



Housatonic Valley Association

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To: Senator Ted Kennedy and Representative James Albis, Co-Chairs,
and Members of the Legislative Environment Committee

From: Lynn Werner, Executive Director, Housatonic Valley Association 

Date: February 19, 2016

Re: **In support of Raised Bill 81, AAC the Designation of Certain Areas
of the Housatonic River as a Wild and Scenic River**

The Housatonic Valley Association (HVA), the non-profit watershed conservation organization working to conserve the natural character and environmental health of the entire 2,000 square-mile tristate Housatonic River Watershed, **expresses strong support for Bill 81 designating the Housatonic River from the Massachusetts border to Boardman Bridge in northern New Milford as a Wild and Scenic River.**

This exceptional stretch of Housatonic River is a Connecticut jewel, nationally recognized for its remarkable natural, scenic and recreational values. Visitors come from all over the world to fish and paddle its world class waters, and hike the longest riverfront stretch of Appalachian Trail on the eastern seaboard. It is the heart of the Upper Housatonic National Heritage Area; a designated State Greenway; and an important economic driver for the region. As one of the three largest rivers in the state emptying into Long Island Sound, it is also targeted in state and federal goals for nitrogen pollution reduction. Wild and Scenic River status is a critical next step in both protecting significant river values and achieving conservation goals.

All seven towns in this river stretch are unanimous in seeking this designation. HVA has worked with these communities and their coordinating body, the Housatonic River Commission (HRC), for more than 35 years to restore and protect this river. Wild and Scenic River status would provide broader community engagement in balancing river protection with river use and development. It would also provide a necessary voice in guiding federal decision-making so that the river's special scenic and recreational values are not lost.

Under the federal Wild and Scenic Rivers System, rivers can be designated either through an act of Congress or a Governor's request to the Secretary of the Interior. In the latter approach, the program is administered either by the State or its political subdivision. In this case, Bill 81 references a memorandum of agreement indicating that the Northwest Hills Council of Governments, on behalf of HRC, would be the administering agency. HRC would create a coordinating committee from among its existing members and additional stakeholders, including HVA, to better protect the river's resources while balancing river uses and development. HVA is committed to working with all parties to achieve this goal.

Wild and Scenic designation is the crucial next step in securing the future of the Housatonic River – one of our nation's most important rivers. Thank you for this opportunity to speak on behalf of Bill 81.

(Additional background information follows, pages 2 and 3.)

Additional background Information – Bill 81:

What is the Wild and Scenic Rivers System?

The Wild and Scenic Rivers System was created by Congress in 1968 to preserve certain rivers with outstanding natural, cultural and recreational values. The Act seeks to safeguard the special characters our of nation’s most remarkable rivers while balancing their potential for appropriate use and development.

Under the Act, rivers are classified as either wild, scenic, or recreational. *Wild* rivers or sections of rivers are free of impoundments and generally inaccessible except by trail – the “vestiges of primitive America.” *Scenic* rivers or sections of rivers are largely undeveloped but accessible by roads. *Recreational* rivers or sections of rivers are accessible by road or rail, have development along their shores, and may be impounded.

Designation may occur through an act of either a state legislature or Congress. The National Park Service oversees designated rivers for the purposes of providing review of and recommendations for federally permitted activities.

Today about 12,709 miles of 208 rivers in 39 states and the Commonwealth of Puerto Rico are included in the system. Many rivers have been altered over time, losing the wild, scenic or recreational characteristics that made them special enough to qualify under the Act.

Housatonic River, and it’s Wild and Scenic Background:

People from all over the world visit this stretch of Housatonic River to fish, paddle and hike. The entire watershed in this region is a designated National Heritage Area because of its outstanding historic, cultural, environmental and recreational attributes. Substantial public and private investment in this region have conserved thousands of acres of watershed land, created new river trails and access sites and improved water quality. Tourism drives the economy.

The National Park Service completed its Wild and Scenic River Study of the Housatonic River in the late 1970’s, determining that sections of the river between impoundments from the Massachusetts border to the Kent/New Milford town boundary qualify for designation as *scenic* and that the river through New Milford to Boardman Bridge qualifies for designation as *recreational*. Shortly thereafter the seven towns within the qualifying reach formally created the Housatonic River Commission (HRC), each appointing two representatives to coordinate river management and study the benefits of Wild and Scenic status, culminating in Bill 81.

What are the benefits and impacts of Wild and Scenic Designation?

The Act encourages river management across political boundaries via the formation of a coordinating committee of stakeholders – river users, community leaders, business leaders, and other river stakeholders. HRC would organize this coordinating committee. In addition:

In towns that desire it, the designation can be a platform for tourism-based economic development. From the Massachusetts boarder in North Canaan and Salisbury to Boardman Bridge in northern New Milford, the River is a nationally known tourist destination, and Wild

and Scenic status would enhance this – see the economic study done on the Farmington River, 2001: (www.farmingtonriver.org/ProjectsandReports/Reports):

VII. CONCLUSIONS AND RECOMMENDATIONS

...it is clear that visitors to the West Branch of the Farmington River generate a large economic impact in the five river towns. The total economic impact of river recreation is approximately \$3,630,000 annually with an estimated 63 jobs supported by river recreation in the area. This is especially large considering the impact area is relatively small and generally rural... The West Branch of the Farmington River's economic impact would have been higher had the impact area been expanded to include all of the two counties through which the wild and scenic river segment passes. This study limited the impact area to the five river towns corresponding to the jurisdictions of the organizations represented on the West Branch of the Farmington River Coordinating Committee....The total economic benefits (consumer surplus values) to visitors of the West Branch were also quite large amounting to over \$9.45 million for three river activities—angling, tubing, and boating--in 2001. Remember that total economic benefits are an estimate of the total social value of the recreational use of the river, and are not directly related to expenditures. Anglers received the majority of the total benefits followed by tubers then boaters. An important conclusion of the analyses of the contingent behaviors of the river users was that maintaining the high quality of river resources is the most important aspect of their recreational demand for visits to the West Branch. This is consistent with the Wild and Scenic Rivers Act's emphasis on free flowing conditions and "outstandingly remarkable" resource values.

Care will also be taken by federal permitting agencies to ensure that the construction of new projects is done in a way that protects the river's outstanding values. The Act directs federal agencies to avoid "unreasonable diminishment" of these values present at the time of designation. Such projects are successfully implemented on wild and scenic rivers around the country, in ways that don't destroy the local river values.

Federal grant funds for conservation and/or river restoration will also be more readily available to landowners, organizations and governments since the proximity of a Wild and Scenic River adds weight to those grant applications.

Does designation impact hydropower generation or FirstLight's operations?

No, as hydropower and Wild and Scenic River designation coexist on a number of rivers. (See the federal government website (<http://www.rivers.gov/wsr-act.php>). FirstLight operates under a Federal Energy Regulatory Commission (FERC) license that expires in 2044. As a normal part of the FERC process, the National Park Service weighs in on all dam relicensing, and it did so during the relicensing of this hydropower project from 1995-2004. When the company seeks to renew its license as 2044 approaches or seeks a new license for a new expansion in the interim, under Wild and Scenic the NPS would continue to weigh in and would evaluate the project operation's effects (positive, negative and neutral) on the scenic and recreation values present at the time of the designation, seeking to avoid unreasonable diminishment.

Does designation limit economic development or private development in the river corridor?

Designation neither prohibits development nor gives the federal government control over private property. Wild and Scenic status can help expand economic development. All development subject to local land use controls within the designated stretch of river will continue to be subject to municipal land use regulations and policies. There is no additional review of local development that comes with designation.