

2. California Wilderness Act of 1984

PUBLIC LAW 98-425—SEPT. 28, 1984

98 STAT. 1619

Public Law 98-425
98th Congress

An Act

Entitled the "California Wilderness Act of 1984".

Sept. 28, 1984
[H.R. 1437]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this title may be cited as the "California Wilderness Act of 1984".

TITLE I

DESIGNATION OF WILDERNESS

SEC. 101. (a) In furtherance of the purposes of the Wilderness Act, the following lands, as generally depicted on maps, appropriately referenced, dated July 1980 (except as otherwise dated) are hereby designated as wilderness, and therefore, as components of the National Wilderness Preservation System—

(1) certain lands in the Lassen National Forest, California, which comprise approximately one thousand eight hundred acres, as generally depicted on a map entitled "Caribou Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Caribou Wilderness as designated by Public Law 88-577;

(2) certain lands in the Stanislaus and Toiyabe National Forests, California, which comprise approximately one hundred sixty thousand acres, as generally depicted on a map entitled "Carson-Iceberg Wilderness—Proposed", dated July 1984, and which shall be known as the Carson-Iceberg Wilderness: *Provided, however,* That the designation of the Carson-Iceberg Wilderness shall not preclude continued motorized access to those previously existing facilities which are directly related to permitted livestock grazing activities in the Wolf Creek Drainage on the Toiyabe National Forest in the same manner and degree in which such access was occurring as of the date of enactment of this title;

(3) certain lands in the Shasta-Trinity National Forest, California, which comprise approximately seven thousand three hundred acres, as generally depicted on a map entitled "Castle Crags Wilderness—Proposed", and which shall be known as the Castle Crags Wilderness;

(4) certain lands in the Shasta-Trinity National Forest, California, which comprise approximately eight thousand two hundred acres, as generally depicted on a map entitled "Chanchelulla Wilderness—Proposed", and which shall be known as the Chanchelulla Wilderness;

(5) certain lands in the Angeles National Forest, California, which comprise approximately four thousand four hundred acres, as generally depicted on a map entitled "Cucamonga Wilderness Additions—Proposed", dated July 1984, and which are hereby incorporated in, and which shall be deemed to be a

California
Wilderness Act
of 1984.
National
Wilderness
Preservation
System.
National Forest
System.
National parks,
monuments, etc.
16 USC 1131
note.

16 USC 1131
note.
16 USC 1132
note.

16 USC 1132
note.

16 USC 1132
note.

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16 USC 1131
note.
16 USC 1132
note.

part of the Cucamonga Wilderness as designated by Public Law 88-577;

(6) certain lands in the Los Padres National Forest, which comprise approximately sixty-four thousand seven hundred acres, as generally depicted on a map entitled "Dick Smith Wilderness—Proposed", dated July 1984, and which shall be known as Dick Smith Wilderness: *Provided*, That the Act of March 21, 1968 (82 Stat. 51), which established the San Rafael Wilderness is hereby amended to transfer four hundred and thirty acres of the San Rafael Wilderness to the Dick Smith Wilderness and establish a line one hundred feet north of the centerline of the Buckhorn Fire Road as the southeasterly boundary of the San Rafael Wilderness, as depicted on a map entitled "Dick Smith Wilderness—Proposed", and wherever said Buckhorn Fire Road passes between the San Rafael and Dick Smith Wildernesses and elsewhere at the discretion of the Forest Service, it shall be closed to all motorized vehicles except those used by the Forest Service for administrative purposes;

16 USC 1132
note.

16 USC 1132
note.

(7) certain lands in the Sierra National Forest, California, which comprise approximately thirty thousand acres, as generally depicted on a map entitled "Dinkey Lakes Wilderness—Proposed", and which shall be known as the "Dinkey Lakes Wilderness": *Provided*, That within the Dinkey Lakes Wilderness the Secretary of Agriculture shall permit nonmotorized dispersed recreation to continue at a level not less than the level of use which occurred during calendar year 1979;

16 USC 1131
note.

(8) certain lands in the Sequoia National Forest, California, which comprise approximately thirty-two thousand acres, as generally depicted on a map entitled "Domeland Wilderness Additions—Proposed", dated March 1983, and which are hereby incorporated in, and which shall be deemed to be a part of the Domeland Wilderness as designated by Public Law 88-577;

16 USC 1132
note.
16 USC 1132
note.

(9) certain lands in the Stanislaus National Forest, California, which comprise approximately six thousand one hundred acres, as generally depicted on a map entitled "Emigrant Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Emigrant Wilderness as designated by Public Law 93-632;

(10) certain lands in the Tahoe National Forest, California, which comprise approximately twenty-five thousand acres, as generally depicted on a map entitled "Granite Chief Wilderness—Proposed", dated July 1984, and which shall be known as the Granite Chief Wilderness;

(11) certain lands in the Cleveland National Forest, California, which comprise approximately eight thousand acres, as generally depicted on a map entitled "Hauser Wilderness—Proposed", and which shall be known as the Hauser Wilderness;

16 USC 1132
note.

(12) certain lands in and adjacent to the Lassen National Forest, California, which comprise approximately forty-one thousand eight hundred forty acres as shown on a map entitled "Ishi Wilderness—Proposed", and which shall be known as the Ishi Wilderness;

(13) certain lands in the Sierra National Forest, California, which comprise approximately eighty-one thousand acres, as generally depicted on a map entitled "John Muir Wilderness Additions, Sierra National Forest—Proposed", dated February 1983, and which are hereby incorporated in, and which shall be

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deemed to be a part of the John Muir Wilderness as designated by Public Law 88-577: *Provided*, That the Secretary of Agriculture is authorized to modify the boundaries of the John Muir Wilderness Additions and the Dinkey Lakes Wilderness as designated by this Act in the event he determines that portions of the existing primitive road between the two wilderness areas should be relocated for environmental protection or other reasons. Any relocated wilderness boundary shall be placed no more than three hundred feet from the centerline of any new primitive roadway and shall become effective upon publication of a notice of such relocation in the Federal Register;

16 USC 1131
note.Federal
Register,
publication.

(14) certain lands in the Klamath National Forest, California, which comprise approximately twenty-eight thousand acres, as generally depicted on a map entitled "Marble Mountain Wilderness Additions—Proposed", dated July 1984, and which are hereby incorporated in, and shall be deemed to be a part of the Marble Mountain Wilderness as designated by Public Law 88-577;

(15) certain lands in the Sierra and Inyo National Forests, California, which comprise approximately nine thousand acres, as generally depicted on a map entitled "Minarets Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Minarets Wilderness as designated by Public Law 88-577: *Provided*, That the existing Minarets Wilderness and additions thereto designated by this title henceforth shall be known as the Ansel Adams Wilderness;

16 USC 1132
note.

(16) certain lands in the Eldorado, Stanislaus, and Toiyabe National Forests, California, which comprise approximately fifty-five thousand acres, as generally depicted on a map entitled "Mokelumne Wilderness Additions—Proposed", dated July 1984, and which are hereby incorporated in, and which shall be deemed to be a part of the Mokelumne Wilderness as designated by Public Law 88-577;

(17) certain lands in the Sierra and Sequoia National Forests, California, which comprise approximately forty-five thousand acres, as generally depicted on a map entitled "Monarch Wilderness—Proposed", dated July 1984, and which shall be known as the Monarch Wilderness;

16 USC 1132
note.

(18) certain lands in the Shasta-Trinity National Forest, California, which comprise approximately thirty-seven thousand acres, as generally depicted on a map entitled "Mt. Shasta Wilderness—Proposed", dated July 1984, and which shall be known as Mt. Shasta Wilderness;

16 USC 1132
note.

(19) certain lands in the Six Rivers National Forest, California, which comprise approximately eight thousand one hundred acres, as generally depicted on a map entitled "North Fork Wilderness—Proposed", and which shall be known as the North Fork Wilderness;

16 USC 1132
note.

(20) certain lands in the Cleveland National Forest, California, which comprise approximately thirteen thousand one hundred acres, as generally depicted on a map entitled "Pine Creek Wilderness—Proposed", and which shall be known as the Pine Creek Wilderness;

16 USC 1132
note.

(21) certain lands in the Rogue River National Forest, California, and Oregon, which comprise approximately sixteen thousand five hundred acres, as generally depicted on a map entitled

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Ante, p. 272.
16 USC 1132
note.

“Red Buttes Wilderness Additions—Proposed”, dated July 1984, and which are hereby incorporated in, and which shall be deemed to be a part of the Red Buttes Wilderness as designated by Public Law 98-328;

(22) certain lands in the Klamath National Forest, California, which comprise approximately twelve thousand acres, as generally depicted on a map entitled “Russian Wilderness—Proposed”, and which shall be known as the Russian Wilderness;

(23) certain lands in the San Bernardino National Forest, California, which comprise approximately twenty-one thousand five hundred acres, as generally depicted on a map entitled “San Gorgonio Wilderness Additions—Proposed”, and which are hereby incorporated in, and which shall be deemed to be a part of the San Gorgonio Wilderness as designated by Public Law 88-577;

16 USC 1131
note.

(24) certain lands in the San Bernardino National Forest, California, which comprise approximately ten thousand nine hundred acres, as generally depicted on a map entitled “San Jacinto Wilderness Additions—Proposed”, and which are hereby incorporated in, and which shall be deemed to be a part of the San Jacinto Wilderness as designated by Public Law 88-577: *Provided, however*, That the Secretary of Agriculture may pursuant to an application filed within 10 years of the date of enactment of this title, grant a right-of-way for, and authorize construction of, a transmission line or lines within the area depicted as “potential powerline corridor” on the map entitled “San Jacinto Wilderness Additions—Proposed”: *Provided further*, That if a power transmission line is constructed within such corridor, the corridor shall cease to be a part of the San Jacinto Wilderness and the Secretary of Agriculture shall publish notice thereof in the Federal Register;

Federal
Register,
publication.

