

116TH CONGRESS  
1ST SESSION

# S. 45

To amend the Wild and Scenic Rivers Act to designate certain river segments within the Wood-Pawcatuck watershed as components of the National Wild and Scenic Rivers System, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 8, 2019

Mr. REED (for himself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and 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 river segments within the Wood-Pawcatuck watershed 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 “Wood-Pawcatuck Wa-  
5       tershed Wild and Scenic River Act”.

1 **SEC. 2. WOOD-PAWCATUCK WATERSHED WILD AND SCENIC**  
2 **RIVER SEGMENTS.**

3 (a) DESIGNATION.—Section 3(a) of the Wild and  
4 Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by add-  
5 ing at the end the following:

6 “(214) WOOD-PAWCATUCK WATERSHED, RHODE  
7 ISLAND AND CONNECTICUT.—The following river  
8 segments within the Wood-Pawcatuck watershed, to  
9 be administered by the Secretary of the Interior, in  
10 cooperation with the Wood-Pawcatuck Wild and Sce-  
11 nic Rivers Stewardship Council:

12 “(A) The approximately 11-mile segment  
13 of the Beaver River from its headwaters in Exe-  
14 ter and West Greenwich, Rhode Island, to its  
15 confluence with the Pawcatuck River in Rich-  
16 mond, Rhode Island, as a scenic river.

17 “(B) The approximately 3-mile segment of  
18 the Chipuxet River from the Kingstown Road  
19 Bridge, South Kingstown, Rhode Island, to its  
20 outlet in Worden Pond, as a wild river.

21 “(C) The approximately 9-mile segment of  
22 the Green Fall River from its headwaters in  
23 Voluntown, Connecticut, to its confluence with  
24 the Ashaway River in Hopkinton, Rhode Island,  
25 as a scenic river.

1           “(D) The approximately 3-mile segment of  
2 the Ashaway River from its confluence with the  
3 Green Fall River to its confluence with the  
4 Pawcatuck River in Hopkinton, Rhode Island,  
5 as a recreational river.

6           “(E) The approximately 3-mile segment of  
7 the Pawcatuck River from the Worden Pond  
8 outlet in South Kingstown, Rhode Island, to the  
9 South County Trail Bridge, Charlestown and  
10 South Kingstown, Rhode Island, as a wild river.

11           “(F) The approximately 4-mile segment of  
12 the Pawcatuck River from South County Trail  
13 Bridge, Charlestown and South Kingstown,  
14 Rhode Island, to the Carolina Back Road  
15 Bridge in Richmond and Charlestown, Rhode  
16 Island, as a recreational river.

17           “(G) The approximately 21-mile segment  
18 of the Pawcatuck River from Carolina Back  
19 Road Bridge in Richmond and Charlestown,  
20 Rhode Island, to the confluence with Shunock  
21 River in Stonington, Connecticut, as a scenic  
22 river.

23           “(H) The approximately 8-mile segment of  
24 the Pawcatuck River from the confluence with  
25 Shunock River in Stonington, Connecticut, to

1 the mouth of the river between Pawcatuck  
2 Point in Stonington, Connecticut, and Rhodes  
3 Point in Westerly, Rhode Island, as a rec-  
4 reational river.

5 “(I) The approximately 11-mile segment of  
6 the Queen River from its headwaters in Exeter  
7 and West Greenwich, Rhode Island, to the  
8 Kingstown Road Bridge in South Kingstown,  
9 Rhode Island, as a scenic river.

10 “(J) The approximately 5-mile segment of  
11 the Usquepaugh River from the Kingstown  
12 Road Bridge to its confluence with the  
13 Pawcatuck River in South Kingstown, Rhode  
14 Island, as a wild river.

15 “(K) The approximately 8-mile segment of  
16 the Shunock River from its headwaters in  
17 North Stonington, Connecticut, to its con-  
18 fluence with the Pawcatuck River as a rec-  
19 reational river.

20 “(L) The approximately 13-mile segment  
21 of the Wood River from its headwaters in Ster-  
22 ling and Voluntown, Connecticut, and Exeter  
23 and West Greenwich, Rhode Island, to the Ar-  
24 cadia Road Bridge in Hopkinton and Rich-  
25 mond, Rhode Island, as a wild river.

1           “(M) The approximately 11-mile segment  
 2 of the Wood River from the Arcadia Road  
 3 Bridge in Hopkinton and Richmond, Rhode Is-  
 4 land, to the confluence with the Pawcatuck  
 5 River in Charlestown, Hopkinton, and Rich-  
 6 mond, Rhode Island, as a recreational river.”.

7 (b) MANAGEMENT OF RIVER SEGMENTS.—

8 (1) DEFINITIONS.—In this subsection:

9 (A) COVERED TRIBUTARY.—The term  
 10 “covered tributary” means—

11 (i) each of Assekonk Brook,  
 12 Breakheart Brook, Brushy Brook,  
 13 Canochet Brook, Chickasheen Brook,  
 14 Cedar Swamp Brook, Fisherville Brook,  
 15 Glade Brook, Glen Rock Brook, Kelly  
 16 Brook, Locke Brook, Meadow Brook, Pen-  
 17 dleton Brook, Parris Brook, Passquisett  
 18 Brook, Phillips Brook, Poquiant Brook,  
 19 Queens Fort Brook, Roaring Brook, Sher-  
 20 man Brook, Taney Brook, Tomaquag  
 21 Brook, White Brook, and Wyassup Brook  
 22 within the Wood-Pawcatuck watershed;  
 23 and

24 (ii) any other perennial stream within  
 25 the Wood-Pawcatuck watershed.

