

Subcommittee on Federal Lands

Tom McClintock, Chairman
Hearing Memorandum

December 5, 2017

To: All Subcommittee on Federal Lands Members

From: Majority Committee Staff — Will Layden
Subcommittee on Federal Lands (x6-7736)

Hearing: Legislative hearing on **H.R. 3961 (Rep. Darren Soto)**, To amend the Wild and Scenic Rivers Act to designate segments of the Kissimmee River and its tributaries in the State of Florida for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.
Thursday, December 7, 2017 at 2:00 PM in 1324 Longworth HOB

H.R. 3961 (Rep. Darren Soto), “*Kissimmee River Wild and Scenic River Study Act of 2017*”

Bill Summary

H.R. 3961, introduced by Representative Darren Soto (D-FL-09), would designate segments of the Kissimmee River in Central Florida for study for potential inclusion into the National Wild and Scenic Rivers System.

Cosponsors

None.

Witnesses

Panel I

The Honorable Darren Soto
Representative for Florida’s 9th District

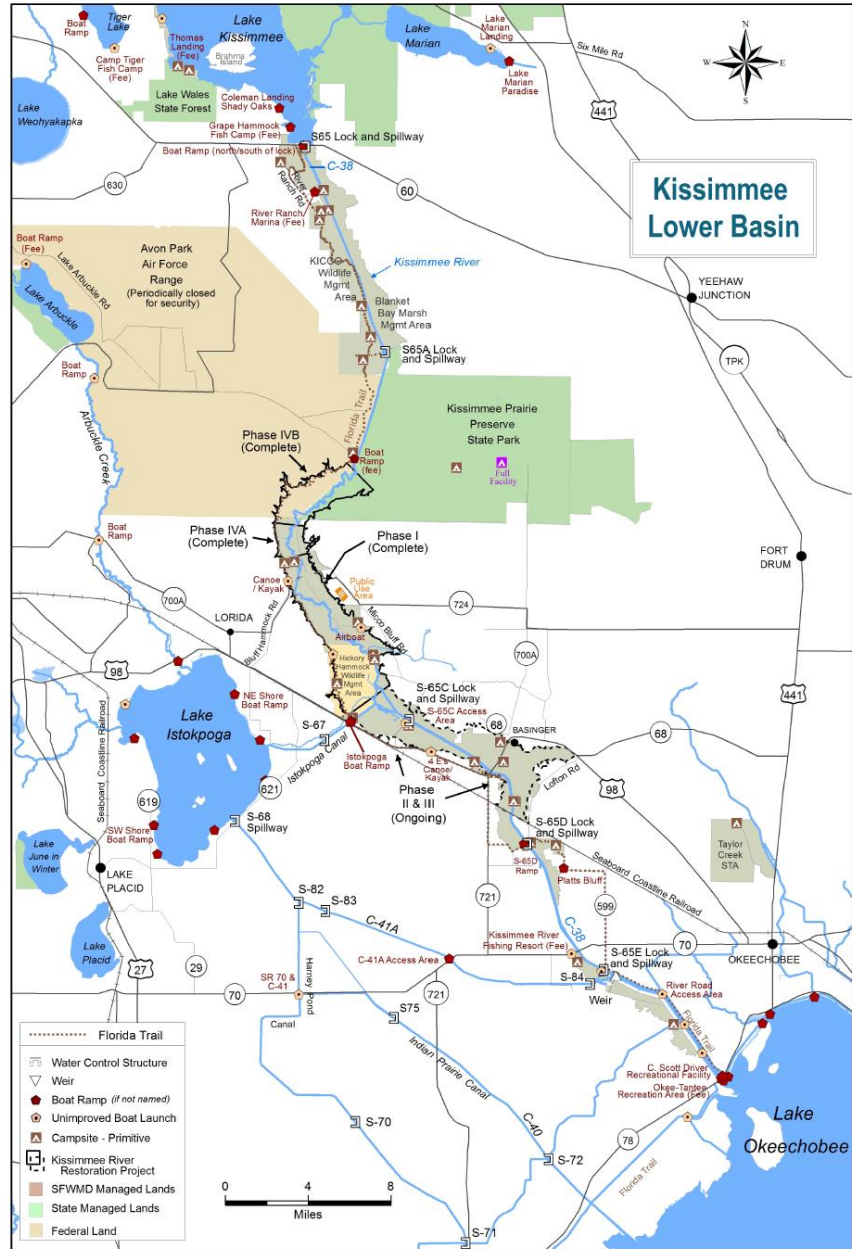
Background

Stretching over 100 miles from Lake Kissimmee to Lake Okeechobee in Central Florida, the Kissimmee River is a naturally winding river that serves as both the headwaters for the Everglades and the main drainage route for the expansive Kissimmee River Basin. The river was historically characterized by an extensive floodplain, reaching up to three miles wide in certain areas, which was seasonally inundated by heavy rains.

Following widespread flooding and property damage in the 1940's, public outcry prompted Congress to direct the U.S. Army Corps of Engineers to step in and channelize the waterway. This led to the Central and South Florida Project, which resulted in engineering changes to deepen and straighten the Kissimmee River, which drained much of the surrounding floodplain. In 1992, citing public outcry and biological changes to the region, Congress approved efforts to restore the original flow of the Kissimmee River. At a cost of more than \$1 billion, the Kissimmee River Restoration Project is expected to be completed in 2020, at which point it is expected to reestablish historic conditions of 44 miles of the river, and restore nearly 63,000 acres of wetlands.

Representative Soto's bill would designate the entire Kissimmee River for study under the Wild and Scenic Rivers Act, in attempt to preserve the billion-dollar taxpayer investment in the river restoration project. Importantly, designating a river for study grants the river protection under the Act until it can later be classified or removed from study. Additionally, because much of the river above and below the 44- mile restored segment is already impounded, the Kissimmee River is likely only eligible for a "recreational" designation under the Wild and Scenic River act.

Wild and Scenic Rivers Act



The National Wild and Scenic Rivers Act was created by Congress in 1968 to “preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations.” Authorized at the time to compliment then-current policy of hydroelectric dam building, the Act is designed to provide land management agencies the authority to protect and preserve designated rivers from future degradation.

Wild and Scenic rivers designated by Congress generally are managed by one of the four federal land management agencies—the Bureau of Land Management, the Forest Service, the National Park Service, or the Fish and Wildlife Service. By law, federal agencies must work in cooperation with state and local management agencies to develop corridor management plans for the region. Further, the Wild and Scenic Rivers Act provides authority for the federal government to acquire land surrounding the river by purchase, donation, or in some instances, condemnation.

Proponents of Wild and Scenic river expansion assert that designation helps balance future development and recreational uses with ecological preservation. Opponents point out that with previous such designations, the Act has often resulted in the federal government’s overreach into local management decisions, and can be used to control everything from agriculture development within the designated river basin to restricted access to recreational activities on the river. Additionally, Representative Soto’s bill would likely require the local municipalities and water management districts to develop management plans prior to the designation, potentially increasing the cost at the local level.

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

Administration Position

The Administration’s position on H.R. 3961 is unknown at this time.

Effect on Current Law (Ramseyer)

N/A