

108TH CONGRESS  
2D SESSION

# H. R. 3902

To amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2004

Mr. GARRETT of New Jersey (for himself, Mr. FRELINGHUYSEN, and Mr. FERGUSON) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component 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 “Musconetcong Wild  
5       and Scenic Rivers Act”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

1           (1) The Secretary of the Interior, in coopera-  
2           tion and consultation with appropriate Federal,  
3           State, regional, and local agencies, is conducting a  
4           study of the eligibility and suitability of the  
5           Musconetcong River in the State of New Jersey for  
6           inclusion in the Wild and Scenic Rivers System.

7           (2) The Musconetcong Wild and Scenic River  
8           Study Task Force has prepared, with assistance  
9           from the National Park Service, a river management  
10          plan for the study area entitled “Musconetcong  
11          River Management Plan” and dated April 2002,  
12          which establishes goals and actions that will ensure  
13          long-term protection of the outstanding values of the  
14          river and compatible management of land and water  
15          resources associated with the river.

16          (3) Thirteen municipalities and three counties  
17          along segments of the Musconetcong River eligible  
18          for designation have passed resolutions supporting  
19          the Musconetcong River Management Plan, agreeing  
20          to take action to implement the goals of the plan,  
21          and endorsing designation of the river.

1 **SEC. 3. DESIGNATION OF PORTIONS OF MUSCONETCONG**  
2 **RIVER, NEW JERSEY, AS SCENIC AND REC-**  
3 **REATIONAL RIVERS.**

4 (a) DESIGNATION.—Section 3(a) of the Wild and  
5 Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by add-  
6 ing at the end the following:

7 “(\_\_\_\_) MUSCONETCONG RIVER, NEW JERSEY.—(A)  
8 The 24.2 miles of river segments in New Jersey, to be  
9 administered by the Secretary of the Interior, consisting  
10 of—

11 “(i) the segment from Saxton Falls to the  
12 Route 46 bridge (approximately 3.5 miles), as a sce-  
13 nic river; and

14 “(ii) the segment from the Kings Highway  
15 bridge to the railroad tunnels at Musconetcong  
16 Gorge (approximately 20.7 miles), as a recreational  
17 river.

18 “(B) Notwithstanding section 10(c), the river seg-  
19 ments referred to in subparagraph (A) shall not be admin-  
20 istered as part of the National Park System.”.

21 (b) MANAGEMENT OF SEGMENTS.—

22 (1) COMPLIANCE WITH MANAGEMENT PLAN.—  
23 The Secretary of the Interior shall manage the seg-  
24 ments of the Musconetcong River, New Jersey, des-  
25 ignated as a scenic river or recreational river by the  
26 amendment made by subsection (a) in accordance

1 with the river management plan entitled  
2 “Musconetcong River Management Plan” and dated  
3 April 2002, prepared by the Musconetcong River  
4 Management Committee, the National Park Service,  
5 the Heritage Conservancy, and the Musconetcong  
6 Watershed Association, which establishes goals and  
7 actions that will ensure long-term protection of the  
8 outstanding values of the river segments and com-  
9 patible management of land and water resources as-  
10 sociated with the river segments.

11 (2) COOPERATION.—The Secretary shall man-  
12 age the river segments in cooperation with appro-  
13 priate Federal, State, regional, and local agencies,  
14 including—

15 (A) the Musconetcong River Management  
16 Committee;

17 (B) the Musconetcong Watershed Associa-  
18 tion;

19 (C) the Heritage Conservancy;

20 (D) the National Park Service; and

21 (E) the New Jersey Department of Envi-  
22 ronmental Protection.

23 (c) SATISFACTION OF REQUIREMENTS FOR PLAN.—  
24 The management plan shall be considered to satisfy the  
25 requirements for a comprehensive management plan for

1 the river segments under subsection 3(d) of the Wild and  
2 Scenic Rivers Act (16 U.S.C. 1274(d)).

