CONGRESSIONAL RECORD—HOUSE

October 8, 1986

The SPEAKER pro tempore. Without objection, the designation is agreed to.

The WILD AND SCENIC RIVERS ACT AMENDMENTS

Mr. VENTO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4380) to amend the Wild and Scenic Rivers Act, and for other purposes, with a Senate amendment thereto, and to concur in the Senate amendments with amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendment and the House amendments to the Senate amendment, as follows:

The Senator from Colorado. The following segments as generally depicted on the proposed boundary map number FS-56 and dated March 1986 published by the United States Department of Agriculture, except that those portions of the segments so designated which are within the boundary of Rocky Mountain National Park shall continue to be administered by the Secretary of Agriculture.

The Clerk: With respect to the portions of the river segments designated by this paragraph which are within the boundaries of Rocky Mountain National Park, the requirements of section 102 shall be fulfilled by the Secretary of the Interior:

A. Designation of Wild and Scenic Rivers

The Clerk announced the following point:

I hereby designate the Peter H. Dominick Wild and Scenic River.

The Clerk announced the following point:

The SPEAKER pro tempore. Without objection, the designation is agreed to.

The Speaker of the House of Representatives.
river. For the purposes of the segments designated by this paragraph, there are authorized to be appropriated $500,000 for development of land and recreation facilities.

Sec. 102. Inclusion of the designated portions of the Cache la Poudre River and the Wild and Scenic Rivers System under section 101 of this title shall not interfere with the exercise of existing decreed water rights to water which has heretofore been stored or diverted for the present capacity of storage, conveyance, or diversion structures that exist as of the date of enactment of this title and which are necessary for the purpose of resource protection, sustaining the integrity, or management and maintenance of such structures. Nor shall inclusion of the designated portions of the Cache la Poudre River in the Wild and Scenic Rivers System be utilized to prohibit the development or construction of any transmission facilities or other Federal action, as a reason or basis to prohibit the development or construction of any water impoundments, diversion facilities, and hydroelectric power and transmission facilities below Poudre Park located entirely under section 2 of township number eight north, range 71 west of the sixth principal meridian, as necessary to provide access to Poudre Park. Two members of the Committee, whose duties as members of the Committee shall not affect its power to function under this paragraph, shall adjudicate in Colorado Water Court, and shall have a priority date as of the date of enactment of this title, complete the exchange as described in the Decision Notice and Findings of Impact.

Sec. 103. (a) Grants and Assistance.—The Secretary of Agriculture, acting through the Chief of the Forest Service, shall, subject to provision in this section, make grants or other assistance to the State of Colorado, the Governor of the State, and Federal officials, area residents, and river users for a concerted cooperative management of the Cache la Poudre River and related land areas. The Secretary, in exercising the authority provided in this section, shall work in consultation with the Colorado Water Conservation Board, the Colorado Natural Resources Conservation Board, the Governor of the State, and Federal officials, area residents, and river users for a concerted cooperative management of the Cache la Poudre River and related land areas. The Secretary, in exercising the authority provided in this section, shall work in consultation with the Colorado Water Conservation Board, the Colorado Natural Resources Conservation Board, the Governor of the State, and Federal officials, area residents, and river users for a concerted cooperative management of the Cache la Poudre River and related land areas.
(7) The Committee may accept and utilize the services of voluntary, uncompensated personnel.

(8) The Committee shall terminate on the later of the following:

(a) the completion of the river study of the Farmington River described in section 5(a)(92) of the Wild and Scenic Rivers Act; or

(b) the publication of management alternatives should the river be included in the study system.

(c) As used in this title (other than in subsection (b)) the term "River" means the segments of the Farmington River described in paragraph (92) of section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1275(a)).

(1) There are authorized to be appropriated $150,000 to carry out the purposes of this title.

TITLE III—GREAT EGG HARBOR, NEW JERSEY

SEC. 501. (a) Study.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1271-1278) is amended by adding at the end thereof the following new paragraph:

"(57) Great Egg Harbor, New Jersey: The entire river."

