

## **H.R. 415 Dissenting Views**

H.R. 415 is a shameful abuse of the Wild and Scenic Rivers Act. We recognize that the Commonwealth of Massachusetts does not have the same understanding of property rights as do States in the West, and we also recognize its right to place itself under additional regulatory burdens. However, we must oppose this bill because it exacerbates the energy crisis at a time when we should be expanding our ability to provide clean, reliable sources of fuel.

Many Members of Congress may not be aware of the unique nature of the Taunton River. While the upper segment of the River has some of the characteristics you may attribute to a “wild” or “scenic” river, the lower portion is highly industrialized. In fact, the National Park Service stated this would be the “most industrialized” Wild and Scenic River ever. What beautiful scenery should one expect to find on a canoe trip down the Lower Taunton? Among other sights, you will see power plants, oil refineries, vessel repair docks, shipyards, dilapidated bridges, a battleship museum, yacht clubs, a designated port area, street lights, a hair salon, and even a McDonalds.

So why is this area targeted for designation? Proponents of the designation know that a designation under the Wild and Scenic Rivers Act will stop the planned liquefied natural gas terminal at Weaver’s Cove. Natural gas is a clean-burning source of energy that is desperately needed as our crisis continues to deepen. As previously stated, New England can do whatever damage it sees fit to itself (although come February, this source of home heating would be most welcome), but to punish the rest of the country by eliminating yet another source of energy is unacceptable.

So how did it come to pass that this lower, “rustic” segment of the Taunton River was found eligible for designation? It appears the

National Park Service and local environmental zealots found a loophole. This portion of the River is being designated for its “recreational values.” The only requirement for this designation is that the river be “free-flowing.” In other words, if gravity is pulling the water, it is free-flowing and therefore can be protected under the Wild and Scenic River Act.

When the Park Service studied the Taunton River, it came up with several alternatives. One alternative would have designated most of the River, but left the inappropriate areas out. The alternative included in this bill is known as the “environmentally preferred alternative.” During the Subcommittee on National Parks, Forests and Public Lands’ hearing on this bill, Subcommittee Ranking Republican Rob Bishop asked the Park Service official who wrote the report what “environmentally preferred alternative” means. His response surprised Congressman Bishop to the point where he had to ask him to repeat it. The Park Service witness stated that the environmentally preferred alternative “is what the river would choose if it could speak.” We know that we have Members of the Natural Resources Committee who can speak for Polar Bears, but now we have a government agency interpreting the will of a river. This bill goes beyond the ridiculous.

In the Natural Resources Committee markup, amendments were offered that would have allowed the Park Service to impose its federal zoning regulations in accordance with the will of the people of the Commonwealth but would have excluded the areas that have no business being described as “wild” or “scenic.” Unfortunately, these and other private property protections were flatly refused by the Democrats.

It is our hope that a thorough debate under an open rule on the House Floor will provide Members the opportunity to reinstate some logical evaluation of this designation by protecting property rights and access to clean, affordable energy.

In the meantime, we strongly oppose this bill as should every American concerned about the high cost of energy in this country.

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