2 *ment” means a river segment designated by para-*
 3 *graphs (233) through (251) of section 3(a) of the Wild*
 4 *and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added*
 5 *by section 4(a)).*

6 (2) *SECRETARY CONCERNED.*—*The term “Sec-*
 7 *retary concerned” means—*

8 (A) *the Secretary of the Interior, with re-*
 9 *spect to a covered segment under the jurisdiction*
 10 *of the Secretary of the Interior; and*

11 (B) *the Secretary of Agriculture, with re-*
 12 *spect to a covered segment under the jurisdiction*
 13 *of the Secretary of Agriculture.*

14 (3) *STATE.*—*The term “State” means the State*
 15 *of Montana.*

16 **SEC. 4. DESIGNATION OF WILD AND SCENIC RIVER SEG-**
 17 **MENTS.**

18 (a) *IN GENERAL.*—*Section 3(a) of the Wild and Scenic*
 19 *Rivers Act (16 U.S.C. 1274(a)) is amended by adding at*
 20 *the end the following:*

21 “(233) *SMITH RIVER, MONTANA.*—*The portion of*
 22 *the Smith River consisting of the approximately 24-*
 23 *mile segment from the confluence of Tenderfoot Creek*
 24 *downstream to the confluence of Deep Creek, to be ad-*

1 *ministered by the Secretary of Agriculture as a scenic*
 2 *river.*

3 “(234) *TENDERFOOT CREEK, MONTANA.—The*
 4 *portion of Tenderfoot Creek consisting of the approxi-*
 5 *mately 21-mile segment from the confluence with Iron*
 6 *Mines Creek downstream to the confluence with the*
 7 *Smith River, to be administered by the Secretary of*
 8 *Agriculture as a scenic river.*

9 “(235) *GALLATIN RIVER, MONTANA.—The por-*
 10 *tion of the Gallatin River in the State of Montana*
 11 *consisting of the approximately 39-mile segment from*
 12 *the Yellowstone National Park boundary downstream*
 13 *to the confluence of Spanish Creek, to be administered*
 14 *by the Secretary of Agriculture as a recreational*
 15 *river.*

16 “(236) *HYALITE CREEK, MONTANA.—The portion*
 17 *of Hyalite Creek consisting of the approximately 5.5-*
 18 *mile segment from the source in the Gallatin Range*
 19 *downstream to the bridge over Hyalite Creek leading*
 20 *to the Window Rock Cabin, to be administered by the*
 21 *Secretary of Agriculture as a scenic river.*

22 “(237) *TAYLOR CREEK, MONTANA.—The portion*
 23 *of Taylor Creek consisting of—*

24 “(A) *the approximately 3-mile segment*
 25 *from the source in the Madison Range down-*

1 *stream to the Lee Metcalf Wilderness boundary,*
 2 *to be administered by the Secretary of Agri-*
 3 *culture as a wild river; and*

4 *“(B) the approximately 15-mile segment*
 5 *from the Lee Metcalf Wilderness boundary down-*
 6 *stream to the Gallatin River, to be administered*
 7 *by the Secretary of Agriculture as a recreational*
 8 *river, with the boundary of the corridor flowing*
 9 *through the private land of Nine Quarter Circle*
 10 *Ranch being the ordinary high water mark.*

11 *“(238) BEAR CREEK, MONTANA.—The portions of*
 12 *Bear Creek consisting of—*

13 *“(A) the approximately 2-mile segment*
 14 *from the source downstream to the Absaroka-*
 15 *Beartooth Wilderness boundary, to be adminis-*
 16 *tered by the Secretary of Agriculture as a wild*
 17 *river; and*

18 *“(B) the approximately 7-mile segment*
 19 *from the Absaroka-Beartooth Wilderness bound-*
 20 *ary to the confluence with the Yellowstone River,*
 21 *to be administered by the Secretary of Agri-*
 22 *culture as a recreational river.*

