

113TH CONGRESS
2D SESSION

H. R. 2569

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 16, 2014

Received

AN ACT

To amend the Wild and Scenic Rivers Act to designate segments of the Missisquoi River and the Trout River in the State of Vermont, as components of 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Upper Missisquoi and
3 Trout Wild and Scenic Rivers Act”.

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

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

9 “(208) MISSISQUOI RIVER AND TROUT RIVER,
10 VERMONT.—The following segments in the State of
11 Vermont, to be administered by the Secretary of the
12 Interior as a recreational river:

13 “(A) The 20.5-mile segment of the
14 Missisquoi River from the Lowell/Westfield
15 town line to the Canadian border in North
16 Troy, excluding the property and project bound-
17 ary of the Troy and North Troy hydroelectric
18 facilities.

19 “(B) The 14.6-mile segment of the
20 Missisquoi River from the Canadian border in
21 Richford to the upstream project boundary of
22 the Enosburg Falls hydroelectric facility in
23 Sampsonville.

24 “(C) The 11-mile segment of the Trout
25 River from the confluence of the Jay and Wade
26 Brooks in Montgomery to where the Trout

1 River joins the Missisquoi River in East Berk-
2 shire.”.

3 **SEC. 3. MANAGEMENT.**

4 (a) MANAGEMENT.—

5 (1) IN GENERAL.—The river segments des-
6 ignated by paragraph (208) of section 3(a) of the
7 Wild and Scenic Rivers Act (16 U.S.C. 1274(a))
8 shall be managed in accordance with—

9 (A) the Upper Missisquoi and Trout Rivers
10 Management Plan developed during the study
11 described in section 5(b)(19) of the Wild and
12 Scenic Rivers Act (16 U.S.C. 1276(b)(19)) (re-
13 ferred to in this section as the “management
14 plan”); and

15 (B) such amendments to the management
16 plan as the Secretary determines are consistent
17 with this Act and as are approved by the Upper
18 Missisquoi and Trout Rivers Wild and Scenic
19 Committee (referred to in this section as the
20 “Committee”).

21 (2) COMPREHENSIVE MANAGEMENT PLAN.—

22 The management plan, as finalized in March 2013,
23 and as amended, shall be considered to satisfy the
24 requirements for a comprehensive management plan

1 pursuant to section 3(d) of the Wild and Scenic Riv-
2 ers Act (16 U.S.C. 1274(d)).

3 (b) COMMITTEE.—The Secretary shall coordinate
4 management responsibility of the Secretary of the Interior
5 under this Act with the Committee, as specified in the
6 management plan.

7 (c) COOPERATIVE AGREEMENTS.—

8 (1) IN GENERAL.—In order to provide for the
9 long-term protection, preservation, and enhancement
10 of the river segments designated by paragraph (208)
11 of section 3(a) of the Wild and Scenic Rivers Act
12 (16 U.S.C. 1274(a)), the Secretary of the Interior
13 may enter into cooperative agreements pursuant to
14 sections 10(e) and 11(b)(1) (16 U.S.C. 1281(e),
15 1282(b)(1)) of the Wild and Scenic Rivers Act
16 with—

17 (A) the State of Vermont;

18 (B) the municipalities of Berkshire,
19 Enosburg Falls, Enosburgh, Montgomery,
20 North Troy, Richford, Troy, and Westfield; and

21 (C) appropriate local, regional, statewide,
22 or multi-state planning or recreational organiza-
23 tions consistent with the management plan.

24 (2) CONSISTENCY.—Each cooperative agree-
25 ment entered into under this section shall be con-

1 sistent with the management plan and may include
2 provisions for financial or other assistance from the
3 United States.

4 (d) EFFECT ON EXISTING HYDROELECTRIC FACILI-
5 TIES.—

6 (1) IN GENERAL.—The designation of the river
7 segments by paragraph (208) of section 3(a) of the
8 Wild and Scenic Rivers Act (16 U.S.C. 1274(a)),
9 does not—

10 (A) preclude, prohibit, or restrict the Fed-
11 eral Energy Regulatory Commission from li-
12 censing, relicensing, or otherwise authorizing
13 the operation or continued operation of the
14 Troy Hydroelectric, North Troy, or Enosburg
15 Falls hydroelectric project under the terms of
16 licenses or exemptions in effect on the date of
17 enactment of this Act; or

18 (B) limit modernization, upgrade, or other
19 changes to the projects described in paragraph
20 (1).

21 (2) HYDROPOWER PROCEEDINGS.—Resource
22 protection, mitigation, or enhancement measures re-
23 quired by Federal Energy Regulatory Commission
24 hydropower proceedings—

1 (A) shall not be considered to be project
2 works for purposes of this Act; and

3 (B) may be located within the river seg-
4 ments designated by paragraph (208) of section
5 3(a) of the Wild and Scenic Rivers Act (16
6 U.S.C. 1274(a)).

7 (e) LAND MANAGEMENT.—

8 (1) ZONING ORDINANCES.—For the purpose of
9 the segments designated in paragraph (208) of sec-
10 tion 3(a) of the Wild and Scenic Rivers Act (16
11 U.S.C. 1274(a)), the zoning ordinances adopted by
12 the towns of Berkshire, Enosburg Falls, Enosburgh,
13 Montgomery, North Troy, Richford, Troy, and West-
14 field in the State of Vermont, including provisions
15 for conservation of floodplains, wetlands, and water-
16 courses associated with the segments, shall be con-
17 sidered to satisfy the standards and requirements of
18 section 6(c) of the Wild and Scenic Rivers Act (16
19 U.S.C. 1277(c)).

20 (2) ACQUISITIONS OF LAND.—The authority of
21 the Secretary to acquire land for the purposes of the
22 segments designated in paragraph (208) of section
23 3(a) of the Wild and Scenic Rivers Act (16 U.S.C.
24 1274(a)) shall be—

1 (A) limited to acquisition by donation or
2 exchange; and

3 (B) subject to the additional criteria set
4 forth in the management plan.

5 (3) NO CONDEMNATION.—The Secretary of the
6 Interior may not acquire by condemnation any land
7 or interest in land within the boundaries of the river
8 segments designated by paragraph (208) of section
9 3(a) of the Wild and Scenic Rivers Act (16 U.S.C.
10 1274(a)).

11 (4) WRITTEN CONSENT OF OWNER RE-
12 QUIRED.—No private property or non-Federal public
13 property shall be included within the boundaries of
14 the river segments designated by paragraph (208) of
15 section 3(a) of the Wild and Scenic Rivers Act (16
16 U.S.C. 1274(a)) without the written consent of the
17 owner of that property.

18 (f) RELATION TO NATIONAL PARK SYSTEM.—Not-
19 withstanding section 10(c) of the Wild and Scenic Rivers
20 Act (16 U.S.C. 1281(c)), the Missisquoi and Trout Rivers
21 shall not be administered as part of the National Park
22 System or be subject to regulations that govern the Na-
23 tional Park System.

24 (g) NO BUFFER ZONE CREATED.—Nothing in this
25 Act or the Upper Missisquoi and Trout Rivers Manage-

1 ment Plan shall be construed to create buffer zones out-
2 side the designated river segment boundaries designated
3 by paragraph (208) of section 3(a) of the Wild and Scenic
4 Rivers Act (16 U.S.C. 1274(a)). That activities or uses
5 can be seen, heard, or detected from areas within the des-
6 ignated river segments shall not preclude, limit, control,
7 regulate or determine the conduct of management of ac-
8 tivities or uses outside those designated river segments.

Passed the House of Representatives September 15,
2014.

Attest:

KAREN L. HAAS,

Clerk.