(25) certain lands in the Sierra and Inyo National Forests and the Devils Postpile National Monument, California, which comprise approximately one hundred and ten thousand acres, as generally depicted on a map entitled “San Joaquin Wilderness—Proposed”, and which shall comprise a portion of the Ansel Adams Wilderness established pursuant to subparagraph (a)(15) of this section: *Provided, however*, That nothing in this title shall be construed to prejudice, alter, or affect in any way, any rights or claims of right to the diversion and use of waters from the North Fork of the San Joaquin River, or in any way to interfere with the construction, maintenance, repair, or operation of a hydroelectric project similar in scope to the Jackass-Chiquito hydroelectric power project (or the Granite Creek-Jackass alternative project) as initially proposed by the Upper San Joaquin River Water and Power Authority: *Provided further*, That the designation of the San Joaquin Wilderness shall not preclude continued motorized access to those previously existing facilities which are directly related to permitted livestock grazing activities nor operation and maintenance of the existing cabin located in the vicinity of the Heitz Meadow Guard Station within the Ansel Adams Wilderness, in the same manner and degree in which such access and operation and maintenance of such cabin were occurring as of the date of enactment of this title;

16 USC 1132
note.

(26) certain lands in the Cleveland National Forest, California, which comprise approximately thirty-nine thousand five

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hundred and forty acres, as generally depicted on a map entitled "San Mateo Canyon Wilderness—Proposed", and which shall be known as the San Mateo Canyon Wilderness;

(27) certain lands in the Los Padres National Forest, California, which comprise approximately two thousand acres, as generally depicted on a map entitled "San Rafael Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the San Rafael Wilderness as designated by Public Law 90-271;

16 USC 1132
note.
16 USC 1132
note.

(28) certain lands in the San Bernardino National Forest, California, which comprise approximately twenty thousand one hundred and sixty acres, as generally depicted on a map entitled "Santa Rosa Wilderness—Proposed", and which shall be known as the Santa Rosa Wilderness;

(29) certain lands in the Angeles and San Bernardino National Forests, California, which comprise approximately forty-three thousand six hundred acres, as generally depicted on a map entitled "Sheep Mountain Wilderness—Proposed", dated July 1984, and which shall be known as Sheep Mountain Wilderness;

16 USC 1132
note.

(30) certain lands in the Six Rivers, Klamath, and Siskiyou National Forests, California, which comprise approximately one hundred fifty-three thousand acres, as generally depicted on a map entitled "Siskiyou Wilderness—Proposed", dated July 1984, and which shall be known as the Siskiyou Wilderness;

16 USC 1132
note.

(31) certain lands in the Mendocino National Forest, California, which comprise approximately thirty-seven thousand acres, as generally depicted on a map entitled "Snow Mountain Wilderness—Proposed", and which shall be known as Snow Mountain Wilderness;

16 USC 1132
note

(32) certain lands in the Sequoia and Inyo National Forests, California, which comprise approximately sixty-three thousand acres, as generally depicted on a map entitled "South Sierra Wilderness—Proposed", dated July 1984, and which shall be known as the South Sierra Wilderness;

16 USC 1132
note.

(33) certain lands in the Modoc National Forest, California, which comprise approximately one thousand nine hundred and forty acres, as generally depicted on a map entitled "South Warner Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the South Warner Wilderness as designated by Public Law 88-577;

16 USC 1131
note.
16 USC 1132
note.

(34) certain lands in and adjacent to the Klamath, Shasta-Trinity and Six Rivers National Forests, California, which comprise approximately five hundred thousand acres, as generally depicted on a map entitled "Trinity Alps Wilderness—Proposed", dated July 1984, and which shall be known as the Trinity Alps Wilderness;

(35) certain lands in the Los Padres National Forest, California, which comprise approximately two thousand seven hundred and fifty acres, as generally depicted on a map entitled "Ventana Wilderness Additions—Proposed", and which are hereby incorporated in, and shall be deemed to be a part of the Ventana Wilderness as designated by Public Laws 91-58 and 95-237;

16 USC 1132
note.

(36) certain lands in and adjacent to the Six Rivers and Mendocino National Forests, California, which comprise

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approximately forty-two thousand acres, as generally depicted on a map entitled "Yolla-Bolly Middle Eel Additions—Proposed", dated July 1984, and which are hereby incorporated in, and which shall be deemed to be a part of the Yolla-Bolly Middle Eel Wilderness as designated by Public Law 88-577;

16 USC 1131
note.

16 USC 1132
note.

16 USC 1132
note.

16 USC 1132
note.

(37) certain lands in the Plumas National Forest, California, which comprise approximately twenty-one thousand acres, as generally depicted on a map entitled "Bucks Lake Wilderness—Proposed", dated March 1983, and which shall be known as the Bucks Lake Wilderness;

(38) certain lands in and adjacent to the Los Padres National Forest, California, which comprise approximately twenty thousand acres, as generally depicted on a map entitled "Machesna Mountain Wilderness—Proposed", dated March 1983, and which shall be known as the Machesna Mountain Wilderness; and

(39) certain lands in the Sequoia National Forest, which comprise approximately ten thousand five hundred acres, as generally depicted on a map entitled "Jennie Lakes Wilderness—Proposed", dated March 1983, and which shall be known as the Jennie Lakes Wilderness.

(b) The previous classifications of the High Sierra Primitive Area, Emigrant Basin Primitive Area, and the Salmon-Trinity Alps Primitive Area are hereby abolished.

DESIGNATION OF PLANNING AREAS

16 USC 1131
note.
Report.
President of U.S.

SEC. 102. (a) In furtherance of the purposes of the Wilderness Act, the following lands shall be reviewed by the Secretary of Agriculture as to their suitability for preservation as wilderness. The Secretary shall submit his report and findings to the President, and the President shall submit his recommendations to the United States House of Representatives and the United States Senate no later than three years from the date of enactment of this title:

(1) certain lands in the Stanislaus and Toiyabe National Forests, California, which comprise approximately thirty thousand acres, as generally depicted on a map entitled "Carson-Iceberg Planning Area", dated July 1984, and which shall be known as the Carson-Iceberg Planning Area;

(2) certain lands in the Toiyabe National Forest, California, which comprise approximately forty-nine thousand two hundred acres as generally depicted on a map entitled "Hoover Wilderness Additions Planning Area", dated July 1984, and which shall be known as the Hoover Wilderness Additions Planning Area; and

(3) certain lands in the San Bernardino National Forest, California, which comprise approximately seventeen thousand acres, as generally depicted on a map entitled "Pyramid Peak Planning Area", dated July 1984, and which shall be known as the Pyramid Peak Planning Area.

(b) Subject to valid existing rights, the planning areas designated by this section shall for a period of four years from the date of enactment of this title, be administered by the Secretary of Agriculture so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.

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ADMINISTRATION OF WILDERNESS AREAS

SEC. 103. (a) Subject to valid existing rights, each wilderness area designated by this title shall be administered by the Secretary concerned in accordance with the provisions of the Wilderness Act: *Provided*, That any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title.

16 USC 1131
note.

(b) Within the National Forest wilderness areas designated by this title—

(1) as provided in subsection 4(d)(4)(2) of the Wilderness Act, the grazing of livestock, where established prior to the date of enactment of this title, shall be permitted to continue subject to such reasonable regulations, policies and practices as the Secretary deems necessary, as long as such regulations, policies and practices fully conform with and implement the intent of Congress regarding grazing in such areas as such intent is expressed in the Wilderness Act and this title;

16 USC 1133.

(2) as provided in subsection 4(d)(1) of the Wilderness Act, the Secretary concerned may take such measures as are necessary in the control of fire, insects, and diseases, subject to such conditions as he deems desirable; and

(3) as provided in section 4(b) of the Wilderness Act, the Secretary concerned shall administer such areas so as to preserve their wilderness character and to devote them to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

(c) Within sixty days of the date of enactment of this title, the Secretary of Agriculture shall enter into negotiations to acquire by exchange all or part of any privately owned lands within the national forest wilderness areas designated by this title. Such exchange shall to the maximum extent practicable be completed within three years after the date of enactment of this title. The Secretary is authorized to acquire such lands by means other than exchange, beginning three years after the date of enactment of this title. Acquisition shall be only with the concurrence of the owner. Values shall be determined without reference to any restrictions on access or use which arise out of designation as a wilderness area.

FILING OF MAPS AND DESCRIPTIONS

SEC. 104. As soon as practicable after enactment of this title, a map and a legal description on each wilderness area shall be filed with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and each such map and description shall have the same force and effect as if included in this title: *Provided*, That correction of clerical and typographical errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

Public
availability.

ADDITIONS TO NATIONAL PARK SYSTEM

SEC. 105. (a) The following lands are hereby added to the National Park System:

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16 USC 80 note.

(1) certain lands in the Sequoia National Forest, California which comprise approximately one thousand five hundred acres, as generally depicted on a map entitled "Jennie Lakes Additions, Kings Canyon National Park—Proposed", dated March 1983, and which are hereby incorporated in, and which shall be deemed to be a part of Kings Canyon National Park; and

16 USC 46 note.

(2) certain lands which comprise approximately one hundred eighty-five acres, as generally depicted on a map entitled "McCauley Ranch Addition, Yosemite National Park", dated December 1982 and numbered 80,021, and which are hereby incorporated in, and which shall be deemed to be a part of Yosemite National Park.

(b) Upon enactment of this title, the Secretary of Agriculture shall transfer the lands described in subsection (a) of this section, without consideration, to the administrative jurisdiction of the Secretary of the Interior for administration as part of the National Park System. The boundaries of the national forests and national parks shall be adjusted accordingly. The areas added to the National Park System by this section shall be administered in accordance with the provisions of law generally applicable to units of the National Park System.

Report.

(c) The Secretary of the Interior shall study the lands added to the National Park System by subsection (a) of this section for possible designation as national park wilderness, and shall report to the Congress his recommendations as to the suitability or nonsuitability of the designation of such lands as wilderness by not later than three years after the effective date of this title.

16 USC 46 note.

(d) The Secretary of Agriculture is authorized and directed to transfer to the jurisdiction of the Secretary of the Interior for administration as a part of Yosemite National Park, two hundred and fifty-three acres of the Stanislaus National Forest at Crocker Ridge, identified as all that land lying easterly of a line beginning at the existing park boundary and running three hundred feet west of and parallel to the center line of the park road designated as State Highway 120, also known as the New Big Oak Flat Road, within section 34, township 1 south, range 19 east, and within sections 4, 9, and 10, township 2 south, range 19 east, Mount Diablo base and meridian. The boundary of Yosemite National Park and the Stanislaus National Forest shall be adjusted accordingly.

(e) The Secretary of the Interior is authorized and directed to transfer to the jurisdiction of the Secretary of Agriculture one hundred and sixty acres within the boundary of the Sierra National Forest identified as the northwest quarter of section 16, township 5 south, range 22 east, Mount Diablo base meridian, subject to the right of the Secretary of the Interior to the use of the water thereon for park purposes, including the right of access to facilities necessary for the transportation of water to the park.

