

## MUSCONETCONG WILD AND SCENIC RIVERS ACT

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APRIL 25, 2006.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. POMBO, from the Committee on Resources,  
submitted the following

### R E P O R T

[To accompany H.R. 1307]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1307) to amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System, and for other purposes, having considered the same, report favorably there on without amendment and recommend that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of H.R. 1307 is to amend the Wild and Scenic Rivers Act to designate two portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System.

#### BACKGROUND AND NEED FOR LEGISLATION

The Musconetcong River features a diverse array of natural and cultural resources. The limestone geologic features present in the Musconetcong River corridor are unique in the State of New Jersey. In 1992, residents of the lower Musconetcong River valley formed the Musconetcong Watershed Association, a not-for-profit organization committed to protecting the Musconetcong River. In 1995, the New Jersey Department of Environmental Protection Office of Natural Lands Management recommended to the National Park Service (NPS) that the Musconetcong River be included in the Nationwide Rivers Inventory of candidate rivers for wild and scenic designation under the Wild and Scenic Rivers Act (16 U.S.C. 1271 *et seq.*). Two years later, 18 river municipalities requested that the

NPS study the Musconetcong River for eligibility and suitability for inclusion in the National Wild and Scenic Rivers System. In June, 2004 the NPS released the study which found portions of the river suitable for inclusion. These sections, totaling 24.2 miles, have been included in H.R. 1307.

#### COMMITTEE ACTION

H.R. 1307 was introduced on March 15, 2005, by Congressman Scott Garrett (R-NJ). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks. On November 10, 2005, the Subcommittee on National Parks held a hearing on H.R. 1307. On March 29, 2006, the Committee on Resources met to consider the bill. By unanimous consent, the Subcommittee on National Parks was discharged from further consideration of the bill. No amendments were offered, and the bill was ordered favorably reported to the House by unanimous consent.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

#### COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the general performance goal or objective of this bill is to amend the Wild and Scenic Rivers Act to designate two portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

*H.R. 1307—Musconetcong Wild and Scenic Rivers Act*

H.R. 1307 would designate 24.2 miles of segments of the Musconetcong River in New Jersey as scenic and recreational rivers under the Wild and Scenic Rivers Act. The bill would designate 4.3 additional miles of that river as a recreational river if the Secretary of the Interior finds sufficient local support for such a designation. Based on information from the Department of the Interior, CBO estimates that the proposed designations would not significantly affect the agency's administrative or land-management costs, which are subject to appropriation. Enacting H.R. 1307 would not affect direct spending or revenues.

H.R. 1307 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

On November 23, 2005, CBO transmitted a cost estimate for S. 1096, the Musconetcong Wild and Scenic Rivers Act, as ordered reported by the Senate Committee on Energy and Natural Resources on November 16, 2005. H.R. 1307 and S. 1096 are similar, and our cost estimates are the same.

The CBO staff contact for this estimate is Megan Carroll. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

## COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

## PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

## CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

**WILD AND SCENIC RIVERS ACT**

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SEC. 3. (a) The following rivers and the land adjacent thereto are hereby designated as components of the national wild and scenic rivers system:

(1) \* \* \*

\* \* \* \* \*

(167) *MUSCONETCONG RIVER, NEW JERSEY.*—(A) *The 24.2 miles of river segments in New Jersey, to be administered by the Secretary of the Interior, consisting of—*

(i) *the segment from Saxton Falls to the Route 46 bridge (approximately 3.5 miles), as a scenic river; and*

(ii) *the segment from the Kings Highway bridge to the railroad tunnels at Musconetcong Gorge (approximately 20.7 miles), as a recreational river.*

*(B) Notwithstanding section 10(c), the river segments referred to in subparagraph (A) shall not be administered as part of the National Park System.*

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