

117TH CONGRESS
2D SESSION

S. 4122

To amend the Wild and Scenic Rivers Act to designate certain segments of the Housatonic River in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 2, 2022

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 segments of the Housatonic River in the State of Connecticut 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 “Housatonic Wild and
5 Scenic River Act of 2022”.

1 **SEC. 2. HOUSATONIC WILD AND SCENIC RIVER, CON-**
2 **NECTICUT.**

3 (a) AMENDMENTS TO WILD AND SCENIC RIVERS
4 ACT.—Section 3(a) of the Wild and Scenic Rivers Act (16
5 U.S.C. 1274(a)) is amended by adding at the end the fol-
6 lowing:

7 “(231) HOUSATONIC RIVER, CONNECTICUT.—

8 “(A) IN GENERAL.—The following seg-
9 ments of the Housatonic River in the State of
10 Connecticut, to be administered by the Sec-
11 retary of the Interior:

12 “(i) The approximately 14.9-mile seg-
13 ment from the Massachusetts-Connecticut
14 boundary to the covered bridge in West
15 Cornwall, as a scenic river.

16 “(ii) The approximately 4.1-mile seg-
17 ment from the covered bridge in West
18 Cornwall to the Cornwall Bridge, as a rec-
19 reational river.

20 “(iii) The approximately 9.1-mile seg-
21 ment from the Cornwall Bridge to the
22 Route 341 bridge in Kent, as a scenic
23 river.

24 “(iv) The approximately 12.2-mile
25 segment from the Route 341 bridge in

1 Kent to the Boardman Bridge in New Mil-
 2 ford, as a recreational river.

3 “(B) EFFECTS ON HYDROELECTRIC FA-
 4 CILITIES.—The designation of the river seg-
 5 ments in subparagraph (A) shall not—

6 “(i) impact or alter the existing terms
 7 of permitting, licensing, or operation of—

8 “(I) the Falls Village Hydro-
 9 electric Generating Station located in
 10 Falls Village, Connecticut (FERC P-
 11 2576); or

12 “(II) the Bulls Bridge Hydro-
 13 electric Generating Station located in
 14 New Milford, Connecticut (FERC P-
 15 2576); or

16 “(ii) preclude the Federal Energy
 17 Regulatory Commission from licensing, re-
 18 licensing, or otherwise authorizing the op-
 19 eration or continued operation of the facili-
 20 ties named in clause (i).”.

21 (b) MANAGEMENT.—

22 (1) PROCESS.—The Housatonic River segments
 23 shall be managed in accordance with—

24 (A) the Management Plan; and

1 (B) such amendments to the Management
 2 Plan as the Secretary determines are consistent
 3 with this Act and the Wild and Scenic Rivers
 4 Act (16 U.S.C. 1271 et seq.).

5 (2) COMPREHENSIVE MANAGEMENT PLAN.—
 6 The Management Plan shall be considered to satisfy
 7 the requirements for a comprehensive management
 8 plan under section 3(d) of the Wild and Scenic Riv-
 9 ers Act (16 U.S.C. 1274(d)).

10 (3) COOPERATIVE MANAGEMENT.—

11 (A) IN GENERAL.—To provide for long-
 12 term protection, preservation, and enhancement
 13 of the Housatonic River segments, the Sec-
 14 retary shall coordinate management responsibil-
 15 ities under this Act, and may enter into cooper-
 16 ative agreements pursuant to sections 10(e) and
 17 11(b)(1) of the Wild and Scenic Rivers Act (16
 18 U.S.C. 1281(e) and 1282(b)(1)), with—

- 19 (i) the State of Connecticut;
- 20 (ii) the towns of Sharon, Canaan,
 21 Cornwall, Salisbury, New Milford, Kent,
 22 and North Canaan, Connecticut; and
- 23 (iii) appropriate planning, environ-
 24 mental, and recreational organizations, in-
 25 cluding—

1 (I) local, regional, State, and
2 multistate organizations; and

3 (II) any other appropriate orga-
4 nizations, as determined by the
5 Housatonic River Commission, or its
6 successor organization, as defined in
7 the Management Plan.

8 (B) COOPERATIVE AGREEMENTS.—Each
9 cooperative agreement entered into under this
10 paragraph shall be consistent with the Manage-
11 ment Plan and may include provisions for fi-
12 nancial or other assistance from the United
13 States.

14 (4) ZONING ORDINANCES.—For the purposes of
15 the Housatonic River segments, the zoning ordi-
16 nances adopted by the municipalities named in para-
17 graph (3)(A)(ii) shall be deemed to satisfy the
18 standards and requirements of section 6(c) of the
19 Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

20 (5) ACQUISITION OF LANDS.—The authority of
21 the Secretary to acquire lands for the Housatonic
22 River segments shall be—

23 (A) limited to acquisition by donation or
24 acquisition with the consent of the owner there-
25 of; and

1 (B) subject to the additional criteria set
2 forth in the Management Plan.

3 (6) NO CONDEMNATION.—No land or interest
4 in land may be acquired for the Housatonic River
5 segments by condemnation.

6 (7) RELATION TO THE NATIONAL PARK SYS-
7 TEM.—Notwithstanding section 10(c) of the Wild
8 and Scenic Rivers Act (16 U.S.C. 1281(c)), the
9 Housatonic River segments shall not be—

10 (A) administered as a part or unit of the
11 National Park System; or

12 (B) subject to regulations that govern the
13 National Park System.

14 (8) DEFINITIONS.—In this subsection:

15 (A) SECRETARY.—The term “Secretary”
16 means the Secretary of the Interior.

17 (B) MANAGEMENT PLAN.—The term
18 “Management Plan” means the Housatonic
19 River Management Plan, dated September
20 2006.

21 (C) HOUSATONIC RIVER SEGMENTS.—The
22 term “Housatonic River segments” means the
23 river segments designated by the amendments
24 made by section 2(a).

