

**AMENDMENT TO H.R. 2406, AS REPORTED
OFFERED BY MS. ESTY OF CONNECTICUT**

Add at the end the following:

1 **TITLE XVII—LOWER FARM-**
2 **INGTON RIVER AND SALMON**
3 **BROOK WILD AND SCENIC**
4 **RIVER**

5 **SEC. 1701. SHORT TITLE.**

6 This title may be cited as the “Lower Farmington
7 River and Salmon Brook Wild and Scenic River Act”.

8 **SEC. 1702. FINDINGS.**

9 The Congress finds that—

10 (1) the Lower Farmington River and Salmon
11 Brook Study Act of 2005 (Public Law 109–370) au-
12 thORIZED the study of the Farmington River down-
13 stream from the segment designated as a rec-
14 reational river by section 3(a)(156) of the Wild and
15 Scenic Rivers Act (16 U.S.C. 1277(a)(156)) to its
16 confluence with the Connecticut River, and the seg-
17 ment of the Salmon Brook including its main stem
18 and east and west branches for potential inclusion in
19 the National Wild and Scenic Rivers System;

1 (2) the studied segments of the Lower Farm-
2 ington River and Salmon Brook support natural,
3 cultural, and recreational resources of exceptional
4 significance to the citizens of Connecticut and the
5 Nation;

6 (3) concurrently with the preparation of the
7 study, the Lower Farmington River and Salmon
8 Brook Wild and Scenic Study Committee prepared
9 the Lower Farmington River and Salmon Brook
10 Management Plan, June 2011, that establishes ob-
11 jectives, standards, and action programs that will
12 ensure the long-term protection of the outstanding
13 values of the river segments without Federal man-
14 agement of affected lands not owned by the United
15 States;

16 (4) the Lower Farmington River and Salmon
17 Brook Wild and Scenic Study Committee has voted
18 in favor of Wild and Scenic River designation for the
19 river segments, and has included this recommenda-
20 tion as an integral part of the management plan;

21 (5) there is strong local support for the protec-
22 tion of the Lower Farmington River and Salmon
23 Brook, including votes of support for Wild and See-
24 nic designation from the governing bodies of all ten
25 communities abutting the study area;

1 (6) the State of Connecticut General Assembly
2 has endorsed the designation of the Lower Farm-
3 ington River and Salmon Brook as components of
4 the National Wild and Scenic Rivers System (Public
5 Act 08–37); and

6 (7) the Rainbow Dam and Reservoir are located
7 entirely outside of the river segment designated by
8 section 1703 of this title, and, based on the findings
9 of the study of the Lower Farmington River pursu-
10 ant to Public Law 109–370, this hydroelectric
11 project (including all aspects of its facilities, oper-
12 ations and transmission lines) is compatible with the
13 designation made by section 1703 of this title.

14 **SEC. 1703. DESIGNATION.**

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

18 “(208) LOWER FARMINGTON RIVER AND SALM-
19 ON BROOK, CONNECTICUT.—Segments of the main
20 stem and its tributary, Salmon Brook, totaling ap-
21 proximately 62 miles, to be administered by the Sec-
22 retary of the Interior as follows:

23 “(A) The approximately 27.2-mile segment
24 of the Farmington River beginning 0.2 miles
25 below the tailrace of the Lower Collinsville Dam

1 and extending to the site of the Spoonville Dam
2 in Bloomfield and East Granby as a rec-
3 reational river.

4 “(B) The approximately 8.1-mile segment
5 of the Farmington River extending from 0.5
6 miles below the Rainbow Dam to the confluence
7 with the Connecticut River in Windsor as a rec-
8 reational river.

9 “(C) The approximately 2.4-mile segment
10 of the main stem of Salmon Brook extending
11 from the confluence of the East and West
12 Branches to the confluence with the Farm-
13 ington River as a recreational river.

14 “(D) The approximately 12.6-mile segment
15 of the West Branch of Salmon Brook extending
16 from its headwaters in Hartland, Connecticut
17 to its confluence with the East Branch of Salm-
18 on Brook as a recreational river.

19 “(E) The approximately 11.4-mile segment
20 of the East Branch of Salmon Brook extending
21 from the Massachusetts-Connecticut State line
22 to the confluence with the West Branch of
23 Salmon Brook as a recreational river.”.

