

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2324

To amend the Wild and Scenic Rivers Act to designate a segment of the Neches River in the State of Texas for potential addition to the National Wild and Scenic River System, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

APRIL 19, 2012

Mrs. HUTCHISON 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 a segment of the Neches River in the State of Texas for potential addition to the National Wild and Scenic River 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 “Upper Neches River  
5 Wild and Scenic Study Act”.

1 **SEC. 2. POTENTIAL ADDITION TO THE NATIONAL WILD AND**  
2 **SCENIC RIVER SYSTEM.**

3 (a) IN GENERAL.—Section 5(a) of the Wild and Sce-  
4 nic Rivers Act (16 U.S.C. 1276(a)) is amended by adding  
5 at the end the following:

6 “(141) NECHES RIVER, TEXAS.—The approxi-  
7 mately 225-mile segment of the main stem of the  
8 Neches River from the dam forming Lake Palestine  
9 in Anderson and Cherokee Counties to the flood pool  
10 elevation of B.A. Steinhagen Reservoir in Jasper  
11 and Tyler Counties, Texas.”.

12 (b) STUDY AND REPORT.—Section 5(b) of the Wild  
13 and Scenic Rivers Act (16 U.S.C. 1276(b)) is amended  
14 by adding at the end the following:

15 “(20) NECHES RIVER, TEXAS.—

16 “(A) IN GENERAL.—Not later than 3 years  
17 after the date of enactment of this paragraph,  
18 the Secretary shall—

19 “(i) complete the study of the portion  
20 of the Neches River described in subsection  
21 (a)(141) (referred to in this paragraph as  
22 the ‘study area’); and

23 “(ii) submit to the appropriate com-  
24 mittees of Congress a report containing the  
25 results of the study.

1           “(B) PRIVATE PROPERTY AND RECRE-  
2           ATION.—Nothing in subsection (a)(141) (or the  
3           subsequent inclusion in the National Wild and  
4           Scenic River System of the study area)—

5                   “(i) authorizes the involuntary taking  
6                   or condemnation of private property in the  
7                   study area;

8                   “(ii) authorizes the infringement on  
9                   the rights of private property owners in the  
10                  study area;

11                  “(iii) imposes additional regulations  
12                  or restrictions on the use and enjoyment of  
13                  private property in the study area;

14                  “(iv) affects access to the study area  
15                  for recreational activities otherwise allowed  
16                  by law in the study area, including hunt-  
17                  ing, fishing, trapping, or boating; or

18                  “(v) affects the authority, jurisdiction,  
19                  or responsibility of the State of Texas with  
20                  respect to the management, control, or reg-  
21                  ulation of fish and resident wildlife under  
22                  State law (including regulations) in the  
23                  study area, including the regulation of  
24                  hunting, fishing, and trapping.

25           “(C) CONSERVATION PRACTICES.—

1                   “(i) IN GENERAL.—Established con-  
2                   servation practices shall be encouraged on  
3                   a voluntary basis within the study area.

4                   “(ii) AGREEMENTS.—Agreements for  
5                   conservation initiatives in the study may be  
6                   entered into on a voluntary basis.”.

○