

104TH CONGRESS
2D SESSION

H. R. 3405

To designate a portion of the Sudbury, Assabet, and Concord Rivers as
a component of the National Wild and Scenic Rivers System.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 1996

Mr. MEEHAN introduced the following bill; which was referred to the
Committee on Resources

A BILL

To designate a portion of the Sudbury, Assabet, and Concord
Rivers as a component 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sudbury, Assabet and
5 Concord Wild and Scenic Rivers Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) Title VII of Public Law 101–628—

9 (A) designated a 29 mile segment of the
10 Sudbury, Assabet, and Concord Rivers for

1 study of potential addition to the National Wild
2 and Scenic Rivers System, and

3 (B) directed the Secretary of the Interior
4 to establish the Sudbury, Assabet, and Concord
5 River Study Committee (in this Act referred to
6 as the “Study Committee”) to advise the Sec-
7 retary of the Interior in conducting the study
8 and concerning management alternatives should
9 the river be included in the National Wild and
10 Scenic Rivers System.

11 (2) The study determined that all three seg-
12 ments of these rivers are eligible for inclusion in the
13 National Wild and Scenic Rivers System based upon
14 their free-flowing condition and outstanding scenic,
15 recreation, wildlife, literary, and historic values.

16 (3) The towns that directly abut the segments,
17 including Framingham, Sudbury, Wayland, Lincoln,
18 Concord, Bedford, Carlisle, and Billerica, Massachu-
19 setts, have each demonstrated their desire for Na-
20 tional Wild and Scenic River Designation through
21 town meeting votes endorsing designation.

22 (4) During the study, the Study Committee and
23 the National Park Service prepared a comprehensive
24 management plan for the segment, entitled “Sud-
25 bury, Assabet and Concord Wild and Scenic River

1 Study, River Conservation Plan”, dated March 16,
2 1995, which establishes objectives, standards, and
3 action programs that will ensure long-term protec-
4 tion of the rivers’ outstanding values and compatible
5 management of their land and water resources.

6 (5) The Study Committee voted unanimously on
7 February 23, 1995, to recommend that the Congress
8 include these segments in the National Wild and
9 Scenic Rivers System for management in accordance
10 with the River Conservation Plan.

11 **SEC. 3. WILD, SCENIC, AND RECREATIONAL RIVER DES-**
12 **IGNATION.**

13 Section 3(a) of the Wild and Scenic Rivers Act (16
14 U.S.C. 1274(a)) is amended by adding at the end the fol-
15 lowing new paragraphs:

16 “() SUDBURY, ASSABET AND CONCORD RIV-
17 ERS, MASSACHUSETTS.—

18 “(A) IN GENERAL.—The 29 miles of river
19 segments in Massachusetts consisting of the
20 Sudbury River from the Danforth Street Bridge
21 in Framingham downstream to its confluence
22 with the Assabet River at Egg Rock; the
23 Assabet River from a point 1,000 feet down-
24 stream of the Damondale Dam in Concord to
25 its confluence with the Sudbury River at Egg

1 Rock; and the Concord River from its origin at
2 Egg Rock in Concord downstream to the Route
3 3 bridge in Billerica (in this paragraph referred
4 to as the ‘segments’), as scenic and recreational
5 river segments. The segments shall be adminis-
6 tered by the SUASCO River Stewardship Coun-
7 cil established under subparagraph (B) in co-
8 operation with the Secretary of the Interior,
9 through cooperative agreements under section
10 10(e) between the Secretary and the Common-
11 wealth of Massachusetts and its relevant politi-
12 cal subdivisions (including the towns of Fra-
13 mingham, Wayland, Sudbury, Lincoln, Concord,
14 Carlisle, Bedford, and Billerica), and shall be
15 managed in accordance with the plan entitled
16 “Sudbury, Assabet and Concord Wild and Sce-
17 nic River Study, River Conservation Plan”
18 dated March 16, 1995 (in this paragraph re-
19 ferred to as the ‘Plan’). The amount expended
20 by the Federal Government for any activity im-
21 plementing the Plan may not exceed 50 percent
22 of the cost of the activity. For purposes of the
23 preceding sentence, the cost of an activity in-
24 cludes the value of in-kind contributions used
25 to carry out the activity. The Plan is deemed

1 to satisfy the requirement for a comprehensive
2 management plan under section 3(d).

