

110TH CONGRESS  
1ST SESSION

# H. R. 986

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IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2007

Received

AUGUST 3, 2007

Read twice and referred to the Committee on Energy and Natural Resources

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## AN ACT

To amend the Wild and Scenic Rivers Act to designate certain segments of the Eightmile 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Eightmile Wild and  
3 Scenic River Act”.

4 **SEC. 2. WILD AND SCENIC RIVER DESIGNATION,**  
5 **EIGHTMILE RIVER, CONNECTICUT.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) The Eightmile River Wild and Scenic River  
8 Study Act of 2001 (Public Law 107–65; 115 Stat.  
9 484) authorized the study of the Eightmile River in  
10 the State of Connecticut from its headwaters down-  
11 stream to its confluence with the Connecticut River  
12 for potential inclusion in the National Wild and Sce-  
13 nic Rivers System.

14 (2) The segments of the Eightmile River cov-  
15 ered by the study are in a free-flowing condition,  
16 and the outstanding resource values of the river seg-  
17 ments include the cultural landscape, water quality,  
18 watershed hydrology, unique species and natural  
19 communities, geology, and watershed ecosystem.

20 (3) The Eightmile River Wild and Scenic Study  
21 Committee has determined that—

22 (A) the outstanding resource values of  
23 these river segments depend on sustaining the  
24 integrity and quality of the Eightmile River wa-  
25 tershed;

1 (B) these resource values are manifest  
2 within the entire watershed; and

3 (C) the watershed as a whole, including its  
4 protection, is itself intrinsically important to  
5 this designation.

6 (4) The Eightmile River Wild and Scenic Study  
7 Committee took a watershed approach in studying  
8 and recommending management options for the river  
9 segments and the Eightmile River watershed as a  
10 whole.

11 (5) During the study, the Eightmile River Wild  
12 and Scenic Study Committee, with assistance from  
13 the National Park Service, prepared a comprehen-  
14 sive management plan for the Eightmile River wa-  
15 tershed, dated December 8, 2005 (in this section re-  
16 ferred to as the “Eightmile River Watershed Man-  
17 agement Plan”), which establishes objectives, stand-  
18 ards, and action programs that will ensure long-term  
19 protection of the outstanding values of the river and  
20 compatible management of the land and water re-  
21 sources of the Eightmile River and its watershed,  
22 without Federal management of affected lands not  
23 owned by the United States.

24 (6) The Eightmile River Wild and Scenic Study  
25 Committee voted in favor of inclusion of the

1 Eightmile River in the National Wild and Scenic  
2 Rivers System and included this recommendation as  
3 an integral part of the Eightmile River Watershed  
4 Management Plan.

5 (7) The residents of the towns lying along the  
6 Eightmile River and comprising most of its water-  
7 shed (Salem, East Haddam, and Lyme, Con-  
8 necticut), as well as the Boards of Selectmen and  
9 Land Use Commissions of these towns, voted to en-  
10 dorse the Eightmile River Watershed Management  
11 Plan and to seek designation of the river as a com-  
12 ponent of the National Wild and Scenic Rivers Sys-  
13 tem.

14 (8) The State of Connecticut General Assembly  
15 enacted Public Act 05–18 to endorse the Eightmile  
16 River Watershed Management Plan and to seek des-  
17 ignation of the river as a component of the National  
18 Wild and Scenic Rivers System.

19 (b) DESIGNATION.—Section 3(a) of the Wild and  
20 Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by add-  
21 ing at the end the following new paragraph:

22 “( ) EIGHTMILE RIVER, CONNECTICUT.—Segments  
23 of the main stem and specified tributaries of the Eightmile  
24 River in the State of Connecticut, totaling approximately

1 25.3 miles, to be administered by the Secretary of the In-  
2 terior as follows:

3           “(A) The entire 10.8-mile segment of the main  
4 stem, starting at its confluence with Lake Hayward  
5 Brook to its confluence with the Connecticut River  
6 at the mouth of Hamburg Cove, as a scenic river.

7           “(B) The 8.0-mile segment of the East Branch  
8 of the Eightmile River starting at Witch Meadow  
9 Road to its confluence with the main stem of the  
10 Eightmile River, as a scenic river.

11           “(C) The 3.9-mile segment of Harris Brook  
12 starting with the confluence of an unnamed stream  
13 lying 0.74 miles due east of the intersection of Hart-  
14 ford Road (State Route 85) and Round Hill Road  
15 to its confluence with the East Branch of the  
16 Eightmile River, as a scenic river.

17           “(D) The 1.9-mile segment of Beaver Brook  
18 starting at its confluence with Cedar Pond Brook to  
19 its confluence with the main stem of the Eightmile  
20 River, as a scenic river.

