

116TH CONGRESS
1ST SESSION

H. R. 1248

To amend the Wild and Scenic Rivers Act to designate certain river segments within the York watershed in the State of Maine as components of the National Wild and Scenic Rivers System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2019

Ms. PINGREE (for herself and Mr. GOLDEN) introduced the following bill;
which was referred to the Committee on Natural Resources

A BILL

To amend the Wild and Scenic Rivers Act to designate certain river segments within the York watershed in the State of Maine 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 “York River Wild and
5 Scenic River Act of 2019”.

1 **SEC. 2. DESIGNATION OF YORK WILD AND SCENIC RIVERS,**
2 **MAINE.**

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

6 “() YORK RIVER, MAINE.—Segments of the
7 main stem and its tributaries in the State of Maine,
8 Bass Cove Creek, Cider Hill Creek, Cutts Ridge
9 Brook, Dolly Gordon Brook, Libby Brook, Rogers
10 Brook, Smelt Brook, totaling approximately 30.8
11 miles, to be administered by the Secretary of the In-
12 terior, as a recreational river:

13 “(A) The approximately 0.95-mile segment
14 of Bass Cove Creek from the outlet of Boulter
15 Pond in York, Maine, and extending down-
16 stream to its confluence with the York River in
17 York, Maine.

18 “(B) The approximately 3.77-mile segment
19 of Cider Hill Creek from the Middle Pond dam
20 in York, Maine, and extending downstream to
21 its confluence with the York River in York,
22 Maine.

23 “(C) The approximately 2.15-mile segment
24 of Cutts Ridge Brook from its headwaters in
25 Kittery, Maine, and extending downstream to

1 its confluence with the York River in York,
2 Maine.

3 “(D) The approximately 3.17-mile segment
4 of Dolly Gordon Brook from its headwaters in
5 York, Maine, and extending downstream to its
6 confluence with the York River in York, Maine.

7 “(E) The approximately 1.65-mile segment
8 of Libby Brook from its headwaters in Kittery,
9 Maine, and extending downstream to its con-
10 fluence with Dolly Gordon Brook in York,
11 Maine.

12 “(F) The approximately 2.43-mile segment
13 of Rogers Brook from its headwaters in Eliot,
14 Maine, and extending downstream to its con-
15 fluence with the York River in York, Maine.

16 “(G) The approximately 4.54-mile segment
17 of Smelt Brook from the Bell Marsh Reservoir
18 dam in York, Maine, and extending downstream
19 to its confluence with the York River in York,
20 Maine.

21 “(H) The approximately 12.14-mile seg-
22 ment of the York River from the outlet of York
23 Pond in Eliot, Maine, and extending down-
24 stream to the Route 103 Bridge in York,

1 Maine, including Barrell Mill Pond in York,
2 Maine.”.

3 **SEC. 3. MANAGEMENT.**

4 (a) PROCESS.—

5 (1) IN GENERAL.—The York River, Maine seg-
6 ments shall be managed in accordance with—

7 (A) the stewardship plan; and

8 (B) such amendments to the stewardship
9 plan as the Secretary determines are consistent
10 with this section and as are approved by the
11 Stewardship Committee.

12 (2) COMPREHENSIVE MANAGEMENT PLAN.—
13 The stewardship plan shall be considered to satisfy
14 the requirements for a comprehensive management
15 plan under section 3(d) of the Wild and Scenic Riv-
16 ers Act (16 U.S.C. 1274(d)).

17 (b) COMMITTEE.—The Secretary shall coordinate his
18 or her management responsibilities under this Act with the
19 Stewardship Committee, as specified in the stewardship
20 plan.

21 (c) COOPERATIVE AGREEMENTS.—

22 (1) IN GENERAL.—In order to provide for the
23 long-term protection, preservation, and enhancement
24 of the York River, Maine segments, the Secretary
25 may enter into cooperative agreements pursuant to

1 sections 10(e) and 11(b)(1) of the Wild and Scenic
2 Rivers Act (16 U.S.C. 1281(e) and 1282(b)(1))
3 with—

4 (A) the State of Maine;

5 (B) the municipalities of Eliot, Kittery,
6 South Berwick, and York in Maine; and

7 (C) appropriate local, regional, or State
8 planning, environmental, or recreational organi-
9 zations.

10 (2) CONSISTENCY.—Each cooperative agree-
11 ment entered into under this subsection shall be con-
12 sistent with the stewardship plan and may include
13 provisions for financial or other assistance from the
14 United States.

15 (d) LAND MANAGEMENT.—

16 (1) ZONING ORDINANCES.—For the purpose of
17 the York River, Maine segments, the zoning ordi-
18 nances adopted by the municipalities named in sub-
19 section (c)(1)(B), including provisions for conserva-
20 tion of floodplains, wetlands, and watercourses asso-
21 ciated with the segments, shall be deemed to satisfy
22 the standards and requirements of section 6(c) of
23 the Wild and Scenic Rivers Act.

1 (2) ACQUISITION OF LANDS.—The authority of
2 the Secretary to acquire land for the purposes of the
3 York River, Maine segments shall be—

4 (A) limited to acquisition by donation or
5 acquisition with the consent of the owner of the
6 land; and

7 (B) subject to the additional criteria set
8 forth in the stewardship plan.

9 (3) NO CONDEMNATION.—No land or interest
10 in land within the watersheds of the York River,
11 Maine segments may be acquired by condemnation.

12 (e) RELATION TO THE NATIONAL PARK SYSTEM.—
13 Notwithstanding section 10(c) of the Wild and Scenic Riv-
14 ers Act (16 U.S.C. 1281(c)), the York River, Maine seg-
15 ments shall not—

16 (1) be administered as a unit of the National
17 Park System; or

18 (2) be subject to regulations that govern the
19 National Park System.

20 (f) DEFINITIONS.—For the purposes of this section:

21 (1) SECRETARY.—The term “Secretary” means
22 the Secretary of the Interior.

23 (2) STEWARDSHIP COMMITTEE.—The term
24 “Stewardship Committee” means the York River
25 Stewardship Committee.

1 (3) STEWARDSHIP PLAN.—The term “steward-
2 ship plan” means the York River Watershed Stew-
3 ardship Plan, dated August 2018, developed pursu-
4 ant to the study described in section 5(b)(21) of the
5 Wild and Scenic Rivers Act.

6 (4) YORK RIVER, MAINE SEGMENTS.—The term
7 “York River, Maine segments” means the river seg-
8 ments designated by the amendment made by sec-
9 tion 2.

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