NATIONAL PARK WILDERNESS

SEC. 106. The following lands are hereby designated as wilderness in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)) and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

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(1) Yosemite National Park Wilderness, comprising approximately six hundred and seventy-seven thousand six hundred acres, and potential wilderness additions comprising approximately three thousand five hundred and fifty acres, as generally depicted on a map entitled "Wilderness Plan, Yosemite National Park, California", numbered 104-20, 003-E dated July 1980, and shall be known as the Yosemite Wilderness;

16 USC 1132
note.

(2) Sequoia and Kings Canyon National Parks Wilderness, comprising approximately seven hundred and thirty-six thousand nine hundred and eighty acres; and potential wilderness additions comprising approximately one hundred acres, as generally depicted on a map entitled "Wilderness Plan—Sequoia-Kings Canyon National Parks—California", numbered 102-20, 003-E and dated July 1980, and shall be known as the Sequoia Kings Canyon Wilderness.

16 USC 1132
note.

MAP AND DESCRIPTION

SEC. 107. A map and description of the boundaries of the areas designated in section 106 of this title shall be on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in section 106. As soon as practicable after this title takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and descriptions shall have the same force and effect as if included in this title: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

Public
availability.

CESSATION OF CERTAIN USES

SEC. 108. Any lands (in section 106 of this title) which represent potential wilderness additions upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

Federal
Register,
publication.

ADMINISTRATION

SEC. 109. The areas designated by section 106 of this title as wilderness shall be administered by the Secretary of the interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that title as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title, and where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

16 USC 1131
note.

SEC. 110. Notwithstanding any existing or future administrative designation or recommendation, mineral prospecting, exploration, development, or mining of cobalt and associated minerals under taken under the United States mining laws within the North Fork

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Smith roadless area (RARE II, 5-707, Six Rivers National Forest, California) shall be subject to only such Federal laws and regulations as are generally applicable to national forest lands designated as nonwilderness.

WILDERNESS REVIEW CONCERNS

Conservation.

SEC. 111. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress had made its own review and examination of national forest roadless areas in California and the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to national forest lands in States other than California, such statement shall not be subject to judicial review with respect to National Forest System lands in the State of California;

(2) upon enactment of this title, the injunction issued by the United States District Court for the Eastern District of California in the State of California versus Bergland (483 F. Supp. 465 (1980)) shall no longer be in force;

(3) with respect to the National Forest System lands in the State of California which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II), and those lands referred to in subsection (d), except those lands remaining in further planning as referred to in subsection (e), or designated as planning areas upon enactment of this title, that review and evaluation shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless prior to such time the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(4) areas in the State of California reviewed in such final environmental statement or referenced in subsection (d) and not designated as wilderness or planning areas by this title or remaining in further planning as referenced in subsection (e) upon enactment of this title shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: *Provided*, That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the land management plans;

16 USC 1600
note.

16 USC 1604.

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(5) in the event that revised land management plans in the State of California are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

16 USC 1604.

16 USC 1600 note.

(6) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of California for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) The provisions of this section shall also apply to—

(1) those National Forest System roadless lands in the State of California: in the Plumas and Tahoe National Forests which were evaluated in the Mohawk Unit Plan; in the Six Rivers National Forest which were evaluated in the Blue Creek Unit Plan not designated as Wilderness by this title and the Fox Unit Plan; in the Klamath National Forest which were evaluated in the King Unit Plan; in the Angeles National Forest which were evaluated in the San Gabriel Unit Plan; in the Modoc and Shasta-Trinity and Klamath National Forests in the Medicine Lake Unit Plan; in the Cleveland National Forest which were evaluated in the Palomar Mountain Unit Plan and Trabuco Unit Plan; in the Los Padres National Forest which were evaluated in the Big Sur Unit Plan; in the Tahoe National Forest which were evaluated in the Truckee-Little Truckee Unit Plan; and those portions of the Carson-Iceberg roadless area not designated as wilderness or planning areas or remaining in further planning as referenced in subsection (e);

(2) National Forest System roadless lands in the State of California which are less than five thousand acres in size; and

(3) National Forest System roadless areas or portions thereof in the State of California as identified in Executive Document Numbered 1504 Ninety-sixth Congress (House Document Numbered 96-119) and identified by name and number at the end of this subparagraph, which are not designated as wilderness by this title:

National Forest	Area name	Area I.D.
Eldorado	Pyramid	05023
Eldorado	Rubicon	05026
Eldorado	Dardanelles	05982
Eldorado	Tragedy-Elephants Back	05984
Eldorado	Raymond Peak	05985
Klamath	Orleans Mountain	B5079
Klamath	Condrey Mountain	05704

National Forest	Area name	Area I.D.
Lake Tahoe Basin M U.	Dardanelles	05982
Lassen	Lost Creek	05089
Lassen	Polk Springs	05097
Lassen	Chips Creek	05099
Los Padres	Machesna Mountain	05110
Los Padres	Miranda Pine	05114
Los Padres	Tepusquet Peak	05116
Los Padres	Spoor Canyon	05118
Los Padres	Fox Mountain	05120
Los Padres	Cuyama	05135
Mendocino	Wilderness Contiguous	05137
Mendocino	Elk Creek	05140
Mendocino	Big Butte-Shinbone	05145
Mendocino	Black Butte	05269
Plumas	Chips Creek	05099
Plumas	Middle Fork	05167
Plumas	Bald Rock	05169
Plumas	West Yuba	05172
Rogue River	Condrey Mountain	06704
Sequoia	Agnew	05199
Sequoia	Woodpecker	05206
Sequoia	Domeland addition	05207
Shasta-Trinity	Chanchelulla	05220
Shasta-Trinity	East Fork	05226
Shasta-Trinity	Murphy Glade	05298
Shasta-Trinity	Fisher Gulch	A5299
Sierra	Mount Raymond	05242
Sierra	Dinkey Lakes	05244
Sierra	Rancheria	C5198
Six Rivers	Orleans Mountain	B5079
Six Rivers	North Fork Smith	05707
Stanislaus	Tuolumne River	05258
Stanislaus	Raymond Peak	05985
Tahoe	West Yuba	05172
Tahoe	North Fork American	05262
Tahoe	East Yuba	05264
Toiyabe	Dardanelles	04982
Toiyabe	Tragedy-Elephants Back	04984
Toiyabe	Raymond Peak	04985
Tahoe	Granite Chief	05261
Angeles	Pleasant View	F5008
Shasta-Trinity	Castle Crags	B5219
Shasta-Trinity	Mt. Shasta	C5213
Lake Tahoe Basin M.U.	Pyramid	O5023

(e) Certain National Forest System roadless lands in the State of California as identified in Executive Document Numbered 1504 Ninety-sixth Congress (House Document Numbered 96-119) and identified by name and number at the end of this subsection, shall remain as further planning areas for purposes of this title:

National Forest	Area name	Area I.D.
Angeles	Sespe-Frazier	05002
Angeles	Arroyo Seco	05012
Cleveland	Sill Hill	05304
Cleveland	Caliente	05017
Eldorado	Caples Creek	05027
Inyo	White Mountains	A5058
Inyo	White Mountains	B5058
Inyo	Coyote-Southeast	05033
Inyo	Table Mountain	05035
Inyo	Mazourka	A5064
Inyo	Wheeler Ridge	05040
Inyo	Horse Meadow	05049
Inyo	Tioga Lake	05050
Inyo	Hall Natural Area	05051
Inyo	Log Cabin Saddlebag	05052
Inyo	Benton Range	05056

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National Forest	Area name	Area I.D.
Inyo	Blanco Mountain	05059
Inyo	Birch Creek	05060
Inyo	Black Canyon	05061
Inyo	Andrews Mountain	05063
Inyo	Paiute	B5064
Inyo	Laurel-McGee	05045
Inyo	Buttermilk	05038
Lake Tahoe Basin M U.	Freel	05271
Lassen	Wild Cattle Mountain	05093
Lassen	Butt Mountain	05100
Lassen	Trail Lake	B5095
Lassen	Heart Lake	05096
Lassen	Ishi	B5098
Los Padres	Antimony	05136
Los Padres	Bear Canyon	05104
Los Padres	Bear Mountain	05103
Los Padres	Big Rocks	05112
Los Padres	Black Butte	05102
Los Padres	Black Mountain	05108
Los Padres	Diablo	05127
Los Padres	Dry Lakes	05131
Los Padres	Horseshoe Springs	05115
Los Padres	La Brea	05117
Los Padres	La Panza	05109
Los Padres	Little Pine	05278
Los Padres	Los Machos Hills	05111
Los Padres	Machesna Mountain	05110
Los Padres	Matilija	05129
Los Padres	Quatal	05268
Los Padres	Sawmill-Badlands	05134
Los Padres	Sespe Frazier	05002
Los Padres	Stanley Mountain	05113
San Bernardino	Sugarloaf	05186
San Bernardino	Raywood Flat	B5187
San Bernardino	Cucamonga B	B5174
San Bernardino	Cucamonga C	C5174
Sequoia	Dennison Peak	05202
Sequoia	Kings River	B5198
Sequoia	Oat Mountain	05197
Sequoia	Moses	05203
Sequoia	Scodies	05212
Sequoia	Cypress	A5213
Shasta-Trinity	Mt. Eddy	05229
Sierra	Kings River	B5198
Stanislaus	Carson-Iceberg (Pacific Valley portion)	B5986
Toiyabe	Sweetwater	04657
Toiyabe	Hoover Extension	E4662
Lassen	Mill Creek	05284
Los Padres	Garcia Mountain	05107

SEVERABILITY

SEC. 112. If any provision of this title or the application thereof is held invalid, the remainder of the title and the application thereof shall not be affected thereby.

SEC. 113. For fiscal years commencing after September 30, 1985, there are authorized to be appropriated such sums as may be necessary to implement the provisions of this title.

Appropriation
authorization.

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TITLE II

DESIGNATION WILD AND SCENIC RIVER

Ante, p. 1491.
16 USC 1274.

SEC. 201 Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1271-1287) as amended is further amended by inserting the following new paragraph:

“(52) TUOLUMNE, CALIFORNIA.—The main river from its sources on Mount Dana and Mount Lyell in Yosemite National Park to Don Pedro Reservoir consisting of approximately 83 miles as generally depicted on the proposed boundary map entitled ‘Alternative A’ contained in the Draft Tuolumne Wild and Scenic River Study and Environmental Impact Statement published by the United States Department of the Interior and Department of Agriculture in May 1979;) to be administered by the Secretary of the Interior and the Secretary of Agriculture. After consultation with State and local governments and the interested public and within two years from the date of enactment of this paragraph, the Secretary shall take such action as is required under subsection (b) of this section. Nothing in this Act shall preclude the licensing, development, operation, or maintenance of water resources facilities on those portions of the North Fork, Middle Fork or South Fork of the Tuolumne or Clavey Rivers that are outside the boundary of the wild and scenic river area as designated in this section. Nothing in this section is intended or shall be construed to affect any rights, obligations, privileges, or benefits granted under any prior authority of law including chapter 4 of the Act of December 19, 1913, commonly referred to as the Raker Act (38 Stat. 242) and including any agreement or administrative ruling entered into or made effective before the enactment of this paragraph. For fiscal years commencing after September 30, 1985, there are authorized to be appropriated such sums as may be necessary to implement the provisions of this subsection.”.

