

115TH CONGRESS
2D SESSION

S. 3533

To amend the Wild and Scenic Rivers Act to designate certain river segments within the Wood-Pawcatuck watershed as components of the National Wild and Scenic Rivers System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 1 (legislative day, SEPTEMBER 28), 2018

Mr. REED (for himself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Wild and Scenic Rivers Act to designate certain river segments within the Wood-Pawcatuck watershed as components 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 “Wood-Pawcatuck Wa-
5 tershed Wild and Scenic River Act.”.

1 **SEC. 2. WOOD-PAWCATUCK WATERSHED WILD AND SCENIC**
 2 **RIVER SEGMENTS.**

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

6 “(214) WOOD-PAWCATUCK WATERSHED, RHODE
 7 ISLAND AND CONNECTICUT.—The following river
 8 segments within the Wood-Pawcatuck watershed, to
 9 be administered by the Secretary of the Interior, in
 10 cooperation with the Wood-Pawcatuck Wild and Sce-
 11 nic Rivers Stewardship Council:

12 “(A) The approximately 11-mile segment
 13 of the Beaver River from its headwaters in Exe-
 14 ter and West Greenwich, Rhode Island, to its
 15 confluence with the Pawcatuck River in Rich-
 16 mond, Rhode Island, as a scenic river.

17 “(B) The approximately 3-mile segment of
 18 the Chipuxet River from the Kingstown Road
 19 Bridge, South Kingstown, Rhode Island, to its
 20 outlet in Worden Pond, as a wild river.

21 “(C) The approximately 9-mile segment of
 22 the Green Fall River from its headwaters in
 23 Voluntown, Connecticut, to its confluence with
 24 the Ashaway River in Hopkinton, Rhode Island,
 25 as a scenic river.

1 “(D) The approximately 3-mile segment of
2 the Ashaway River from its confluence with the
3 Green Fall River to its confluence with the
4 Pawcatuck River in Hopkinton, Rhode Island,
5 as a recreational river.

6 “(E) The approximately 3-mile segment of
7 the Pawcatuck River from the Worden Pond
8 outlet in South Kingstown, Rhode Island, to the
9 South County Trail Bridge, Charlestown and
10 South Kingstown, Rhode Island, as a wild river.

11 “(F) The approximately 4-mile segment of
12 the Pawcatuck River from South County Trail
13 Bridge, Charlestown and South Kingstown,
14 Rhode Island, to the Carolina Back Road
15 Bridge in Richmond and Charlestown, Rhode
16 Island, as a recreational river.

17 “(G) The approximately 21-mile segment
18 of the Pawcatuck River from Carolina Back
19 Road Bridge in Richmond and Charlestown,
20 Rhode Island, to the confluence with Shunock
21 River in Stonington, Connecticut, as a scenic
22 river.

23 “(H) The approximately 8-mile segment of
24 the Pawcatuck River from the confluence with
25 Shunock River in Stonington, Connecticut, to

1 the mouth of the river between Pawcatuck
2 Point in Stonington, Connecticut, and Rhodes
3 Point in Westerly, Rhode Island, as a rec-
4 reational river.

5 “(I) The approximately 11-mile segment of
6 the Queen River from its headwaters in Exeter
7 and West Greenwich, Rhode Island, to the
8 Kingstown Road Bridge in South Kingstown,
9 Rhode Island, as a scenic river.

10 “(J) The approximately 5-mile segment of
11 the Usquepaugh River from the Kingstown
12 Road Bridge to its confluence with the
13 Pawcatuck River in South Kingstown, Rhode
14 Island, as a wild river.

15 “(K) The approximately 8-mile segment of
16 the Shunock River from its headwaters in
17 North Stonington, Connecticut, to its con-
18 fluence with the Pawcatuck River as a rec-
19 reational river.

20 “(L) The approximately 13-mile segment
21 of the Wood River from its headwaters in Ster-
22 ling and Voluntown, Connecticut, and Exeter
23 and West Greenwich, Rhode Island, to the Ar-
24 cadia Road Bridge in Hopkinton and Rich-
25 mond, Rhode Island, as a wild river.

“(M) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the confluence with the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.”.

(b) MANAGEMENT OF RIVER SEGMENTS.—

(1) DEFINITIONS.—In this subsection:

(A) COVERED TRIBUTARY.—The term “covered tributary” means—

(i) each of Assekonk Brook, Breakheart Brook, Brushy Brook, Canochet Brook, Chickasheen Brook, Cedar Swamp Brook, Fisherville Brook, Glade Brook, Glen Rock Brook, Kelly Brook, Locke Brook, Meadow Brook, Pendleton Brook, Parris Brook, Passquisett Brook, Phillips Brook, Poquiant Brook, Queens Fort Brook, Roaring Brook, Sherman Brook, Taney Brook, Tomaquag Brook, White Brook, and Wyassup Brook within the Wood-Pawcatuck watershed; and

(ii) any other perennial stream within the Wood-Pawcatuck watershed.

