

No. 1988-17

## AN ACT

HB 482

Amending the act of November 26, 1978 (P.L.1415, No.333), entitled "An act designating a portion of the Schuylkill River as a component of the Pennsylvania Scenic Rivers System in accordance with the Pennsylvania Scenic Rivers Act; authorizing further classification; providing for cooperation, limitation of liability and protection of critical areas, and authorizing the expenditure of moneys," extending the designation to an additional portion of the Schuylkill River and to two of its tributaries.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections 2, 4, 7 and 8 of the act of November 26, 1978 (P.L.1415, No.333), known as the Schuylkill Scenic River Act, are amended to read:

Section 2. Legislative findings and purpose.

The Department of Environmental Resources has, in accordance with the act of December 5, 1972 (P.L.1277, No.283), known as the "Pennsylvania Scenic Rivers Act," fulfilled its obligations and responsibilities prerequisite to the designation of a portion of the Schuylkill River *and a portion of two of its tributaries* as a component of the Pennsylvania Scenic Rivers System. The designation of this Schuylkill scenic river component by this act is with the view of conserving and enhancing its scenic quality and of promoting public recreational enjoyment in conjunction with present and future commercial, agricultural, residential, industrial and transportational uses, all in accordance with the policy and provisions of the "Pennsylvania Scenic Rivers Act."

Section 4. Designation and classification.

(a) The portion of the Schuylkill River, including related adjacent land areas, from the Forks at Port Clinton, Schuylkill County, to Fairmont Dam, Philadelphia County, excepting the 5.2 mile segment between Norristown Dam and Spring Mill Creek, is designated as a component of the Pennsylvania Scenic Rivers System under the Pennsylvania Scenic Rivers Act. *The Schuylkill River designation is extended to include a portion of the Schuylkill River and related adjacent land areas in Schuylkill and Berks Counties and portions of the West Branch and Little Schuylkill River tributaries and their related adjacent land areas in Schuylkill County.* The boundaries of the component and of the classified segments have been defined by the Department of Environmental Resources and are shown on the [map] *maps* entitled "SCHUYLKILL RIVER STUDY" *and* "SCHUYLKILL RIVER EXTENSION STUDY" which [is] *are* on file and available for public inspection in the [Bureau] *Division* of Land Records, [Department of Community Affairs] *Pennsylvania Historical and Museum Commission* of the Commonwealth of Pennsylvania.

(b) Segments of the component are classified as follows:

(1) Port Clinton (Forks) to Cross Keys (Bridge)—16.2 river miles—recreational.

(2) Cross Keys (Bridge) to Reading (Route 422 above Fritz Island)—12.3 miles—modified recreational.

(3) Reading (Route 422 Bridge over Fritz Island) to Douglassville (Bridge)—15.3 river miles—recreational.

(4) Douglassville (Bridge) to Norristown Dam—34.2 river miles—modified recreational.

(5) Spring Mill Creek to Fairmont Dam—10.4 river miles—modified recreational.

(6) *Route 209 (Highway) to Cressona Route 183 (Bridge)—5.0 river miles—recreational.*

(7) *Cressona Route 183 (Bridge) to Auburn Basin (Spillway)—9.6 river miles—modified recreational.*

(8) *Auburn Basin (Spillway) to Port Clinton (Forks)—7.4 river miles—recreational.*

(9) *Port Clinton (Forks) to T848 (Bridge)—9.2 river miles—pastoral.*

(c) The Secretary of Environmental Resources is authorized to classify the 5.2 mile segment between Norristown Dam and Spring Mill Creek as “modified recreational” when he determines that it meets the criteria for such classification. When so classified, that segment shall become part of the Schuylkill scenic river component designated under this act, and all of the provisions of this act and of the “Pennsylvania Scenic Rivers Act” shall become applicable thereto.

#### Section 7. Cooperation of local authorities.

The Department of Environmental Resources shall encourage all levels of government, Federal, State and local, and private individuals and organizations to recognize and protect those areas within the Schuylkill scenic river component which have been determined by the Department of Environmental Resources to be critical areas and are shown as such on the [map] maps entitled “SCHUYLKILL RIVER STUDY” and “SCHUYLKILL RIVER EXTENSION STUDY” which [is] are on file and available for public inspection in the [Bureau] Division of Land Records, [Department of Community Affairs] Pennsylvania Historical and Museum Commission of the Commonwealth of Pennsylvania.

#### Section 8. Expenditure of funds.

The Departments of Environmental Resources and Community Affairs are authorized to expend moneys when available for:

(1) technical assistance for implementation of and planning under the study of the Schuylkill River conducted by the Department of Environmental Resources under the “Pennsylvania Scenic Rivers Act” and known as the “Schuylkill Scenic River Study” and “*Schuylkill River Extension Study*”; and

(2) assistance in the development of a booklet guide for recreational users of the Schuylkill scenic river component.

Section 2. This act shall take effect in 60 days.

APPROVED—The 2nd day of March, A. D. 1988.

ROBERT P. CASEY