3 (d) FEDERAL ROLE.—

4 (1) RESTRICTIONS ON WATER RESOURCE  
5 PROJECTS.—In determining under section 7(a) of  
6 the Wild and Scenic Rivers Act (16 U.S.C. 1278(a))  
7 whether a proposed water resources project would  
8 have a direct and adverse effect on the values for  
9 which a river segment is designated as part of the  
10 Wild and Scenic Rivers System, the Secretary shall  
11 consider the extent to which the project is consistent  
12 with the management plan.

13 (2) COOPERATIVE AGREEMENTS.—Any coopera-  
14 tive agreements entered into under section 10(e) of  
15 the Wild and Scenic Rivers Act (16 U.S.C. 1281(e))  
16 relating to a river segment—

17 (A) shall be consistent with the manage-  
18 ment plan; and

19 (B) may include provisions for financial or  
20 other assistance from the United States to fa-  
21 cilitate the long-term protection, conservation,  
22 and enhancement of the river segment.

23 (3) SUPPORT FOR IMPLEMENTATION.—The  
24 Secretary may provide technical assistance, staff

1 support, and funding to assist in the implementation  
2 of the management plan.

3 (e) LAND MANAGEMENT.—

4 (1) IN GENERAL.—The Secretary may provide  
5 planning, financial, and technical assistance to local  
6 municipalities and non-profit organizations to assist  
7 in the implementation of actions to protect the nat-  
8 ural and historic resources of the river segments.

9 (2) PLAN REQUIREMENTS.—After adoption of  
10 recommendations made in section IV of the manage-  
11 ment plan, the zoning ordinances of the municipali-  
12 ties bordering the segments shall be considered to  
13 satisfy the standards and requirements under sec-  
14 tion 6(c) of the Wild and Scenic Rivers Act (16  
15 U.S.C. 1277(c)).

16 (f) DESIGNATION OF ADDITIONAL RIVER SEG-  
17 MENT.—

18 (1) FINDING.—Congress finds that the  
19 Musconetcong River segment “C” as described in  
20 the management plan is suitable for designation as  
21 a recreational river under this subsection if there is  
22 adequate local support for the designation as deter-  
23 mined by the Secretary.

24 (2) DESIGNATION AND ADMINISTRATION.—If  
25 the Secretary determines that there is adequate local

1 support for designating the additional river segment  
2 as a recreational river—

3 (A) the Secretary shall publish in the Fed-  
4 eral Register a notice of the designation of the  
5 segment;

6 (B) the segment shall thereby be des-  
7 ignated as a recreational river in accordance  
8 with the Wild and Scenic Rivers Act (16 U.S.C.  
9 1271 et seq.); and

10 (C) the Secretary shall administer the ad-  
11 ditional river segment as a recreational river.

12 (3) CRITERIA FOR LOCAL SUPPORT.—In deter-  
13 mining whether there is adequate local support for  
14 the designation of the additional river segment, the  
15 Secretary shall consider, among other things, the  
16 preferences of local governments expressed in resolu-  
17 tions concerning designation of the segment.

18 (g) AUTHORIZATION OF APPROPRIATIONS.—There  
19 are authorized to be appropriated such funds as are nec-  
20 essary to carry out this section, including the amendment  
21 to the Wild and Scenic River Act made by this section.

22 (h) DEFINITIONS.—In this section:

23 (1) ADDITIONAL RIVER SEGMENT.—The term  
24 “additional river segment” means Musconetcong  
25 River segment “C”, as described in the management

1 plan, from Hughesville Mill to the Delaware River  
2 Confluence (approximately 4.3 miles).

3 (2) MANAGEMENT PLAN.—The term “manage-  
4 ment plan” means the river management plan enti-  
5 tled “Musconetcong River Management Plan” and  
6 dated April 2002.

7 (3) RIVER SEGMENTS.—The term “river seg-  
8 ments” means the segments of the Musconetcong  
9 River, New Jersey, designated as a scenic river or  
10 recreational river by the amendment made by sub-  
11 section (a) in accordance with the management plan.

12 (4) SECRETARY.—The term “Secretary” means  
13 the Secretary of the Interior.

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