Appropriation
authorization.

TITLE III

ESTABLISHMENT OF NATIONAL FOREST SCENIC AREA

16 USC 543.

Public
availability.

Federal
Register,
publication.

SEC. 301. The area in the Mono Basin within and adjacent to the Inyo National Forest in the State of California, as generally depicted on a map entitled “Mono Basin National Forest Scenic Area” dated June 1983, and numbered 1983-3, is hereby designated as the Mono Basin National Forest Scenic Area (hereafter in this title referred to as the “Scenic Area”). Such map shall be on file and available for public inspection in the office of the Forest Supervisor, Inyo National Forest and in the office of the Chief of the Forest Service, Department of Agriculture. The Secretary of Agriculture (hereinafter in this title referred to as the “Secretary”) may make minor revisions in the boundary of the Scenic Area after publication of notice to that effect in the Federal Register and submission of notice thereof to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. Such notice shall be published and submitted at least sixty days before the revision is made.

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EXTENSION OF NATURAL FOREST BOUNDARY

Sec. 302. (a) The exterior boundary of the Inyo National Forest is hereby extended to include the area within the boundary of the Scenic Area. Any lands and interests therein acquired pursuant to section 303 shall become part of the National Forest System.

16 USC 543a.

(b) For the purposes of section 7(a)(1) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4601-4 through 4601-11), the boundary of the Inyo National Forest, as modified by this section, shall be treated as if it were the boundary of that forest on January 1, 1964.

16 USC 4601-9.
16 USC 4601-4—
4601-11.

ACQUISITION

SEC. 303. (a) The Secretary is authorized to acquire all lands and interests therein within the boundary of the Scenic Area by donation, exchange in accordance with this title or other provisions of law, or purchase with donated or appropriated funds, except that—

16 USC 543b.

(1) any lands or interests therein within the boundary of the Scenic Area which are owned by the State of California or any political subdivision thereof (including the city of Los Angeles) may be acquired only by donation or exchange; and

(2) lands or interests therein within the boundary of the Scenic Area which are not owned by the State of California or any political subdivision thereof (including the city of Los Angeles) may be acquired only with the consent of the owner thereof unless the Secretary determines, after written notice to the owner and after opportunity for comment, that the property is being developed, or proposed to be developed, in a manner which is detrimental to the integrity of the Scenic Area or which is otherwise incompatible with the purposes of this title.

(b)(1) Not later than six months after the date of enactment of this title, the Secretary shall publish specific guidelines under which determinations shall be made under paragraph (2) of subsection (a). No use which existed prior to June 1, 1984, within the area included in the Scenic Area shall be treated under such guidelines as a detrimental or incompatible use within the meaning of such paragraph (2).

Guidelines,
publication.

(2) For purposes of subsection (a)(2), any development or proposed development of private property within the boundary of the Scenic Area that is significantly different from, or a significant expansion of, development existing as of June 1, 1984, shall be considered by the Secretary as detrimental to the integrity of the Scenic Area. No reconstruction or expansion of a private or commercial building, including—

(A) reconstruction of an existing building,

(B) construction of attached structural additions, not to exceed 100 per centum of the square footage of the original building, and

(C) construction of reasonable support development such as roads, parking, water and sewage systems shall be treated as detrimental to the integrity of the Scenic Area or as an incompatible development within the meaning of paragraph (2) of subsection (a).

(c) Notwithstanding any other provision of law, the Secretary shall only be required to prepare an environmental assessment of

Conservation.

any exchange of mineral or geothermal interest authorized by this title.

ADMINISTRATION

16 USC 543c.

SEC. 304. (a)(1) Except as otherwise provided in this title, the Secretary, acting through the Chief of the Forest Service, shall administer the Scenic Area as a separate unit within the boundary of the Inyo National Forest in accordance with the laws, rules, and regulations applicable to the National Forest System. All Bureau of Land Management administered lands that fall within the boundaries of the Scenic Area are hereby added to the Inyo National Forest and shall be administered in accordance with the laws, rules, and regulations applicable to the National Forest System.

(2) In addition, the following parcels administered by the Bureau of Land Management are hereby added to the Inyo National Forest and shall be administered in accordance with the laws, rules, and regulations applicable to the National Forest System:

township 1 south; range 26 east; Mount Diablo Meridian:
east half of southwest quarter and south half of southeast quarter of section 10; and

township 1 north; range 26 east; Mount Diablo Meridian:
southwest quarter of northeast quarter and west half of southeast quarter of section 9;

southwest quarter of southwest quarter of section 15;
southwest quarter of northwest quarter and northwest quarter of southwest quarter of section 25;

north half of southeast quarter of section 26, west half of northwest quarter and northwest quarter of southwest quarter of section 27;

township 1 north; range 27 east; Mount Diablo Meridian:
east half of southeast quarter of section 34;

southwest quarter of northwest quarter of section 35; and
west half of section 30 as intersected by Scenic Area Boundary.

(b)(1) In a manner consistent with the protection of the water rights of the State of California or any political subdivision thereof (including the city of Los Angeles) or of any person to the extent that such water rights have been granted or modified under the laws of the State of California, the Secretary shall manage the Scenic Area to protect its geologic, ecologic, and cultural resources. The Secretary shall provide for recreational use of the Scenic Area and shall provide recreational and interpretive facilities (including trails and campgrounds) for the use of the public which are compatible with the provisions of this title, and may assist adjacent affected local governmental agencies in the development of related interpretive programs. The Secretary shall permit the full use of the Scenic Area for scientific study and research in accordance with such rules and regulations as he may prescribe.

(2) Except as specifically provided in this subsection, no commercial timber harvesting shall be permitted in the Scenic Area, but the Secretary shall permit the utilization of wood material such as firewood, posts, poles, and Christmas trees by individuals for their domestic purposes under such regulations as he may prescribe to protect the natural and cultural resources of the Scenic Area. The Secretary may take action including the use of commercial timber harvest to the minimum extent necessary to control fires, insects and diseases that might—

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- (A) endanger irreplaceable features within the Scenic Area,
or
(B) cause substantial damage to significant resources adjacent to the Scenic Area.

(c) The Secretary shall permit those persons holding currently valid grazing permits within the boundary of the Scenic Area to continue to exercise such permits consistent with other applicable law.

(d) The Secretary may enter into cooperative agreements with the State of California and any political subdivision thereof (including the city of Los Angeles) for purposes of protecting Scenic Area resources and administering areas owned by the State or by any such political subdivision which are within the Scenic Area.

(e) Within three years after the date of enactment of this title, the Secretary shall submit to the committees referred to in section 301, a detailed and comprehensive management plan for the Scenic Area which is consistent with the protection of water rights as provided in subsection (b)(1). The plan shall include but not be limited to—

- (1) an inventory of natural (including geologic) and cultural resources;
- (2) general development plans for public use facilities, including cost estimates; and
- (3) measures for the preservation of the natural and cultural resources of the Scenic Area in accordance with subsections (a) and (b) of this section.

Such plan shall provide for hunting and fishing (including commercial brine shrimp operations authorized under State law) within the Scenic Area in accordance with applicable Federal and State law, except to the extent otherwise necessary for reasons of public health and safety, the protection of resources, scientific research activities, or public use and enjoyment.

(f) The Secretary is authorized to construct a visitor center in the Scenic Area for the purpose of providing information through appropriate displays, printed material, and other interpretive programs, about the natural and cultural resources of the Scenic Area.

(g)(1) Subject to valid existing rights, federally owned lands and interests therein within the Scenic Area are withdrawn from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, from operation of the Geothermal Steam Act of 1970, and from disposition under the public land laws.

(2) Subject to valid existing rights, all mining claims located within the Scenic Area shall be subject to such reasonable regulations as the Secretary may prescribe to assure that nothing will, to the maximum extent practicable, be consistent with protection of the scenic, scientific, cultural, and other resources of the area, and any patent which may be issued after the date of enactment of this title shall convey title only to the minerals together with the right to use the surface of lands for mining purposes subject to such reasonable regulations.

(h) Nothing in this title shall be construed to reserve any water for purposes of the Scenic Area or to affirm, deny, or otherwise affect the present (or prospective) water rights of any person or of the State of California or of any political subdivision thereof (including the city of Los Angeles), nor shall any provision of this title be construed to cause, authorize, or allow any interference with or infringement of such water rights so long as, and to the extent that,

Management
Plan.

30 USC 1001
note.

98 STAT. 1636

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Repeal.

those rights remain valid and enforceable under the laws of the State of California.

(i)(l) The Act entitled “An Act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, California, certain public lands in California; and granting rights-of-way over public lands and reserved lands to the city of Los Angeles in Mono County in the State of California”, approved June 23, 1936 (49 Stat. 1892), is hereby repealed.

(2) The Secretary and the Secretary of the Interior shall grant and convey rights-of-way easements, at no cost, to the city of Los Angeles for those rights-of-way on public lands and national forest lands in Mono County, California, as described and set forth in maps and accompanying descriptions which were—

(A) filed by the city of Los Angeles with the Secretary of the Interior on October 24, 1944, and

(B) accepted as proof of construction on behalf of the United States by the Commissioner of the General Land Office on January 4, 1945.

Such easement conveyances shall provide for the right of the city to continue its present operations and to maintain, reconstruct, and replace all existing water and power facilities located within the bounds of the area described in the maps and descriptions referred to in the preceding sentence. The United States shall reserve in the conveyance easements all rights to use and permit the use by others of the lands so conveyed to the extent that such use does not unreasonably interfere with the rights granted herein to the city of Los Angeles.

(3) The grant in paragraph (2) of this subsection shall become effective upon relinquishment in writing by the city of Los Angeles of its applications dated October 20, 1944, and January 17, 1945, to purchase twenty-three thousand eight hundred and fifty acres of Federal land.

(4) The easements granted under paragraph (2) of this subsection shall provide that whenever the city of Los Angeles ceases to use the land or any part thereof subject to such easements for the purposes for which it is currently being used, as of the date of enactment of this title, all interests in such land or part thereof shall revert to the United States.

(j) Existing community recreational uses, as of the date of enactment of this title, shall be permitted at the levels and locations customarily exercised.

