

Public Law 106-299
106th Congress

An Act

Oct. 13, 2000
[H.R. 2773]

Wekiva Wild and
Scenic River Act
of 2000.
16 USC 1271
note.

To amend the Wild and Scenic Rivers Act to designate the Wekiva River and its tributaries of Wekiwa Springs Run, Rock Springs Run, and Black Water Creek in the State of Florida as components of the national wild and scenic rivers system.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Wekiva Wild and Scenic River Act of 2000".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Public Law 104-311 (110 Stat. 3818) amended section 5 of the Wild and Scenic Rivers Act (16 U.S.C. 1276) to require the study of the Wekiva River and its tributaries of Rock Springs Run and Seminole Creek for potential inclusion in the national wild and scenic rivers system.

(2) The study determined that the Wekiva River, Wekiwa Springs Run, Rock Springs Run, and Black Water Creek are eligible for inclusion in the national wild and scenic rivers system.

(3) The State of Florida has demonstrated its commitment to protecting these rivers and streams by the enactment of the Wekiva River Protection Act (Florida Statute chapter 369), by the establishment of a riparian wildlife protection zone and water quality protection zone by the St. Johns River Water Management District, and by the acquisition of lands adjacent to these rivers and streams for conservation purposes.

(4) The Florida counties of Lake, Seminole, and Orange have demonstrated their commitment to protect these rivers and streams in their comprehensive land use plans and land development regulations.

(5) The desire for designation of these rivers and streams as components of the national wild and scenic rivers system has been demonstrated through strong public support, State and local agency support, and the endorsement of designation by the Wekiva River Basin Ecosystem Working Group, which represents a broad cross section of State and local agencies, landowners, environmentalists, nonprofit organizations, and recreational users.

(6) The entire lengths of the Wekiva River, Rock Springs Run, and Black Water Creek are held in public ownership

or conservation easements or are defined as waters of the State of Florida.

SEC. 3. DESIGNATION OF WEKIVA RIVER AND TRIBUTARIES, FLORIDA, AS COMPONENTS OF NATIONAL WILD AND SCENIC RIVERS SYSTEM.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

“(161) WEKIVA RIVER, WEKIWA SPRINGS RUN, ROCK SPRINGS RUN, AND BLACK WATER CREEK, FLORIDA.—The 41.6-mile segments referred to in this paragraph, to be administered by the Secretary of the Interior:

“(A) WEKIVA RIVER AND WEKIWA SPRINGS RUN.—The 14.9 miles of the Wekiva River, along Wekiwa Springs Run from its confluence with the St. Johns River to Wekiwa Springs, to be administered in the following classifications:

“(i) From the confluence with the St. Johns River to the southern boundary of the Lower Wekiva River State Preserve, approximately 4.4 miles, as a wild river.

“(ii) From the southern boundary of the Lower Wekiva River State Preserve to the northern boundary of Rock Springs State Reserve at the Wekiva River, approximately 3.4 miles, as a recreational river.

“(iii) From the northern boundary of Rock Springs State Reserve at the Wekiva River to the southern boundary of Rock Springs State Reserve at the Wekiva River, approximately 5.9 miles, as a wild river.

“(iv) From the southern boundary of Rock Springs State Reserve at the Wekiva River upstream along Wekiwa Springs Run to Wekiwa Springs, approximately 1.2 miles, as a recreational river.

“(B) ROCK SPRINGS RUN.—The 8.8 miles from the confluence of Rock Springs Run with the Wekiwa Springs Run forming the Wekiva River to its headwaters at Rock Springs, to be administered in the following classifications:

“(i) From the confluence with Wekiwa Springs Run to the western boundary of Rock Springs Run State Reserve at Rock Springs Run, approximately 6.9 miles, as a wild river.

“(ii) From the western boundary of Rock Springs Run State Reserve at Rock Springs Run to Rock Springs, approximately 1.9 miles, as a recreational river.

“(C) BLACK WATER CREEK.—The 17.9 miles from the confluence of Black Water Creek with the Wekiva River to outflow from Lake Norris, to be administered in the following classifications:

“(i) From the confluence with the Wekiva River to approximately .25 mile downstream of the Seminole State Forest road crossing, approximately 4.1 miles, as a wild river.

“(ii) From approximately .25 mile downstream of the Seminole State Forest road to approximately .25 mile upstream of the Seminole State Forest road crossing, approximately .5 mile, as a scenic river.

“(iii) From approximately .25 mile upstream of the Seminole State Forest road crossing to approximately .25

mile downstream of the old railroad grade crossing (approximately River Mile 9), approximately 4.4 miles, as a wild river.

“(iv) From approximately .25 mile downstream of the old railroad grade crossing (approximately River Mile 9), upstream to the boundary of Seminole State Forest (approximately River Mile 10.6), approximately 1.6 miles, as a scenic river.

“(v) From the boundary of Seminole State Forest (approximately River Mile 10.6) to approximately .25 mile downstream of the State Road 44 crossing, approximately .9 mile, as a wild river.

“(vi) From approximately .25 mile downstream of State Road 44 to approximately .25 mile upstream of the State Road 44A crossing, approximately .6 mile, as a recreational river.

“(vii) From approximately .25 mile upstream of the State Road 44A crossing to approximately .25 mile downstream of the Lake Norris Road crossing, approximately 4.7 miles, as a wild river.