1 **SEC. 1704. MANAGEMENT.**

2 (a) IN GENERAL.—The river segments designated by
3 section 1703 shall be managed in accordance with the
4 management plan and such amendments to the manage-
5 ment plan as the Secretary determines are consistent with
6 this title. The management plan shall be deemed to satisfy
7 the requirements for a comprehensive management plan
8 pursuant to section 3(d) of the Wild and Scenic Rivers
9 Act (16 U.S.C. 1274(d)).

10 (b) COMMITTEE.—The Secretary shall coordinate the
11 management responsibilities of the Secretary under this
12 title with the Lower Farmington River and Salmon Brook
13 Wild and Scenic Committee, as specified in the manage-
14 ment plan.

15 (c) COOPERATIVE AGREEMENTS.—

16 (1) IN GENERAL.—In order to provide for the
17 long-term protection, preservation, and enhancement
18 of the river segment designated by section 1703 of
19 this title, the Secretary is authorized to enter into
20 cooperative agreements pursuant to sections 10(e)
21 and 11(b)(1) of the Wild and Scenic Rivers Act
22 with—

23 (A) the State of Connecticut;

24 (B) the towns of Avon, Bloomfield, Bur-
25 lington, East Granby, Farmington, Granby,

1 Hartland, Simsbury, and Windsor in Con-
2 necticut; and

3 (C) appropriate local planning and environ-
4 mental organizations.

5 (2) CONSISTENCY.—All cooperative agreements
6 provided for under this title shall be consistent with
7 the management plan and may include provisions for
8 financial or other assistance from the United States.

9 (d) LAND MANAGEMENT.—

10 (1) ZONING ORDINANCES.—For the purposes of
11 the segments designated in section 1703, the zoning
12 ordinances adopted by the towns in Avon, Bloom-
13 field, Burlington, East Granby, Farmington, Gran-
14 by, Hartland, Simsbury, and Windsor in Con-
15 necticut, including provisions for conservation of
16 floodplains, wetlands and watercourses associated
17 with the segments, 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 (2) ACQUISITION OF LAND.—The provisions of
21 section 6(c) of the Wild and Scenic Rivers Act (16
22 U.S.C. 1277(c)) that prohibit Federal acquisition of
23 lands by condemnation shall apply to the segments
24 designated in section 1703 of this title. The author-
25 ity of the Secretary to acquire lands for the purposes

1 of the segments designated in section 1703 of this
2 title shall be limited to acquisition by donation or ac-
3 quisition with the consent of the owner of the lands,
4 and shall be subject to the additional criteria set
5 forth in the management plan.

6 (e) RAINBOW DAM.—The designation made by sec-
7 tion 1703 shall not be construed to—

8 (1) prohibit, pre-empt, or abridge the potential
9 future licensing of the Rainbow Dam and Reservoir
10 (including any and all aspects of its facilities, oper-
11 ations and transmission lines) by the Federal En-
12 ergy Regulatory Commission as a federally licensed
13 hydroelectric generation project under the Federal
14 Power Act; or

15 (2) affect the operation of, or impose any flow
16 or release requirements on, the unlicensed hydro-
17 electric facility at Rainbow Dam and Reservoir.

18 (f) RELATION TO NATIONAL PARK SYSTEM.—Not-
19 withstanding section 10(c) of the Wild and Scenic Rivers
20 Act (16 U.S.C. 1281(c)), the Lower Farmington River
21 shall not be administered as part of the National Park
22 System or be subject to regulations which govern the Na-
23 tional Park System.

1 **SEC. 1705. FARMINGTON RIVER, CONNECTICUT, DESIGNA-**
2 **TION REVISION.**

3 Section 3(a)(156) of the Wild and Scenic Rivers Act
4 (16 U.S.C. 1274(a)) is amended in the first sentence—

5 (1) by striking “14-mile” and inserting “15.1-
6 mile”; and

7 (2) by striking “to the downstream end of the
8 New Hartford-Canton, Connecticut town line” and
9 inserting “to the confluence with the Nepaug River”.

10 **SEC. 1706. DEFINITIONS.**

11 For the purposes of this title:

12 (1) **MANAGEMENT PLAN.**—The term “manage-
13 ment plan” means the management plan referred to
14 in section 1702(3).

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