1 (B) RIVER SEGMENT.—The term “river  
2 segment” means a river segment designated by  
3 paragraph (214) of section 3(a) of the Wild and  
4 Scenic Rivers Act (16 U.S.C. 1274(a)) (as  
5 added by subsection (a)).

6 (C) SECRETARY.—The term “Secretary”  
7 means the Secretary of the Interior.

8 (D) STEWARDSHIP PLAN.—The term  
9 “Stewardship Plan” means the plan entitled the  
10 “Wood-Pawcatuck Wild and Scenic Rivers  
11 Stewardship Plan for the Beaver, Chipuxet,  
12 Green Fall-Ashaway, Pawcatuck, Queen-  
13 Usquepaugh, Shunock, and Wood Rivers” and  
14 dated June 2018, which takes a watershed ap-  
15 proach to the management of the river seg-  
16 ments.

17 (2) WOOD-PAWCATUCK WILD AND SCENIC RIV-  
18 ERS STEWARDSHIP PLAN.—

19 (A) IN GENERAL.—The Secretary, in co-  
20 operation with the Wood-Pawcatuck Wild and  
21 Scenic Rivers Stewardship Council, shall man-  
22 age the river segments in accordance with—

23 (i) the Stewardship Plan; and

1                   (ii) any amendment to the Steward-  
2                   ship Plan that the Secretary determines is  
3                   consistent with this subsection.

4                   (B) WATERSHED APPROACH.—In further-  
5                   ance of the watershed approach to resource  
6                   preservation and enhancement described in the  
7                   Stewardship Plan, the covered tributaries are  
8                   recognized as integral to the protection and en-  
9                   hancement of the river segments.

10                  (C) REQUIREMENTS FOR COMPREHENSIVE  
11                  MANAGEMENT PLAN.—The Stewardship Plan  
12                  shall be considered to satisfy each requirement  
13                  for a comprehensive management plan required  
14                  under section 3(d) of the Wild and Scenic Riv-  
15                  ers Act (16 U.S.C. 1274(d)).

16                  (3) COOPERATIVE AGREEMENTS.—To provide  
17                  for the long-term protection, preservation, and en-  
18                  hancement of each river segment, in accordance with  
19                  sections 10(e) and 11(b)(1) of the Wild and Scenic  
20                  Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)), the  
21                  Secretary may enter into cooperative agreements  
22                  (which may include provisions for financial or other  
23                  assistance from the Federal Government) with—

24                         (A) the States of Connecticut and Rhode  
25                         Island;

1 (B) political subdivisions of the States of  
 2 Connecticut and Rhode Island, including—

3 (i) the towns of North Stonington,  
 4 Sterling, Stonington, and Voluntown, Con-  
 5 necticut; and

6 (ii) the towns of Charlestown, Exeter,  
 7 Hopkinton, North Kingstown, Richmond,  
 8 South Kingstown, Westerly, and West  
 9 Kingstown, Rhode Island;

10 (C) the Wood-Pawcatuck Wild and Scenic  
 11 Rivers Stewardship Council; and

12 (D) any appropriate nonprofit organiza-  
 13 tion, as determined by the Secretary.

14 (4) RELATION TO NATIONAL PARK SYSTEM.—  
 15 Notwithstanding section 10(c) of the Wild and Sce-  
 16 nic Rivers Act (16 U.S.C. 1281(c)), each river seg-  
 17 ment shall not be—

18 (A) administered as a unit of the National  
 19 Park System; or

20 (B) subject to the laws (including regula-  
 21 tions) that govern the administration of the Na-  
 22 tional Park System.

23 (5) LAND MANAGEMENT.—

24 (A) ZONING ORDINANCES.—The zoning or-  
 25 dinances adopted by the towns of North



1 Stonington, Sterling, Stonington, and  
2 Voluntown, Connecticut, and Charlestown, Exe-  
3 ter, Hopkinton, North Kingstown, Richmond,  
4 South Kingstown, Westerly, and West Green-  
5 wich, Rhode Island (including any provision of  
6 the zoning ordinances relating to the conserva-  
7 tion of floodplains, wetlands, and watercourses  
8 associated with any river segment), shall be  
9 considered to satisfy the standards and require-  
10 ments described in section 6(c) of the Wild and  
11 Scenic Rivers Act (16 U.S.C. 1277(c)).

12 (B) VILLAGES.—For purposes of section  
13 6(c) of the Wild and Scenic Rivers Act (16  
14 U.S.C. 1277(c)), each town described in sub-  
15 paragraph (A) shall be considered to be a vil-  
16 lage.

17 (C) ACQUISITION OF LAND.—

18 (i) LIMITATION OF AUTHORITY OF  
19 SECRETARY.—With respect to each river  
20 segment, the Secretary may only acquire  
21 parcels of land—

22 (I) by donation; or

23 (II) with the consent of the  
24 owner of the parcel of land.

1                   (ii) PROHIBITION RELATING TO THE  
2                   ACQUISITION OF LAND BY CONDEMNA-  
3                   TION.—In accordance with 6(c) of the  
4                   Wild and Scenic Rivers Act (16 U.S.C.  
5                   1277(c)), with respect to each river seg-  
6                   ment, the Secretary may not acquire any  
7                   parcel of land by condemnation.

○