STUDIES

16 USC 543d.

SEC. 305. The Secretary shall take such steps as may be necessary to, within one hundred and eighty days of the date of enactment of this title, enter into a contract with the National Academy of Sciences for the purpose of conducting a scientific study of the ecology of the Scenic Area. The study shall provide for consultation with knowledgeable local, State, Federal, and private persons and organizations and shall provide findings and recommendations to the Congress. Such study shall be conducted in accordance with the best scientific methodology (as set forth by the National Academy of Sciences) and shall be transmitted by the National Academy of Sciences to the Committee on Energy and Natural Resources of the United States Senate, to the Committee on Interior and Insular Affairs of the United States House of Representatives, and to the Chief of the Forest Service not later than January 1, 1987. Progress

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reports regarding the study shall be transmitted to the above committees on January 1, 1985, and January 1 of each year thereafter.

ADVISORY BOARD

SEC. 306 (a) There is hereby established the Scenic Area Advisory Board (hereinafter referred to as the "Board"). The Secretary shall consult with and seek the advice and recommendations of the Board with respect to—

Establishment.
16 USC 543e.

(1) the administration of the Scenic Area with respect to policies, programs, and activities in accordance with this title;

(2) the preparation and implementation of the comprehensive management plan; and

(3) the location of the visitor center authorized by section 304(f).

(b) The Board shall be composed of nine members, who shall be selected as follows:

(1) five members appointed by the Mono County Board of Supervisors;

(2) two members appointed by the Governor of California (one of whom shall be an employee of the California Division of Parks and Recreation);

(3) one member appointed by the mayor of the city of Los Angeles; and

(4) one member appointed by the Secretary (who shall be an employee of the Forest Service).

(c) Each member of the Board shall be appointed to serve for a term of three years except that the initial appointments shall be for terms as follows:

(1) of those members appointed by the Mono County Board of Supervisors one shall be appointed to serve for a term of one year, two shall be for a term of two years, and two shall be for a term of three years;

(2) of those members appointed by the Governor of California one shall be appointed to serve for a term of one year and one shall be appointed to serve for a term of three years;

(3) the member appointed by the mayor of the city of Los Angeles shall be appointed to serve for a term of two years; and

(4) the member appointed by the Secretary shall be appointed to serve for a term of three years.

(d) The members of the Board shall be appointed within ninety days of the date of enactment of this title. The members of the Board shall, at their first meeting, elect a Chairman.

(e) The Secretary, or a designee, shall from time to time, but at least annually, meet and consult with the Board on matters relating to the administration of the scenic area.

(f) Members of the Board shall serve without compensation as such, but the Secretary is authorized to pay, upon vouchers signed by the Chairman, the expenses reasonably incurred by the Board and its members in carrying out their duties under this title.

(g) Any vacancy in the Board shall be filled in the same manner in which the original appointment was made.

(h) A majority of those members appointed shall constitute a quorum for the conduct of all business of the Board.

(i) The Board shall terminate ten years from the date of its first meeting.

Termination.

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TRADITIONAL NATIVE AMERICAN USES

16 USC 543f. SEC. 307. In recognition of the past use of the Scenic Area by Indian people for traditional cultural and religious purposes, the Secretary shall insure nonexclusive access to Scenic Area lands by Indian people for such traditional cultural and religious purposes, including the harvest of the brine fly larvae. Such direction shall be consistent with the purpose and intent of the American Indian Religious Freedom Act of August 11, 1978 (92 Stat. 469). As a part of the plan prepared pursuant to section 304(c) of this title, the Secretary shall, in consultation with appropriate Indian tribes, define the past cultural and religious uses of the Scenic Area by Indians.

42 USC 1996 and note.

AUTHORIZATION OF APPROPRIATIONS

16 USC 543g. SEC. 308. In addition to other amounts available for such purposes effective October 1, 1985, there are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

COMPLIANCE WITH BUDGET ACT

16 USC 543h.
2 USC 651. SEC. 309. Any new spending authority described in subsection (c)(2) (A) or (B) of section 401 of the Congressional Budget Act of 1974 which is provided under this title shall be effective for any fiscal year only to such extent or in such amounts as are provided in appropriation Acts.

Approved September 28, 1984.

LEGISLATIVE HISTORY—H.R. 1437:

HOUSE REPORT No. 98-40 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-582 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 129 (1983):
 Apr. 12, considered and passed House.
 Aug. 9, considered and passed Senate, amended.
 Sept. 12, House agreed to Senate amendment.

3. Historic Sites, Buildings, and Antiquities Act Administration Improvement

PUBLIC LAW 96-344—SEPT. 8, 1980

94 STAT. 1133

Public Law 96-344
96th Congress

An Act

To improve the administration of the Historic Sites, Buildings and Antiquities Act of 1935 (49 Stat. 666).

Sept. 8, 1980
[S. 2680]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in furtherance of the purposes of subsection 2(e) of the Act of August 21, 1935 (49 Stat. 666), the Secretary of the Interior may provide financial assistance for the maintenance and protection of the Folger Library and the Corcoran Gallery of Art.

Historic Sites, Buildings and Antiquities Act, administration improvement. 16 USC 462 note. 16 USC 462.

(b) Authority to enter into contracts or cooperative agreements, to incur obligations, or to make payments under this Act shall be effective only to the extent, and in such amounts, as are provided in advance in appropriation Acts.

SEC. 2. Section 2 of the Joint Resolution entitled, "To provide for the preservation and protection of certain lands in Prince Georges and Charles Counties, Maryland, and for other purposes", approved October 4, 1961 (75 Stat. 780, 781), as amended, is further amended by adding the following after the final period in subsection (c): "The Secretary is authorized to cooperate with the Accokeek Foundation in the operation and maintenance of the National Colonial Farm, and funds appropriated to the Secretary for operation and maintenance of the farm may be made available to the Foundation for such purposes, subject to such terms and conditions as the Secretary may prescribe in furtherance of the purpose of this Act."

National Colonial Farm, operation and maintenance.

SEC. 3. (a) In order to preserve for the benefit and enjoyment of present and future generations significant properties associated with the life and cultural achievements of Georgia O'Keeffe, the Secretary may acquire—

Donation of land 16 USC 461 note.

(1) by donation, the site and structures comprising the home and studio situated in Abiquiu, New Mexico, and

(2) by purchase, donation, or exchange not to exceed one acre of detached land for off-site support facilities which the Secretary of the Interior deems necessary for the purposes of this section.

The Secretary may also accept the donation of furnishings and other personal property in connection with the site.

(b) When the site, structures, and other properties authorized for acquisition under subsection (a) have been transferred to the United States, the Secretary shall establish the Georgia O'Keeffe National Historic Site by publication of notice to that effect in the Federal Register. The national historic site established pursuant to this section shall be administered by the Secretary in accordance with this section and the provisions of law generally applicable to the administration of units of the national park system, including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-7).

Georgia O'Keeffe National Historic Site. Publication in Federal Register.

(c) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section, not to exceed \$40,000 for acquisition and \$100,000 for development.

16 USC 461-467. Appropriation authorization.

94 STAT. 1134

PUBLIC LAW 96-344—SEPT. 8, 1980

Plan,
transmittal
to congressional
committees.

(d) Within three complete fiscal years from the effective date of this Act, the Secretary shall submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, a comprehensive general management plan for the historic site, pursuant to the provisions of section 12(b) of the Act of August 18, 1970 (84 Stat 825; 16 U.S.C. 1a-1 et seq.).

SEC. 4. The Act of October 27, 1972 (86 Stat. 1299; 16 U.S.C. 460bb) is amended as follows:

16 USC 460bb-1.

(1) in subsection 2(a), at the end thereof, add the following: "For the purposes of this Act, the southern end of the town of Marshall shall be considered to be the Marshall Boat Works. The following additional lands are also hereby included within the boundaries of the recreation area: Marin County Assessor's parcel numbered 119-040-04, 119-040-05, 119-040-18, 166-202-03, 166-010-06, 166-010-07, 166-010-24, 166-010-25, 119-240-19, 166-010-10, 166-010-22, 119-240-03, 119-240-51, 119-240-52, 119-240-54, 166-010-12, 166-010-13, and 119-235-10."

16 USC 460bb-4.

(2) in subsection 5(b), change "three" to "five" and add at the end thereof: "Provided, That the terms of those members who have been either appointed or reappointed subsequent to January 1, 1979, shall be extended so as to expire not before June 1, 1985."; and

(3) in subsection 5(g), change "ten" to "twenty".

16 USC 410z
note.
16 USC 410z.

SEC. 5. The Boston National Historical Park Act of 1974 (88 Stat. 1184) is amended by inserting the following after the first sentence of subsection 2(d): "As used in this section, the Charlestown Navy Yard shall also include the properties known as the Ropewalk and Tar House and the Chain Forge and Round House, designated on such map as buildings numbered 58, 60, and 105."

SEC. 6. Subsection 4(b) of the Act entitled "An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes", approved October 20, 1976 (90 Stat. 2692, 2694), is amended by revising the proviso to the first sentence in paragraph (2) to read as follows: "Provided, however, That, except for not more than approximately three and thirty-five one-hundredths acres designated herein as wilderness and approximately eleven and thirteen one-hundredths acres designated herein as potential wilderness additions, which may be excluded pursuant to an exchange consummated in accordance with paragraph (3) of this subsection, lands designated as wilderness pursuant to this Act may not be excluded from the monument."

Golden Spike
National
Historic Site.

16 USC 461 note.

SEC. 7. (a) Section 1 of the Act entitled "An Act to authorize the Secretary of the Interior to acquire lands for, and to develop, operate, and maintain, the Golden Spike National Historic Site", approved July 30, 1965 (79 Stat. 426) is amended by striking out "Proposed Golden Spike National Historic Site, Utah, prepared by the National Park Service, Southwest Region, dated February 1963" and inserting in lieu thereof "Boundary Map, Golden Spike National Historic Site Utah, numbered 431-80,026, and dated December 6, 1978".

79 Stat. 426.

(b) Section 3 of such Act is amended by striking out "\$5,422,000, as may be necessary for the acquisition of land and interests in land and for the development" and inserting in lieu thereof "\$348,000 for the acquisition of land and interests in land and \$5,324,000 for development".

Report to
congressional
committees.

(c) Within two years from the effective date of this section, the Secretary shall complete and submit, in writing, to the Committee on

PUBLIC LAW 96-344—SEPT. 8, 1980

94 STAT. 1135

Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, a report on the feasibility of providing passenger rail service from the city of Ogden, Utah, to the Golden Spike National Historic Site. Said report shall include an assessment of existing rail facilities and rolling stock, additional development as might be required, as well as alternatives with respective costs for the operation of passenger rail service. There is hereby authorized to be appropriated not to exceed \$100,000 to carry out the provisions of this subsection.