23 *“(239) BOULDER RIVER, MONTANA.—The por-*
 24 *tions of the Boulder River consisting of—*

1 “(A) the approximately 3-mile segment
 2 from the source in the Absaroka-Beartooth Wil-
 3 derness downstream to the Absaroka-Beartooth
 4 Wilderness boundary, to be administered by the
 5 Secretary of Agriculture as a wild river; and

6 “(B) the approximately 30-mile segment
 7 from the Absaroka-Beartooth Wilderness bound-
 8 ary downstream to the Custer Gallatin National
 9 Forest boundary downstream of Natural Bridge
 10 Falls, to be administered by the Secretary of Ag-
 11 riculture as a recreational river.

12 “(240) HELLROARING CREEK, MONTANA.—The
 13 portion of Hellroaring Creek consisting of the ap-
 14 proximately 19-mile segment from the source in the
 15 Absaroka-Beartooth Wilderness downstream to the
 16 Custer Gallatin National Forest boundary, to be ad-
 17 ministered by the Secretary of Agriculture as a wild
 18 river.

19 “(241) LAKE FORK ROCK CREEK, MONTANA.—
 20 The portions of Lake Fork Rock Creek consisting of—

21 “(A) the approximately 11-mile segment
 22 from the source in the Absaroka-Beartooth Wil-
 23 derness downstream to the Absaroka-Beartooth
 24 Wilderness boundary, to be administered by the
 25 Secretary of Agriculture as a wild river; and

1 “(B) the approximately 2-mile segment
 2 from the Absaroka-Beartooth Wilderness bound-
 3 ary to the confluence with Rock Creek, to be ad-
 4 ministered by the Secretary of Agriculture as a
 5 recreational river.

6 “(242) ROCK CREEK, MONTANA.—The portion of
 7 Rock Creek in the State of Montana consisting of the
 8 approximately 14-mile segment from the border be-
 9 tween the States of Montana and Wyoming to the
 10 Custer Gallatin National Forest boundary, to be ad-
 11 ministered by the Secretary of Agriculture as a rec-
 12 reational river.

13 “(243) SLOUGH CREEK, MONTANA.—The portion
 14 of Slough Creek consisting of the approximately 19-
 15 mile segment from the source in the Absaroka-
 16 Beartooth Wilderness downstream to the Custer Gal-
 17 latin National Forest boundary, to be administered
 18 by the Secretary of Agriculture as a wild river.

19 “(244) STILLWATER RIVER, MONTANA.—The por-
 20 tions of the Stillwater River consisting of—

21 “(A) the approximately 26-mile segment
 22 from the source in the Absaroka-Beartooth Wil-
 23 derness downstream to the Wilderness boundary,
 24 to be administered by the Secretary of Agri-
 25 culture as a wild river; and

1 “(B) the approximately 3-mile segment
 2 from the Absaroka-Beartooth Wilderness bound-
 3 ary downstream to Flume Creek, to be adminis-
 4 tered by the Secretary of Agriculture as a rec-
 5 reational river.

6 “(245) WEST BOULDER RIVER, MONTANA.—The
 7 portion of the West Boulder River consisting of the
 8 approximately 15-mile segment from the source in the
 9 Absaroka-Beartooth Wilderness downstream to the
 10 Wilderness boundary, to be administered by the Sec-
 11 retary of Agriculture as a wild river.

12 “(246) WEST FORK STILLWATER RIVER, MON-
 13 TANA.—The portion of the West Fork Stillwater River
 14 consisting of the approximately 14-mile segment from
 15 the source in the Absaroka-Beartooth Wilderness
 16 downstream to the Absaroka-Beartooth Wilderness
 17 boundary, to be administered by the Secretary of Ag-
 18 riculture as a wild river.