3 “(B) MANAGEMENT COMMITTEE.—To as-
4 sist in the long-term protection of the segments
5 and the implementation of this paragraph and
6 the Plan, the Secretary of the Interior shall es-
7 tablish the SUASCO River Stewardship Council
8 (in this paragraph referred to as the ‘Council’)
9 within 90 days after the date of enactment of
10 this paragraph. The membership, functions, re-
11 sponsibilities, and administrative procedures of
12 the Council shall be as set forth in the Plan.
13 The Council shall not be considered to be a
14 Federal advisory committee, and shall not be
15 subject to the provisions of the Federal Advi-
16 sory Committee Act (5 U.S.C. App.).

17 “(C) FEDERAL ROLE.—(i) The Director of
18 the National Park Service (in this paragraph
19 referred to as the ‘Director’) or his or her des-
20 ignee shall represent the Secretary in the imple-
21 mentation of the Plan and the provisions of this
22 Act with respect to the segments, including the
23 review of proposed federally assisted water re-
24 sources projects which could have a direct and
25 adverse effect on the values for which the seg-

1 ment is established, as authorized under section
2 7(a).

3 “(ii) Pursuant to section 10(e) and section
4 11(b)(1), the Director shall offer to enter into
5 cooperative agreements with the Commonwealth
6 of Massachusetts, its relevant political subdivi-
7 sions, the Sudbury Valley Trustees, and the Or-
8 ganization for the Assabet River. Such coopera-
9 tive agreements shall be consistent with the
10 Plan and may include provisions for financial or
11 other assistance from the United States to fa-
12 cilitate the long-term protection, conservation
13 and enhancement of the segment.

14 “(iii) The Director may provide technical
15 assistance, staff support, and funding to assist
16 in the implementation of the Plan, except that
17 the total cost to the Federal Government of ac-
18 tivities to implement the Plan may not exceed
19 \$100,000 each fiscal year.

20 “(iv) Notwithstanding the provisions of
21 section 10(c), any portion of the segments not
22 already within the National Park System shall
23 not under this paragraph—

24 “(I) become a part of the National
25 Park System;

1 “(II) be managed by the National
2 Park System; or

3 “(III) be subject to regulations which
4 govern the National Park System.

5 “(D) WATER RESOURCES PROJECTS.—(i)
6 In determining whether a proposed water re-
7 sources project would have a direct and adverse
8 effect on the values for which the segments
9 were included in the National Wild and Scenic
10 Rivers System, the Secretary shall specifically
11 consider the extent to which the project is con-
12 sistent with the Plan.

13 “(ii) The Plan, including the detailed
14 Water Resources Study incorporated by ref-
15 erence therein and such additional analysis as
16 may be incorporated in the future, shall serve
17 as the primary source of information regarding
18 the flows needed to maintain instream resources
19 and potential compatibility between resource
20 protection and possible additional water with-
21 drawals.

22 “(E) LAND MANAGEMENT.—(i) The zoning
23 bylaws of the towns of Framingham, Sudbury,
24 Wayland, Lincoln, Concord, Carlisle, Bedford,
25 and Billerica, Massachusetts, as in effect on the

1 date of enactment of this paragraph, are
2 deemed to satisfy the standards and require-
3 ments under section 6(c). For the purpose of
4 section 6(c), the towns are deemed to be ‘vil-
5 lages’ and the provisions of that section which
6 prohibit Federal acquisition of lands shall
7 apply.

8 “(ii) The United States Government shall
9 not acquire by any means title to land, ease-
10 ments, or other interests in land along the seg-
11 ments or their tributaries for the purposes of
12 designation of the segments under this para-
13 graph. Nothing in this Act shall prohibit Fed-
14 eral acquisition of interests in land along the
15 segments under other laws for other purposes.

16 “(F) DISTINCT LATERAL BOUNDARIES.—
17 Notwithstanding anything in section 3(b) of
18 this Act to the contrary, no distinct lateral
19 boundary shall be established for the segments,
20 as set forth in the Plan.

21 “(G) FUNDING.—There are authorized to
22 be appropriated to the Secretary to carry out
23 this paragraph not to exceed \$100,000 for each
24 fiscal year.”.

○