

115TH CONGRESS
2D SESSION

H. R. 3961

IN THE SENATE OF THE UNITED STATES

APRIL 17, 2018

Received; read twice and referred to the Committee on Energy and Natural
Resources

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:

KAREN L. HAAS,
Clerk.