19 “(247) WEST FORK OF ROCK CREEK, MON-
 20 TANA.—The portions of West Fork of Rock Creek con-
 21 sisting of—

22 “(A) the approximately 9-mile segment
 23 from the source in the Absaroka-Beartooth Wil-
 24 derness downstream to the Absaroka-Beartooth

1 *Wilderness boundary, to be administered by the*
 2 *Secretary of Agriculture as a wild river; and*

3 *“(B) the approximately 11-mile segment*
 4 *from the Absaroka-Beartooth Wilderness bound-*
 5 *ary downstream to the Custer Gallatin National*
 6 *Forest boundary, to be administered by the Sec-*
 7 *retary of Agriculture as a recreational river.*

8 *“(248) YELLOWSTONE RIVER, MONTANA.—The*
 9 *portion of the Yellowstone River in the State of Mon-*
 10 *tana consisting of the approximately 19-mile segment*
 11 *from the Yellowstone National Park boundary in Gar-*
 12 *diner, Montana, downstream to the confluence with*
 13 *Rock Creek at the Carbella Fishing Access Site, to be*
 14 *administered by the Secretary of Agriculture and the*
 15 *Secretary of the Interior as a recreational river.*

16 *“(249) CABIN CREEK, MONTANA.—The portion of*
 17 *Cabin Creek in the State of Montana consisting of the*
 18 *approximately 7-mile segment from the source in the*
 19 *Madison Range downstream to 100 feet upstream of*
 20 *the fish barrier, to be administered by the Secretary*
 21 *of Agriculture as a wild river.*

22 *“(250) MIDDLE FORK OF CABIN CREEK, MON-*
 23 *TANA.—The portion of the Middle Fork of Cabin*
 24 *Creek in the State of Montana consisting of the ap-*
 25 *proximately 5-mile segment from the source in the*

1 *Madison Range downstream to the confluence with*
 2 *Cabin Creek, to be administered by the Secretary of*
 3 *Agriculture as a wild river.*

4 “(251) *CLARKS FORK OF THE YELLOWSTONE*
 5 *RIVER, MONTANA.—The portions of the Clarks Fork of*
 6 *the Yellowstone River in the State of Montana con-*
 7 *sisting of—*

8 “(A) *the approximately 1-mile segment*
 9 *from Broadwater River downstream to the Absa-*
 10 *roka-Beartooth Wilderness boundary, to be ad-*
 11 *ministered by the Secretary of Agriculture as a*
 12 *scenic river; and*

13 “(B) *the approximately 2-mile segment*
 14 *from Absaroka-Beartooth Wilderness boundary*
 15 *downstream to the Montana-Wyoming State line,*
 16 *to be administered by the Secretary of Agri-*
 17 *culture as a wild river.”.*

18 (b) *CONSENT OF OWNER OF LAND REQUIRED.—No*
 19 *land or interest in land located within the boundary of a*
 20 *covered segment may be acquired by the Secretary con-*
 21 *cerned without the consent of the owner of the land or inter-*
 22 *est in land.*

23 (c) *EFFECT OF DESIGNATIONS ON WATER RIGHTS.—*
 24 *Nothing in this Act or an amendment made by this Act*
 25 *affects valid existing rights, including—*

1 (1) *Federal, Tribal, and interstate water com-*
2 *pacts in existence on the date of enactment of this Act*
3 *(including full development of any apportionment*
4 *made in accordance with the compacts);*

5 (2) *water rights in the State; and*

6 (3) *water rights held by the United States.*

7 (d) *AUTHORIZATION OF APPROPRIATIONS.—There are*
8 *authorized to be appropriated such sums as are necessary*
9 *to carry out this Act (including the amendments made by*
10 *this Act).*

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118TH CONGRESS
2D Session

S. 3346

A BILL

To amend the Wild and Scenic Rivers Act to designate certain streams in the greater Yellowstone ecosystem and Smith River system in the State of Montana as components of the Wild and Scenic Rivers System, and for other purposes.

NOVEMBER 21, 2024

Reported with an amendment