

(b) Nothing in this section shall be construed to abrogate any existing rights, privileges, or contracts affecting Federal lands held by any private party without the consent of said party.

(c) The head of any agency administering a component of the national scenic rivers system shall cooperate with the Secretary of the Interior and with the appropriate State water pollution control agencies for the purpose of eliminating or diminishing the pollution of waters of the river.

SEC. 14. (a) Nothing in this Act shall affect the jurisdiction or responsibilities of the States with respect to fish and wildlife.

(b) Nothing in this Act shall constitute an express or implied claim or denial on the part of the United States with respect to the applicability to it of, or to its exemption from, State water laws, and nothing in this Act shall be construed to alter, amend, or repeal any interstate water compact which has heretofore been entered into by States which contain any portion of the national scenic rivers system and to which the consent or approval of the Congress has been given.

(c) A State shall have such rights as may be necessary to assure adequate access by such State to the beds of navigable rivers which are vested in the State, in case such beds are located in a national scenic river: *Provided*, That no river, the bed of which is vested in a State, shall be included in the national scenic rivers system pursuant to section 2, subsection (a)(ii), of this Act without certification by the State that it will not permit mining or similar disruption of its bed.

SEC. 15. The claim and allowance of the value of a conservation easement as a charitable contribution under section 170 of title 26, United States Code, or as a gift under section 2522 of said title shall constitute an agreement by the donor on behalf of himself, his heirs, and assigns that, if the terms of the instrument creating the easement are violated, the donee or the United States may acquire the servient estate at its fair market value as of the time the easement was donated minus the value of the easement claimed and allowed as a charitable contribution or gift.

SEC. 16. As used in this Act, the term—

(a) "River" means a flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, small lakes, and, as provided in this Act, manmade waterways.

(b) "Free flowing", as applied to any river or section of a river, means existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway. The existence, however, of low dams, diversion works, and other minor structures at the time any river is proposed for inclusion in the national scenic rivers system shall not automatically bar its consideration for such inclusion: *Provided*, That this shall not be construed to authorize, intend, or encourage future construction of such structures within components of the national scenic rivers systems.

(c) As used in this Act, the term "conservation easement" means a perpetual interest in land, however, created or expressed which interest (i) is held by or for the benefit of the United States or the people of the United States, a State or the people of a State, or another public body or the people of such body, (ii) is specifically enforceable by its holder or beneficiaries, and (iii) limits or obligates the holder of the servient estate, his heirs, and assigns with respect to their use and management of the land and activities conducted thereon, the disturbance or modification of the surface or subsurface thereof, the structures placed or maintained thereon, or the growth, planting, removal, destruction, or damaging of vegetation thereon, or in other respects in connection therewith, all as more specifically spelled out in the document by which such interest in land is created, the object of such limitations and obligations being the maintenance or enhancement of the natural beauty of the land in question or of areas affected by it and of flora, fauna, and archeological or historic remains on it or them and the preservation of the values thereof for scientific study and for public enjoyment by present and future generations.

SEC. 17. There are hereby authorized to be appropriated such sums as may be necessary, but not more than \$6,500,000, for the acquisition of lands and interests in land under the provisions of this Act.