

111TH CONGRESS
1ST SESSION

H. R. 3113

To amend the Wild and Scenic Rivers Act to designate a segment of the Elk River in the State of West Virginia for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 7, 2009

Mr. RAHALL 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 a segment of the Elk River in the State of West Virginia for study for potential addition to 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 “Upper Elk River Wild
5 and Scenic Study Act”.

1 **SEC. 2. DESIGNATION FOR STUDY.**

2 Section 5(a) of the Wild and Scenic Rivers Act (16
3 U.S.C. 1276(a)) is amended by adding at the end the fol-
4 lowing:

5 “() ELK RIVER, WEST VIRGINIA.—The approxi-
6 mate 5-mile segment of the Elk River from the con-
7 fluence of the Old Field Fork and the Big Spring
8 Fork in Pocahontas County to the Pocahontas and
9 Randolph County line.”.

10 **SEC. 3. STUDY AND REPORT.**

11 Section 5(b) of the Wild and Scenic Rivers Act (16
12 U.S.C. 1276(b)) is amended by adding at the end the fol-
13 lowing:

14 “() ELK RIVER, WEST VIRGINIA.—Not later
15 than 3 years after funds are made available to carry
16 out this paragraph, the Secretary of Agriculture
17 shall complete the study of the 5-mile segment of the
18 Elk River, West Virginia, designated for study in
19 subsection (a), and shall submit to Congress a re-
20 port containing the results of the study. The report
21 shall include an analysis of the potential impact of
22 the designation on private lands within the 5-mile
23 segment of the Elk River, West Virginia, or abutting
24 that area.”.

1 **SEC. 4. EFFECT.**

2 (a) **EFFECT ON ACCESS FOR RECREATIONAL ACTIVI-**
3 **TIES.**—Consistent with section 13 of the Wild and Scenic
4 Rivers Act (16 U.S.C. 1284), nothing in the designation
5 made by the amendment in section 2 shall be construed
6 as affecting access for recreational activities otherwise al-
7 lowed by law or regulation, including hunting, fishing, or
8 trapping.

9 (b) **EFFECT ON STATE AUTHORITY.**—Consistent
10 with section 13 of the Wild and Scenic Rivers Act (16
11 U.S.C 1284), nothing in the designation made by the
12 amendment in section 2 shall be construed as affecting
13 the authority, jurisdiction, or responsibility of the several
14 States to manage, control, or regulate fish and resident
15 wildlife under State law or regulations, including the regu-
16 lation of hunting, fishing, and trapping.

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