Appropriation
authorization

16 USC 1a-5.

SEC. 8. Section 8 of the Act entitled “An Act to improve the administration of the national park system by the Secretary of the Interior, and to clarify the authorities applicable to the system, and for other purposes”, approved August 18, 1970 (84 Stat. 825; 16 U.S.C. 1a-1 et seq.), is amended as follows—

(1) at the end of the second sentence, insert the following new sentence: “Each such report shall indicate and elaborate on the theme(s) which the area represents as indicated in the National Park System Plan.”; and

(2) at the end of the fifth sentence, insert the following sentence: “Accompanying the annual listing of areas shall be a synopsis, for each report previously submitted, of the current and changed condition of the resource integrity of the area and other relevant factors, compiled as a result of continual periodic monitoring and embracing the period since the previous such submission or initial report submission one year earlier.”.

SEC. 9. The Land and Water Conservation Fund Act of 1965 (78 Stat. 987; 16 U. S. C. 4601); is amended—

78 Stat. 897;
16 USC
4601-4.

(1) in subsection 4(a) by deleting the second sentence of paragraph (2) and substituting the following: “A ‘single visit’ means a more or less continuous stay within a designated area. Payment of a single visit admission fee shall authorize exits from and reentries to a single designated area for a period of from one to fifteen days, such period to be deemed for each designated area by the administering Secretary based upon a determination of the period of time reasonably and ordinarily necessary for such a single visit.”;

“Single visit.”
16 USC 4601-6a.

(2) by adding at the end of section 4(a) the following new paragraph:

“(5) The Secretary of the Interior and the Secretary of Agriculture shall establish procedures providing for the issuance of a lifetime admission permit to any citizen of, or person domiciled in, the United States, if such citizen or person applies for such permit, and is blind or permanently disabled. Such procedures shall assure that such permit shall be issued only to persons who have been medically determined to be blind or permanently disabled for purposes of receiving benefits under Federal law as a result of said blindness or permanent disability as determined by the Secretaries. Such permit shall be nontransferable, shall be issued without charge, and shall entitle the permittee and any person accompanying him in a single, private, noncommercial vehicle, or alternatively, the permittee and his spouse and children accompanying him where entry to the area is by any means other than private, noncommercial vehicle, to general admission into any area designated pursuant to this subsection.”; and

Lifetime
admission
permit.

(3) by amending the last sentence of section 4(b) to read as follows: “Any Golden Age Passport permittee, or permittee

16 USC 4601-6a.

under paragraph (5) of subsection (a) of this section, shall be entitled upon presentation of such permit to utilize such special recreation facilities at a rate of 50 per centum of the established use fee.”.

SEC. 10. Title III of the Act entitled “An Act to provide for the establishment of the Lowell National Historical Park in the Commonwealth of Massachusetts, and for other purposes”, approved June 5, 1978 (92 Stat. 290; 16 U.S.C. 410cc et seq.), is amended by adding at the end thereof the following new section:

“USE OF FUNDS

- 16 USC 410cc-37. “SEC. 307. (a) Any revenues or other assets acquired by the Commission by donation, the lease or sale of property or fees for services shall be available to the Commission, without fiscal year limitation, to be used for any function of the Commission authorized under this Act. The Commission shall keep financial records fully disclosing the amount and source of revenues and other assets acquired by the Commission, and shall keep such other financial records as the Secretary may prescribe.
- Retention of records.
- Audits. “(b) The Secretary shall require audits of the financial records of the Commission to be conducted not less frequently than once each year in order to ensure that revenues and other assets of the Commission are being used in a manner authorized under this Act.”.
- SEC. 11. The Act of October 27, 1972 (86 Stat. 1308), is amended—
- 16 USC 460cc-2. (1) in subsection 3(b) by deleting the word “constructed” and by adding at the end thereof: “To inform the public of the contributions of Representative Ryan to the creation of the recreation area, the Secretary shall provide such signs, markers, maps, interpretive materials, literature, and programs as he deems appropriate. Not later than December 31, 1980, the Secretary shall take such additional actions as he deems appropriate to recognize and commemorate the contributions of Representative Ryan to the recreation area.”; and
- 16 USC 460cc-3. (2) in subsection 4(b), by changing “eleven members” in the first sentence to “fifteen members” and by changing “three members” in paragraph (5) to “seven members”.
- Moores Creek National Battlefield. 16 USC 422, 422a, 422a-1, 422b, 422c. SEC. 12. The area formerly known as “Moores Creek National Military Park”, established pursuant to the Act of June 2, 1926 (44 Stat. 684), shall henceforth be known as the “Moores Creek National Battlefield”.
- 16 USC 410ee. SEC. 13. Section 201(e)(1) of the Act entitled “An Act to amend the Pennsylvania Avenue Development Corporation Act of 1972; to provide for the establishment of the San Antonio Missions National Historical Park; and for other purposes”, approved November 10, 1978 (92 Stat. 3635), is amended—
- (1) by changing “seven members” in the first sentence to “eleven members”, and
- (2) by changing “two members” in paragraph (F) to “six members”.
- SEC. 14. The National Trails System Act (82 Stat. 919; 16 U.S.C. 1241) is amended by inserting the following new paragraph at the end of section 5(a):
- 16 USC 1244. Overmountain Victory National Historic Trail. “(9) The Overmountain Victory National Historic Trail, a system totaling approximately two hundred seventy-two miles of trail with routes from the mustering point near Abingdon, Virginia, to Sycamore Shoals (near Elizabethton, Tennessee); from Sycamore Shoals to Quaker Meadows (near Morganton, North Carolina); from the mustering

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94 STAT. 1137

point in Surry County, North Carolina, to Quaker Meadows; and from Quaker Meadows to Kings Mountain, South Carolina, as depicted on the map identified as Map 3—Historic Features—1780 in the draft study report entitled ‘Overmountain Victory Trail’ dated December 1979. The map shall be on file and available for public inspection in the Office of the Director, National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior.”

Map, public inspection.

SEC. 15. The Secretary shall conduct a study to determine appropriate measures to protect and interpret for the benefit and education of the public the Falls of the Ohio, including a three-hundred-million-year-old fossilized coral reef which is exposed along the Ohio River in the vicinity of Louisville, Kentucky, and Jeffersonville, Indiana. The Secretary shall, in the course of the study, consult with and seek the advice of, appropriate scientific organizations and representatives of interested municipal, State, and other Federal agencies. Not later than two complete fiscal years from the effective date of this section, the Secretary shall transmit a report of the study, including the estimated costs of alternative measures that may be undertaken to protect and interpret the resources of the area for the public, to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, together with his recommendations for such further legislation as may be appropriate.

Study.

Report to congressional committees.

SEC. 16. Section 3(a) of the Wild and Scenic Rivers Act is amended in paragraph (22) by changing “which may be established” in the eighth sentence to “which shall be established”.

16 USC 1274.

SEC. 17. In order to provide for the appropriate commemoration of George Meany, past president of the American Federation of Labor and Congress of Industrial Organizations, and his contributions on behalf of the working people of the United States, the Secretary is authorized to investigate sites associated with the life and work of George Meany and to submit, within two complete fiscal years from the effective date of this Act, a report thereon to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of United States Senate. The Secretary shall consult with representatives of the family of George Meany and the President of the American Federation of Labor and Congress of Industrial Organizations as a part of his investigation.

George Meany commemoration. Report to congressional committees.

SEC. 18. The Secretary shall conduct, in consultation with the National Aeronautics and Space Administration, the Department of Defense, and any other entities considered by the Secretary to be appropriate, a study of locations and events associated with the historical theme of Man in Space. The purpose of such study shall be to identify the possible locations, components, and features of a new unit of the national park system commemorative to this theme, with special emphasis to be placed on the internationally historic event of the first human contact with the surface of the moon. The study shall investigate practical methodologies to permanently safeguard

Man in Space Commemoration. Study.

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Report to
congressional
committees.

“Secretary.”

94 STAT. 1138
Effective date.

from change the locations, structures, and at least symbolic instrumentation features associated with this theme, and to display and interpret these for visitor appreciation. Governmental entities controlling these locations, structures, and features are hereby requested to preserve them from destruction or change during the study and congressional review period insofar as is possible. A comprehensive report derived from this study, including potential action alternatives, shall be submitted to the Committee on Interior and Insular Affairs of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate no later than one complete fiscal year after the effective date of this section.

SEC. 19. As used in this Act, except as otherwise specifically provided, the term “Secretary” means the Secretary of the Interior.

SEC. 20. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1980. Notwithstanding any other provision of this Act, authority to enter into contracts, to incur obligations, or to make payments under this Act shall be effective only to the extent, and in such amounts, as are provided in advance in appropriation Acts.

Approved September 8, 1980.

LEGISLATIVE HISTORY:

SENATE REPORT No. 96-754 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 126 (1980):

May 22, considered and passed Senate.

July 31, considered and passed House, amended.

Aug. 18, Senate concurred in House amendment.

4. Land and Water Conservation Fund Amendment

PUBLIC LAW 96-203—MAR. 10, 1980

94 STAT. 81

Public Law 96-203
96th Congress

An Act

To authorize the conveyance of lands in the city of Hot Springs, Arkansas.

Mar. 10, 1980

[S. 1850]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provisions of the Act of May 8, 1922 (42 Stat. 506), the Leo N. Levi Memorial Hospital Association is authorized to assign or convey all or any portion of or interests in and to lots one and two, in block 114 in the city of Hot Springs, Arkansas, to a nonprofit corporation organized under the laws of the State of Arkansas, its successors or assigns, for the purpose of erecting and maintaining thereon a housing facility for the elderly. Execution of such assignment or conveyance by the Leo N. Levi Memorial Hospital Association and execution of mortgages by said nonprofit corporation or its successors or assigns, in connection with the housing facility, shall not constitute a forfeiture of any rights granted to the Leo N. Levi Memorial Hospital Association by said Act of May 8, 1922. If at any time after lots one or two of block 114 are assigned or conveyed to said nonprofit corporation the property is used or permitted to be used for purposes other than housing facilities for the elderly or the purposes provided for in the Act of May 8, 1922, all the rights, privileges, and powers in such property authorized by this Act or by said Act of May 8, 1922, shall be forfeited to the United States.

Hot Spring,
Ark.
Land
Conveyance.

SEC. 2. The Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (16 U.S.C. 4601-4 et seq.), is further amended as follows:

16 USC 4601-9.

(1) in subsection 7(a), within the paragraph numbered (3), after the phrase "Ninety-fifth Congress", insert the phrase "or, in the case of national recreation areas, prior to the convening of the Ninety-sixth Congress"; and

(2) in subsection 7(c), change "expire ten years from the date of enactment of the authorizing legislation establishing such boundaries;" to "apply only to those boundaries established subsequent to January 1, 1965;".