(b) Completion Date.—Section 5(b)(3) of such Act is amended by adding at the end thereof the following: "Effective October 1, 1986, the study of the river named in paragraph 57 of subsection (a) shall be completed not later than two years after the date of the enactment of this sentence."

(c) Authorization of Appropriations.—Paragraph (4) of section 5(b) of such Act is amended by adding at the end thereof the following: "Effective October 1, 1986, there are authorized to be appropriated for the purpose of conducting the study of the river named in paragraph 57 not to exceed $150,000."

TITLE IV—SALINE BAYOU, LOUISIANA

SEC. 401. (a) Study.—Section 4(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1271-1278) is amended by adding at the end thereof the following new paragraph:

"(58) Saline Bayou, Louisiana: The segment from Saline Lake upstream to the Kisatchie National Forest, as generally depicted on the Proposed Boundary Map numbered js-57, and dated March 1986; to be administered by the Secretary of Agriculture. For the purposes of the segment designated by this title granted to the State, the boundaries shall comprise the same area. This subsection shall not be construed to limit the powers and interests in lands and for development."
the Secretary of the Interior are authorized and encouraged to utilize the following:


“(B) For activities on all other lands, section 6 of the Land and Water Conservation Fund Act of 1965, as amended, including the development of statewide comprehensive outdoor recreation plans.

“(C) For purposes of this subsection, the appropriate Secretary may designate any areas within the segment designated by this paragraph, under section 2(b)(2). For the purposes of this paragraph, an area shall be deemed to be contributing to the values of the wild and scenic river system.

“(D) No permit or other authorization provided for under provision of any other Federal law shall be conditioned on the existence of any agreement provided for in this section. . . .

Sec. 509. Section 12(c) of the Wild and Scenic Rivers Act is amended by deleting the words “the Interior” in the first sentence, the words “cooperating in lieu thereof the words “Administrator, Environmental Protection Agency”.

Sec. 510. Section 14 of the Wild and Scenic Rivers Act is amended by inserting “it” after “14,” and adding a new subsection (b) as follows:

(b) For the conservation purposes of preserving and enhancing the values of components of the National Wild and Scenic Rivers System, and environs thereof as determined by the appropriate Secretary, landowners are authorized to donate or otherwise convey qualified real property interests to qualified organizations consistent with section 6 of the Internal Revenue Code of 1954. Such interest may include, but shall not be limited to, rights-of-way, open space, scenic, or conservation easements, without regard to any limitation on the nature of the estate or interest otherwise transferable within the jurisdiction where the land is located. The conveyance of any such interest in land in accordance with this subsection shall be deemed to further a Federal conservation policy and yield a significant and permanent alteration of stream or water temperature and quality will not occur as a result of the project.

Sec. 704. The prohibition in section 702 of this title shall not apply to the relicensing of the Pods Pond Hydroproject (FERC project number 1413).

Sec. 705. The prohibition in section 702 of this title shall be construed as authorizing (either expressed or implied) the appropriation or reservation of water, the granting of a right, license, permit, or certificate (other than as set forth in section 702) issued by any Federal agency pursuant to any other Federal law. . . .

(b) For the purposes of any Federal law authorizing an express or implied appropriation or reservation of water for any Federal purpose, the provisions of this title (other than subsection (a)) shall be deemed not to be applicable.

House amendments to the Senate amendment:

In section 101 of the Senate amendment, after the paragraph designated as (E) change the words “With respect to the portions of the river segments designated by this paragraph which are within the boundaries of Rocky Mountain National Park, the requirements of section 102” to read “With respect to the portions of the river segments designated by this paragraph which are within the boundaries of the Rocky Mountain National Park, the requirements of subsection (b) of this section . . .”, Strike out section 510 of the Senate amendment and renumber accordingly.

Title VII. Henry’s Fork of the Snake River, Idaho

Mr. VENTO (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment and the House amendments to the Senate amendments be considered as read and printed in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

Mr. LAGOMARSINO. Mr. Speaker, reserving the right to object, I do not object to the legislation, and I yield to the gentleman from Minnesota to explain the amendments.

Mr. VENTO. I thank the gentleman for yielding to me.

Mr. Speaker, the House passed H.R. 4350 on April 8, 1986, by voice vote.