“(viii) From approximately .25 mile downstream of the Lake Norris Road crossing to the outflow from Lake Norris, approximately 1.1 miles, as a recreational river.”.

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SEC. 4. SPECIAL REQUIREMENTS APPLICABLE TO WEKIVA RIVER AND TRIBUTARIES.

(a) DEFINITIONS.—In this section and section 5:

(1) WEKIVA RIVER SYSTEM.—The term “Wekiva River system” means the segments of the Wekiva River, Wekiwa Springs Run, Rock Springs Run, and Black Water Creek in the State of Florida designated as components of the national wild and scenic rivers system by paragraph (161) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as added by this Act.

(2) COMMITTEE.—The term “Committee” means the Wekiva River System Advisory Management Committee established pursuant to section 5.

(3) COMPREHENSIVE MANAGEMENT PLAN.—The terms “comprehensive management plan” and “plan” mean the comprehensive management plan to be developed pursuant to section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(b) COOPERATIVE AGREEMENTS.—

(1) USE AUTHORIZED.—In order to provide for the long-term protection, preservation, and enhancement of the Wekiva River system, the Secretary shall offer to enter into cooperative agreements pursuant to sections 10(e) and 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)) with the State of Florida, appropriate local political jurisdictions of the State, namely the counties of Lake, Orange, and Seminole, and appropriate local planning and environmental organizations.

(2) EFFECT OF AGREEMENT.—Administration by the Secretary of the Wekiva River system through the use of cooperative agreements shall not constitute National Park Service administration of the Wekiva River system for purposes of

section 10(c) of such Act (10 U.S.C. 1281(c)) and shall not cause the Wekiva River system to be considered as being a unit of the National Park System. Publicly owned lands within the boundaries of the Wekiva River system shall continue to be managed by the agency having jurisdiction over the lands, in accordance with the statutory authority and mission of the agency.

(c) COMPLIANCE REVIEW.—After completion of the comprehensive management plan, the Secretary shall biennially review compliance with the plan and shall promptly report to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate any deviation from the plan that could result in any diminution of the values for which the Wekiva River system was designated as a component of the national wild and scenic rivers system.

Reports.

(d) TECHNICAL ASSISTANCE AND OTHER SUPPORT.—The Secretary may provide technical assistance, staff support, and funding to assist in the development and implementation of the comprehensive management plan.

(e) LIMITATION ON FEDERAL SUPPORT.—Nothing in this section shall be construed to authorize funding for land acquisition, facility development, or operations.

SEC. 5. WEKIVA RIVER SYSTEM ADVISORY MANAGEMENT COMMITTEE.

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(a) ESTABLISHMENT.—The Secretary shall establish an advisory committee, to be known as the Wekiva River System Advisory Management Committee, to assist in the development of the comprehensive management plan for the Wekiva River system.

(b) MEMBERSHIP.—The Committee shall be composed of a representative of each of the following agencies and organizations:

- (1) The Department of the Interior, represented by the Director of the National Park Service or the Director's designee.
- (2) The East Central Florida Regional Planning Council.
- (3) The Florida Department of Environmental Protection, Division of Recreation and Parks.
- (4) The Florida Department of Environmental Protection, Wekiva River Aquatic Preserve.
- (5) The Florida Department of Agriculture and Consumer Services, Division of Forestry, Seminole State Forest.
- (6) The Florida Audubon Society.
- (7) The nonprofit organization known as the Friends of the Wekiva.
- (8) The Lake County Water Authority.
- (9) The Lake County Planning Department.
- (10) The Orange County Parks and Recreation Department, Kelly Park.
- (11) The Seminole County Planning Department.
- (12) The St. Johns River Water Management District.
- (13) The Florida Fish and Wildlife Conservation Commission.
- (14) The City of Altamonte Springs.
- (15) The City of Longwood.
- (16) The City of Apopka.
- (17) The Florida Farm Bureau Federation.
- (18) The Florida Forestry Association.

(c) ADDITIONAL MEMBERS.—Other interested parties may be added to the Committee by request to the Secretary and unanimous consent of the existing members.

(d) APPOINTMENT.—Representatives and alternates to the Committee shall be appointed as follows:

(1) State agency representatives, by the head of the agency.

(2) County representatives, by the Boards of County Commissioners.

(3) Water management district, by the Governing Board.

(4) Department of the Interior representative, by the Southeast Regional Director, National Park Service.

(5) East Central Florida Regional Planning Council, by Governing Board.

(6) Other organizations, by the Southeast Regional Director, National Park Service.

(e) ROLE OF COMMITTEE.—The Committee shall assist in the development of the comprehensive management plan for the Wekiva River system and provide advice to the Secretary in carrying out the management responsibilities of the Secretary under this Act. The Committee shall have an advisory role only, it will not have regulatory or land acquisition authority.

(f) VOTING AND COMMITTEE PROCEDURES.—Each member agency, agency division, or organization referred to in subsection (b) shall have one vote and provide one member and one alternate. Committee decisions and actions will be made with consent of three-fourths of all voting members. Additional necessary Committee procedures shall be developed as part of the comprehensive management plan.

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SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act and paragraph (161) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as added by this Act.

Approved October 13, 2000.

LEGISLATIVE HISTORY—H.R. 2773 (S. 2352):

HOUSE REPORTS: No. 106-739 (Comm. on Resources).

SENATE REPORTS: No. 106-316 accompanying S. 2352 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

July 24, considered and passed House.

Oct. 3, considered and passed Senate.