94 STAT. 82

PUBLIC LAW 96-203—MAR. 10, 1980

National
Maritime
Museum,
whaling
artifacts,
display.
Appropriation
authorization.

SEC. 3. The Secretary of the Interior is authorized to acquire by donation, or by purchase with donated or appropriated funds, a suitable collection of whaling artifacts and associated items for preservation and display at the National Maritime Museum located at the Golden Gate National Recreation Area. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of the section, but not to exceed \$3,000,000 for the purchase of said collection, which sums may be appropriated from the amounts previously authorized for development purposes at said recreation area.

Approved March 10, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-783 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 96-473 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 126 (1979) Dec. 18, considered and passed Senate.

Vol. 126 (1980) Feb. 26, considered and passed House, amended.

Feb. 26, Senate concurred in House amendments.

**5. National Parks and Recreation Act of 1978
(Amendments)**

PUBLIC LAW 96-199—MAR. 5, 1980

94 STAT. 67

Public Law 96-199
96th Congress

An Act

To establish the Channel Islands National Park, and for other purposes.

Mar. 5, 1980

[H.R. 3757]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National Parks
and Recreation
Act of 1978,
amendment.

TITLE I

SEC. 101. The National Parks and Recreation Act of 1978, approved November 10, 1978 (92 Stat. 3467), is amended as follows:

(a) Section 318, re: Point Reyes National Seashore is amended by:

16 USC 1 note.
Point Reyes
National Sea-
shore, area
description.
16 USC 459c-1.

(1) in subsection (a), change the period following "May 1978" to a comma and insert "plus those areas depicted on the map entitled 'Point Reyes and GGNRA Amendments, dated October 25, 1979'";

(2) in subsection (b), changing the word "The" at the beginning of section 5(a) to "Except for property which the Secretary specifically determines is needed for interpretive or resources management purposes of the seashore, the";

16 USC 459c-5.

(3) in subsection (c), after "May 1, 1978", inserting " or, in the case areas added by action of the Ninety-sixth Congress, May 1, 1979", and at the end of the subsection, following the word "property", inserting " that were in existence or under construction as of May 1, 1978";

(4) in subsection (d), changing the phrase "subsection (c)" to read "subsections (c), (d) and (e)" and adding the following at the end thereof:

"(d) The Secretary is authorized to accept and manage in accordance with this Act, any lands and improvements within or adjacent to the seashore which are donated by the State of California or its political subdivisions. He is directed to accept any such lands offered for donation which comprise the Tomales Bay State Park, or lie between said park and Fish Hatchery Creek. The boundaries of the seashore shall be changed to include any such donated lands.

Lands and
improvements,
acceptance and
management

"(e) Notwithstanding any other provision of law, no fee or administration charge may be levied for admission of the general public to the seashore.";

(5) adding a new subsection (f) as follows:

"(f) Section 9 of such Act is amended by adding at the end thereof: 'In addition to the sums heretofore authorized by this section, there is further authorized to be appropriated \$5,000,000 for the acquisition of lands or interests therein.'"

Appropriation
authorization.
16 USC 459c-7.

(b) Section 551, re: the National Trails System Act is amended by:

(1) in paragraph (9), add the following at the end thereof:

"(8) The North Country National Scenic Trail, a trail of approximately thirty-two hundred miles, extending from eastern New York State to the vicinity of Lake Sakakawea in North Dakota, following the approximate route depicted on the map identified as 'Proposed North Country Trail-Vicinity Map' in the Department of the Interior 'North Country Trail Report', dated June 1975. The map shall be on

North Country
National Scenic
Trail.
16 USC 1244.

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PUBLIC LAW 96-199—MAR. 5, 1980

- Administration. file and available for public inspection in the office of the Director, National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior.”;
- 16 USC 1244 (2) in paragraph (15), subsection (e), delete the “,” after Continental Divide National Scenic Trail, and insert “and the North Country National Scenic Trail,”;
- (3) in paragraph (15), subsection (f), after the phrase “Continental Divide National Scenic Trail”, insert “or the North Country National Scenic Trail”;
- 16 USC 1249. Appropriation authorization (4) in paragraph (23), revise subsection (c) to read as follows:
“(c) There is hereby authorized to be appropriated such sums as may be necessary to implement the provisions of this Act relating to the trails designated by paragraphs 5(a) (3), (4), (5), (6), (7), and (8): *Provided*, That no such funds are authorized to be appropriated prior to October 1, 1978: *And provided further*, That notwithstanding any other provisions of this Act or any other provisions of law, no funds may be expended by Federal agencies for the acquisition of lands or interests in lands outside the exterior boundaries of existing Federal areas for the Continental Divide National Scenic Trail, the North Country National Scenic Trail, the Oregon National Historic Trail, the Mormon Pioneer National Historic Trail, the Lewis and Clark National Historic Trail and the Iditarod National Historic Trail.”.
- 16 USC 410y-1a. (c) Section 320, re: Chesapeake and Ohio Canal National Historical Park, is amended by changing the colon following the word “acres” to a period, and by deleting the proviso in its entirety.
SEC. 102. The Wild and Scenic Rivers Act of 1968 (82 Stat. 906), as amended (16 U.S.C. 1271), is further amended—
- 16 USC 1276. (a) in section 5(a) by adding the following new clause at the end thereof:
“(76) Birch, West Virginia: The main stem from the Core Brown Bridge in Nicholas County to the confluence of the river with the Elk River in Braxton County.”.
- (b) in section 5(b) by deleting “(75)” and inserting “(76)”.
- Revised boundary map. 16 USC 460bb. 16 USC 460bb-1. SEC. 103. The Act of October 27, 1972 (86 Stat. 1299), as amended (16 U.S.C. 459), is further amended as follows:
(a) In subsection 2(a), change the period following “October 1978” to a comma and insert “plus those areas depicted on the map entitled ‘Point Reyes and GGNRA Amendments and dated October 25, 1979.’”.
- 16 USC 460bb 5. (b) In section 6, after “\$61,610,000” insert “plus \$15,500,000”, after “herein”, insert “said total development ceiling to be reduced by \$10,000,000”.
- Report and annual listing. 16 USC 1a-5. SEC. 104. The Act of August 18, 1970 (84 Stat. 825), as amended, is further amended as follows:
(a) In section 8 near the end thereof, delete the sentence “Each report and annual listing shall be printed as a House document. “, and insert in lieu the following: “Each report and annual listing shall be printed as a House document: *Provided*, That should adequate supplies of previously printed identical reports remain available, newly submitted identical reports shall be omitted from printing upon the receipt by the Speaker of the United States House of Representatives of a joint letter from the chairman of the Committee on Interior and Insular Affairs of the United States House of Representatives and the chairman of the Committee on Energy and Natural Resources of the United States Senate indicating such to be the case.”; and
(b) Insert “(a)” after “Sec. 8.” and add a new subsection (b) as follows:

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“(b) Within six months of the date of enactment of this subsection, the Secretary shall submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, a comprehensive, ‘National Park System Plan’, which document shall constitute a professional guide for the identification of natural and historic themes of the United States, and from which candidate areas can be identified and selected to constitute units of the National Park System. Such plan shall be revised and updated annually.”.

National Park System Plan, submittal to congressional committees.

SEC. 105. (a) The Secretary of the Interior is authorized to revise the boundaries of the following units of the National Park System:

Boundary revisions.

(1) Carl Sandburg Home National Historic Site, North Carolina: to add approximately seventeen acres.

(2) Chickamauga and Chattanooga National Military Park, Georgia and Tennessee: to add approximately one acre.

(3) Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park, Virginia: to add approximately twenty acres.

(b) Sections 302, 303, and 304 of the National Parks and Recreation Act of 1978 (92 Stat. 3467) shall be applicable to the boundary revisions authorized in subsection (a) of this section, except that for the purposes of this section, the date of enactment referred to in section 302 of such Act shall be deemed to be the date of enactment of this section.

(c) For the purposes of acquiring the lands and interests in lands added to the units referred to in subsection (a), there are authorized to be appropriated from the Land and Water Conservation Fund such sums as may be necessary, but not to exceed \$304,000 for Chickamauga and Chattanooga National Military Park and not to exceed \$234,000 for Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park.

Appropriation authorization.

SEC. 106. The Secretary of the Interior is authorized and directed to take such measures as may be necessary to provide for the continued protection of the historic Palmer’s Chapel in the Cataloochee Valley of the Great Smoky Mountains National Park. The importance of the chapel in memorializing the early settlement of the valley and in providing an opportunity for interpreting the cultural traditions of the former residents of the valley is hereby recognized, and the Secretary is authorized to make suitable arrangements for the history of the chapel to be communicated to park visitors and for the chapel to continue to be used for memorial purposes by former residents and their descendants.

Palmer’s Chapel, continued protection. 16 USC 403k-3.

SEC. 107. Section 304(a) of the Act of October 21, 1976 (90 Stat. 2732), is amended by inserting after “to the jurisdiction of the” the following: “Secretary of the Army, the land under the jurisdiction of the”.

SEC. 108. The Act of June 30, 1944 (58 Stat. 645), as amended (16 U.S.C. 450bb), is further amended (1) by changing “Boundary Map, Harpers Ferry National Historic Park”, numbered 385-40,000D and dated April 1974 to “Boundary Map, Harpers Ferry National Historical Park”, numbered 385-80,021A and dated April 1979 and changing “two thousand acres” to “two thousand four hundred and seventy-five acres” in the first section; and (2) by changing “\$1,300,000” to “\$1,600,000” in section 4.

Boundary Map Harpers Ferry National Historical Park.

16 USC 450bb note.

SEC. 109. Subsection 5(b) of the Act of October 13, 1964 (78 Stat. 1087), an Act “To authorize the Secretary of the Interior to cooperate with the State of Wisconsin in the designation and administration of the Ice Age National Scientific Reserve in the State of Wisconsin, and

Ice Age National Scientific Reserve, Wis., grants. 16 USC 469h.

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for other purposes”, as amended (16 U.S.C. 469h), is further amended by changing “\$425,000” to “\$2,500,000”.

Appropriation
authorization.
16 USC 251m.

SEC. 110. Section 320 of the Act of October 21, 1976 (90 Stat. 2732), is amended in subsection (j) by changing “\$13,000,000” to “\$23,700,000”.

16 USC 459d-7.

16 USC 459d-1
note.

SEC. 111. Paragraph (13) of section 101 of the Act entitled “An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes”, approved October 21, 1976 (90 Stat. 2732, 2733), is amended by changing the period to a semicolon and inserting the following thereafter: “the Secretary of the Interior is authorized to revise the boundary of the seashore to add approximately two hundred and seventy-four acres and to delete approximately two thousand acres, and sections 302 and 303 of the Act of April 11, 1972 (86 Stat. 120, 121), shall apply to the boundary revision authorized herein.”.