21           “(E) The 0.7-mile segment of Falls Brook from  
22 its confluence with Tisdale Brook to its confluence  
23 with the main stem of the Eightmile River at Ham-  
24 burg Cove, as a scenic river.”.

1           (c) MANAGEMENT.—The segments of the main stem  
2 and certain tributaries of the Eightmile River in the State  
3 of Connecticut designated as components of the National  
4 Wild and Scenic Rivers System by the amendment made  
5 by subsection (b) (in this section referred to as the  
6 “Eightmile River”) shall be managed in accordance with  
7 the Eightmile River Watershed Management Plan and  
8 such amendments to the plan as the Secretary of the Inte-  
9 rior determines are consistent with this section. The  
10 Eightmile River Watershed Management Plan is deemed  
11 to satisfy the requirements for a comprehensive manage-  
12 ment plan required by section 3(d) of the Wild and Scenic  
13 Rivers Act (16 U.S.C. 1274(d)).

14           (d) COMMITTEE.—The Secretary of the Interior shall  
15 coordinate the management responsibilities of the Sec-  
16 retary with regard to the Eightmile River with the  
17 Eightmile River Coordinating Committee, as specified in  
18 the Eightmile River Watershed Management Plan.

19           (e) COOPERATIVE AGREEMENTS.—In order to pro-  
20 vide for the long-term protection, preservation, and en-  
21 hancement of the Eightmile River, the Secretary of the  
22 Interior may enter into cooperative agreements pursuant  
23 to sections 10(e) and 11(b)(1) of the Wild and Scenic Riv-  
24 ers Act (16 U.S.C. 1281(e), 1282(b)(1)) with the State  
25 of Connecticut, the towns of Salem, Lyme, and East

1 Haddam, Connecticut, and appropriate local planning and  
2 environmental organizations. All cooperative agreements  
3 authorized by this subsection shall be consistent with the  
4 Eightmile River Watershed Management Plan and may in-  
5 clude provisions for financial or other assistance from the  
6 United States.

7 (f) RELATION TO NATIONAL PARK SYSTEM.—Not-  
8 withstanding section 10(c) of the Wild and Scenic Rivers  
9 Act (16 U.S.C. 1281(c)), the Eightmile River shall not  
10 be administered as part of the National Park System or  
11 be subject to regulations which govern the National Park  
12 System.

13 (g) LAND MANAGEMENT.—The zoning ordinances  
14 adopted by the towns of Salem, East Haddam, and Lyme,  
15 Connecticut, in effect as of December 8, 2005, including  
16 provisions for conservation of floodplains, wetlands, and  
17 watercourses associated with the segments, are deemed to  
18 satisfy the standards and requirements of section 6(c) of  
19 the Wild and Scenic Rivers Act (16 U.S.C. 1277 (c)). For  
20 the purpose of section 6(c) of that Act, such towns shall  
21 be deemed “villages” and the provisions of that section,  
22 which prohibit Federal acquisition of lands by condemna-  
23 tion, shall apply to the segments designated by subsection  
24 (b). The authority of the Secretary to acquire lands for  
25 the purposes of this Act shall be limited to acquisition by

1 donation or acquisition with the consent of the owner  
2 thereof, and shall be subject to the additional criteria set  
3 forth in the Eightmile River Watershed Management  
4 Plan.

5 (h) WATERSHED APPROACH.—

6 (1) IN GENERAL.—In furtherance of the water-  
7 shed approach to resource preservation and enhance-  
8 ment articulated in the Eightmile River Watershed  
9 Management Plan, the tributaries of the Eightmile  
10 River watershed specified in paragraph (2) are rec-  
11 ognized as integral to the protection and enhance-  
12 ment of the Eightmile River and its watershed.

13 (2) COVERED TRIBUTARIES.—Paragraph (1)  
14 applies with respect to Beaver Brook, Big Brook,  
15 Burnhams Brook, Cedar Pond Brook, Cranberry  
16 Meadow Brook, Early Brook, Falls Brook, Fraser  
17 Brook, Harris Brook, Hedge Brook, Lake Hayward  
18 Brook, Malt House Brook, Muddy Brook, Ransom  
19 Brook, Rattlesnake Ledge Brook, Shingle Mill  
20 Brook, Strongs Brook, Tisdale Brook, Witch Mead-  
21 ow Brook, and all other perennial streams within the  
22 Eightmile River watershed.

23 (i) AUTHORIZATION OF APPROPRIATIONS.—There  
24 are authorized to be appropriated such sums as are nec-

1 essary to carry out this section and the amendment made  
2 by subsection (b).

Passed the House of Representatives July 31, 2007.

Attest:                   LORRAINE C. MILLER,  
*Clerk.*