

the Interior on February 18, 1967, sent to the 90th Congress with the concurrence of this Department a proposed bill to establish a Nationwide System of Scenic Rivers. This bill has been introduced as H.R. 6166. Subsequently H.R. 8416 and a number of related bills have been introduced to provide for establishment of a National Scenic Rivers System. Under H.R. 6166, the Saint Croix River and its Namekagon tributary would be designated as a part of the National System to be administered by the Secretary of the Interior. Under H.R. 8416, the Saint Croix and Namekagon would be studied as a potential addition to the System.

On August 14, we sent to your Committee a report on H.R. 8416, H.R. 6166, and related bills. We recommended enactment of H.R. 8416, with the amendments suggested in our report.

Under the several pending bills related to the Saint Croix and Namekagon the Department of the Interior would be principally responsible for its administration as a scenic river or scenic riverway. That Department would be in a better position to comment as to whether the river should be included in the National Scenic Rivers System or treated as a separate area. Insofar as this Department is concerned we express no preference as to the manner of administration of the river. If the Saint Croix is to be administered as a part of the National Scenic Rivers System, we would have no objection if the river is initially designated as a part of the System.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

ORVILLE L. FREEMAN.

FEDERAL POWER COMMISSION,
Washington, D.C.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request of April 17, 1967, for a report on the following group of bills relating to scenic rivers: H.R. 90 (Saylor) and an identical bill, H.R. 493 (Dingell); H.R. 3996 (Reuss); H.R. 6166 (Reuss) and a similar bill, H.R. 6588 (Anderson of Tennessee); and H.R. 8416 (Aspinall).

We enclose our report in depth on H.R. 8416. The views of the Commission therein stated, in general, apply to the other bills enumerated above. As you will note, the report endorses an amendment proposed by the Secretaries of Interior and Agriculture under which the licensing moratorium can be shortened from five years to two years when the Commission receives an application affecting a river while it is under study.

We are also attaching for the information of the Committee tabulations like those submitted with our report on H.R. 8416, listing existing and potential hydroelectric developments on the rivers described by the other bills in the group.

For the reasons explained in the Commission's report on H.R. 8416, we recommend that the pertinent provisions of the other bills be amended, where appropriate, to require approval by Congress for all State-established or administered river areas which are added to the wild and scenic rivers system, and also to define more clearly the Commission's licensing jurisdiction in relation to the system. With respect to the latter point, we urge that the following provision be incorporated in section 7(a) of H.R. 8416 and in applicable sections of the other scenic rivers bills. This language was approved by the Senate in section 6(a) of S. 119, which is also before your Committee:

"Except as specifically authorized by the Congress, the Federal Power Commission shall not authorize the construction, operation, or maintenance in any national wild or scenic river area of any dam or other project work under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.): *Provided*, That the provisions of that Act shall continue to apply to any project, as defined in that Act, already constructed or under license to be constructed."

This provision also should be followed with respect to the various bills dealing with individual scenic rivers included in your request, viz., H.R. 752, 753, 3389, 3983, 6289 (St. Croix); H.R. 6373 (Wolf); and H.R. 7020 (Buffalo).