(B) RIVER SEGMENT.—The term “river segment” means a river segment designated by paragraph (214) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)).

(C) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(D) STEWARDSHIP PLAN.—The term “Stewardship Plan” means the plan entitled the “Wood-Pawcatuck Wild and Scenic Rivers Stewardship Plan for the Beaver, Chipuxet, Green Fall-Ashaway, Pawcatuck, Queen-Usquepaugh, Shunock, and Wood Rivers” and dated June 2018, which takes a watershed approach to the management of the river segments.

(2) WOOD-PAWCATUCK WILD AND SCENIC RIVERS STEWARDSHIP PLAN.—

(A) IN GENERAL.—The Secretary, in cooperation with the Wood-Pawcatuck Wild and Scenic Rivers Stewardship Council, shall manage the river segments in accordance with—

(i) the Stewardship Plan; and

1 (ii) any amendment to the Steward-
2 ship Plan that the Secretary determines is
3 consistent with this subsection.

4 (B) WATERSHED APPROACH.—In further-
5 ance of the watershed approach to resource
6 preservation and enhancement described in the
7 Stewardship Plan, the covered tributaries are
8 recognized as integral to the protection and en-
9 hancement of the river segments.

10 (C) REQUIREMENTS FOR COMPREHENSIVE
11 MANAGEMENT PLAN.—The Stewardship Plan
12 shall be considered to satisfy each requirement
13 for a comprehensive management plan required
14 under section 3(d) of the Wild and Scenic Riv-
15 ers Act (16 U.S.C. 1274(d)).

16 (3) COOPERATIVE AGREEMENTS.—To provide
17 for the long-term protection, preservation, and en-
18 hancement of each river segment, in accordance with
19 sections 10(e) and 11(b)(1) of the Wild and Scenic
20 Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)), the
21 Secretary may enter into cooperative agreements
22 (which may include provisions for financial or other
23 assistance from the Federal Government) with—

24 (A) the States of Connecticut and Rhode
25 Island;

1 (B) political subdivisions of the States of
 2 Connecticut and Rhode Island, including—

3 (i) the towns of North Stonington,
 4 Sterling, Stonington, and Voluntown, Con-
 5 necticut; and

6 (ii) the towns of Charlestown, Exeter,
 7 Hopkinton, North Kingstown, Richmond,
 8 South Kingstown, Westerly, and West
 9 Kingstown, Rhode Island;

10 (C) the Wood-Pawcatuck Wild and Scenic
 11 Rivers Stewardship Council; and

12 (D) any appropriate nonprofit organiza-
 13 tion, as determined by the Secretary.

14 (4) RELATION TO NATIONAL PARK SYSTEM.—
 15 Notwithstanding section 10(c) of the Wild and Sce-
 16 nic Rivers Act (16 U.S.C. 1281(c)), each river seg-
 17 ment shall not be—

18 (A) administered as a unit of the National
 19 Park System; or

20 (B) subject to the laws (including regula-
 21 tions) that govern the administration of the Na-
 22 tional Park System.

23 (5) LAND MANAGEMENT.—

24 (A) ZONING ORDINANCES.—The zoning or-
 25 dinances adopted by the towns of North

1 Stonington, Sterling, Stonington, and
 2 Voluntown, Connecticut, and Charlestown, Exe-
 3 ter, Hopkinton, North Kingstown, Richmond,
 4 South Kingstown, Westerly, and West Green-
 5 wich, Rhode Island (including any provision of
 6 the zoning ordinances relating to the conserva-
 7 tion of floodplains, wetlands, and watercourses
 8 associated with any river segment), shall be
 9 considered to satisfy the standards and require-
 10 ments described in section 6(c) of the Wild and
 11 Scenic Rivers Act (16 U.S.C. 1277(c)).

12 (B) VILLAGES.—For purposes of section
 13 6(c) of the Wild and Scenic Rivers Act (16
 14 U.S.C. 1277(c)), each town described in sub-
 15 paragraph (A) shall be considered to be a vil-
 16 lage.

17 (C) ACQUISITION OF LAND.—

18 (i) LIMITATION OF AUTHORITY OF
 19 SECRETARY.—With respect to each river
 20 segment, the Secretary may only acquire
 21 parcels of land—

22 (I) by donation; or

23 (II) with the consent of the
 24 owner of the parcel of land.

1 (ii) PROHIBITION RELATING TO THE
2 ACQUISITION OF LAND BY CONDEMNA-
3 TION.—In accordance with 6(c) of the
4 Wild and Scenic Rivers Act (16 U.S.C.
5 1277(c)), with respect to each river seg-
6 ment, the Secretary may not acquire any
7 parcel of land by condemnation.

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