The other body made several amendments in the House-passed version by deleting the designations of the North Fork and South Fork of the Kern River in California; changing the study provision for the Henry’s Fork of the Snake River in Idaho to a provision for land exchange involving any hydropower permits; adding a requirement for land exchange along the Cache la Poudre in Colorado and making some other minor modifications.

However, the bill, as amended, would designate segments of the Cache la Poudre River, CO; Saline Bayou, LA; and Black Creek, MS, for inclusion in the wild and scenic system. The bill would also provide that, with two exceptions, no hydropower licenses could be issued for the Henry’s Fork River, ID; the Farmington River, CT and MA; and the Great Egg Harbor River, NJ, would be studied to determine eligibility for possible addition to the wild and scenic river system.

Because of problems of jurisdiction within the House, I am proposing to amend the bill and submit it to the other body. Title VII included technical amendments to the National Wild and Scenic Rivers Act but because of an overlap of jurisdiction with the Ways and Means Committee regarding section 2973 of the House-passed version would remove section 510.

Title VII of this bill, which was added in the other body, deals with issues related to Federal hydropower licensing which is within the jurisdiction of the Committee on Energy and Commerce. We have reached agreement to remove title VII from this bill and the chairman of the Energy Committee has included it in the hydropower bill. I am pleased that we have worked out the jurisdiction problem and wish to thank the chairman, John Dingell and his able staff for their cooperation. In addition, there is one minor technical amendment.

Mr. Speaker, we would not be here today if it were not for the leadership of many of our colleagues who saw the need for action to protect some of our outstanding rivers, for those valuable national assets were de-
of the House, the gentleman from Vermont [Mr. Jefferson] is recognized for 5 minutes.

Mr. JEFFORDS. Mr. Speaker, I rise tonight just for a couple of moments to commemorate a retiring member of the Vermont House Legislature. I have not done this, I do not think, in the 12 years I have been here, but there is one special person who has retired this year who deserves being recognized here in this great body.

Mr. Speaker, Thomas Henry Candon, a member of the Vermont House of Representatives has served the people of Vermont and his district in Rutland City well.

For over 20 years, Tom has been a legislative stalwart at the statehouse in Montpelier, serving as both the house minority leader and the house majority leader.

In addition, to the leadership roles, he has served on the ways and means committee and as a chairman, has held the same position on the rules committee and has been a member of the government operations committee.

The fact that his colleagues respected his ability as a legislator is obvious as one looks at the record at his election to leadership roles. Their confidence was based on a legislative record that each of us would be honored to have. I urge all of my colleagues to review that record, based on information provided to me by the clerk of the Vermont House, Robert Piche. Tom Candon sponsored or cosponsored 224 bills or resolutions; 149 of these became law, for an average of 67 percent and only 5 were defeated. Think of it—over two-thirds of the bills or resolutions bearing his name were adopted.

Tom reported bills or resolutions for his committees 44 times, 34 of these measures became law, that is a 77 percent average. Only twice was a bill or resolution killed.

He served on committees of conference on 24 bills and resolutions, 22 became law, 2 died in committee. That is a 92 percent average.

In the legislature he placed in nomination or seconded 10 nominations of people for office 13 times, only twice was he on the losing side.

And finally, in his 2 decades of dedicated service, he made 597 motions of which 577 won approval—only 20 failed—for a very respectable average of 0.966.

In addition to the above he found time to be a devoted husband to Margaret, a loving father to his three children, fought to protect his country during times of war, served his country as an extraordinary civil service employee, served as a trustee for the University of Vermont to name but a few of his accomplishments.

Tom Candon is the classic Vermonter, full of Yankee ingenuity, resourcefulness, a sense of fair play, a true competitive nature, which finds him willing to take a chance, this willingness is found in his legislative record which has no equal. But, Tom does not always win, for every day he purchases a Vermont lottery ticket and has yet to win.

The First District of Arkansas is comprised of 24 counties in the northeastern part of our State. The district is very rural, and our economy is heavily dependent on agriculture. In recent years we have been particularly hard hit by the farm crisis, and the absence of a meaningful national policy on trade.

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