Fort Saint
Jean Baptiste
de Natchitoches,
La.

SEC. 112. (a) In order to commemorate the first European settlement in Louisiana, Fort Saint Jean Baptiste de Natchitoches (hereinafter called the “fort”), the Secretary is authorized to render the State of Louisiana such assistance, in the form of technical advice, grants of funds for land acquisition and development, and other help necessary to reconstruct the fort: *Provided*, That no funds shall be expended for reconstruction unless the Secretary determines that such reconstruction can be based on historical documentation.

Agreements
with the State
of Louisiana.

(b) The Secretary is authorized to enter into a cooperative agreement with the State of Louisiana and affected local governmental authorities which agreement shall include but not limited to—

(1) assurances that the State of Louisiana shall operate and maintain the fort as a public area;

(2) assurances that the State of Louisiana shall incur all operation and maintenance costs;

(3) assurances by the State of Louisiana that they will manage the fort consistent with its historic character; and

(4) authority for the Secretary to obtain reimbursement from or offset against the State of Louisiana of all Federal funds previously granted under this section, including subsequent violation of paragraph (3) of this subsection.

Appropriation
authorization.

(c) There is hereby authorized to be appropriated not to exceed \$2,813,000 for the purposes of this section: *Provided*, That the Secretary may expend not to exceed 75 per centum of the total cost incurred in the reconstruction of the fort.

Memorial in
Washington
D. C. for USN
men and
women.
16 USC 431 note.

SEC. 113. (a) The United States Navy Memorial Foundation is authorized to erect a memorial on public grounds in the District of Columbia in honor and in commemoration of the men and women of the United States Navy who have served their country in war and peace.

(b)(1) The Secretary is authorized and directed to select, with the approval of the National Commission of Fine Arts and the National Capital Planning Commission, a suitable site on public grounds of the United States, in the District of Columbia or on such grounds principally serving as a site for national monuments along the Potomac River in Northern Virginia, upon which may be erected the memorial authorized in subsection (a).

(2) The design and plans for such memorial shall be subject to the approval of the Secretary, the National Commission of Fine Arts, and the National Capital Planning Commission.

(3) Other than as to the land authorized for the erection of the memorial in paragraph (1) of this subsection, neither the United States nor the District Of Columbia shall be put to any expense in the erection of this memorial.

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(c) The authority conferred pursuant to this section shall lapse unless (1) the erection of such memorial is commenced within five years from the date of enactment of this section, and (2) prior to its commencement funds are certified available in an amount sufficient, in the judgment of the Secretary to insure completion of the memorial.

(d) The maintenance and care of the memorial erected under the provisions of this section shall be the responsibility of the Secretary.

SEC. 114. Section 206 of the Act of October 15, 1966 (80 Stat. 915), is amended by deleting all of subsection 6(c) and inserting in lieu thereof the following:

“(c) For the purposes of this section there is authorized to be appropriated an amount equal to the assessment for the United States membership in the Centre for fiscal years 1979, 1980, 1981, and 1982: *Provided*, That no appropriation is authorized and no payment shall be made to the Centre in excess of 25 per centum of the total annual assessment of such organization. Authorization for payment of such assessments shall begin in fiscal year 1981, but shall include earlier costs.”

SEC. 115. (a) The Secretary of the Interior is authorized to revise the boundary of the Saratoga National Historic Park to add approximately one hundred and forty-seven acres.

(b) For the purposes of acquiring land and interest in land added to the unit referred to in subsection (a) there are authorized to be appropriated from the Land and Water Conservation Fund such sums as may be necessary but not to exceed \$74,000 for Saratoga National Historic Park.

SEC. 116. The Secretary of the Interior shall designate the David Berger Memorial located at the Jewish Community Center in Cleveland Heights, Ohio, as a national memorial. The significance of the memorial in preserving the memory of the eleven Israeli athletes who were assassinated at the Olympic games in Munich, Germany, in 1972 is, by this designation, recognized by the Congress.

SEC. 117. The Secretary of the Interior is authorized to acquire by purchase with donated or appropriated funds not to exceed two and one-half acres of land and submerged lands, waters, or interest therein, at Charleston, South Carolina, known generally as the Fleet Landing Site, for purposes of a mainland tour boat facility for access to Fort Sumter National Monument. Property so acquired shall be administered as a part of Fort Sumter National Monument. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

SEC. 118. Subsection 507(q) of the Act of November 10, 1978 (92 Stat. 3506) is amended in clause (2)(E) by changing “5” to “9”.

SEC. 119. (a) In order to protect the unique scenic, scientific, educational, and recreational values of certain lands in and around Yaquina Head, in Lincoln County, Oregon, there is hereby established, subject to valid existing rights, the Yaquina Head Outstanding Natural Area (hereinafter referred to as the “area”). The boundaries of the area are those shown on the map entitled “Yaquina Head Area”, dated July 1979, which shall be on file and available for public inspection in the Office of the Director, Bureau of Land Management, United States Department of the Interior, and the State Office of the Bureau of Land Management in the State of Oregon.

(b)(1) The Secretary of the Interior (hereinafter referred to as the “Secretary”) shall administer the Yaquina Head Outstanding Natural Area in accordance with the laws and regulations applicable to the public lands as defined in section 103(e) of the Federal Land

Maintenance and care.

16 USC 470n.

Appropriation authorization.

16 USC 159e.

Appropriation authorization.

David Berger Memorial, Cleveland, Ohio, designation.
16 USC 431 note.

Fleet Landing Site, Charleston, S.C., acquisition.

Appropriation authorization.

16 USC 460kk.

Yaquina Head Outstanding Natural Area, Oreg., establishment.
43 USC 1783.

Administration.

Policy and Management Act of 1976, as amended (43 U.S.C. 1702), in such a manner as will best provide for—

(A) the conservation and development of the scenic, natural, and historic values of the area;

(B) the continued use of the area for purposes of education, scientific study, and public recreation which do not substantially impair the purposes for which the area is established; and

(C) protection of the wildlife habitat of the area.

Management plan, development.

(2) The Secretary shall develop a management plan for the area which accomplishes the purposes and is consistent with the provisions of this section. This plan shall be developed in accordance with the provisions of section 202 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1712).

Quarrying of materials, permits and contracts.

(3) Notwithstanding any other provision of this section, the Secretary is authorized to issue permits or to contract for the quarrying of materials from the area in accordance with the management plan for the area on condition that the lands be reclaimed and restored to the satisfaction of the Secretary. Such authorization to quarry shall require payment of fair market value for the materials to be quarried, as established by the Secretary, and shall also include any terms and conditions which the Secretary determines necessary to protect the values of such quarry lands for purposes of this section.

Reservation of lands for lighthouse purposes, revocation.

(c) The reservation of lands for lighthouse purposes made by Executive order of June 8, 1866, of certain lands totaling approximately 18.1 acres, as depicted on the map referred to in subsection 119(a), is hereby revoked. The lands referred to in subsection 119(a) are hereby restored to the status of public lands as defined in section 103(e) of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1702), and shall be administered in accordance with the management plan for the area developed pursuant to subsection 119(b), except that such lands are hereby withdrawn from settlement, sale, location, or entry, under the public land laws, including the mining laws (30 U.S.C., ch. 2), leasing under the mineral leasing laws (30 U.S.C. 181 et seq.), and disposals under the Materials Act of July 31, 1947, as amended (30 U.S.C. 601, 602).

39 USC 21 et seq.

(d) The Secretary shall, as soon as possible but in no event later than twenty-four months following the date of the enactment of this section, acquire by purchase, exchange, donation, or condemnation all or any part of the lands and waters and interests in lands and waters within the area referred to in subsection 119(a) which are not in Federal ownership except that State land shall not be acquired by purchase or condemnation. Any lands or interests acquired by the Secretary pursuant to this section shall become public lands as defined in the Federal Land Policy and Management Act of 1976, as amended. Upon acquisition by the United States, such lands are automatically withdrawn under the provisions of subsection 119(c) except that lands affected by quarrying operations in the area shall be subject to disposals under the Materials Act of July 31, 1947, as amended (30 U.S.C. 601, 602). Any lands acquired pursuant to this subsection shall be administered in accordance with the management plan for the area developed pursuant to subsection 119(b).

43 USC 1702.

Administration.

Wind energy research, study.

(e) The Secretary is authorized to conduct a study relating to the use of lands in the area for purposes of wind energy research. If the Secretary determines after such study that the conduct of wind energy research activity will not substantially impair the values of the lands in the area for purposes of this section, the Secretary is further authorized to issue permits for the use of such lands as a site

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for installation and field testing of an experimental wind turbine generating system. Any permit issued pursuant to this subsection shall contain such terms and conditions as the Secretary determines necessary to protect the values of such lands for purposes of this section.

(f) The Secretary shall develop and administer, in addition to any requirement

s imposed pursuant to paragraph 119(b)(3), a program for the reclamation and restoration of all lands affected by quarrying operations in the area acquired pursuant to subsection 119(d). All revenues received by the United States in connection with quarrying operations authorized by paragraph 119(b)(3) shall be deposited in a separate fund account which shall be established by the Secretary of the Treasury. Such revenues are hereby authorized to be appropriated to the Secretary as needed for reclamation and restoration of any lands acquired pursuant to subsection 119(d). After completion of such reclamation and restoration to the satisfaction of the Secretary, any unexpended revenues in such fund shall be returned to the general fund of the United States Treasury.

(g) There are hereby authorized to be appropriated in addition to that authorized by subsection 119(f), such sums as may be necessary to carry out the provisions of this section.

SEC. 120. (a) The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to conduct a survey of sites which he deems exhibit qualities most appropriate for the commemoration of each former President of the United States. The survey may include sites associated with the deeds, leadership, or lifework of a former President, and it may identify sites or structures historically unrelated to a former President but which may be suitable as a memorial to honor such President.

(b) The Secretary shall, from time to time, prepare and transmit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate reports on individual sites and structures identified in the survey referred to in subsection (a), together with his recommendation as to whether such site or structure is suitable for establishment as a national historic site or national memorial to commemorate a former President. Each such report shall include pertinent information with respect to the need for acquisition of lands and interests therein, the development of facilities, and the operation and maintenance of the site or structure and the estimated cost thereof. If during the six-month period following the transmittal of a report pursuant this subsection neither Committee has by vote of a majority of its members disapproved a recommendation of the Secretary that a site or structure is suitable for establishment as a national historic site, the Secretary may thereafter by appropriate order establish the same as a national historic site, including the lands and interests therein identified in the report accompanying his recommendation. The Secretary may acquire the lands and interests therein by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange, and he shall administer the site in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666), as amended.

(c) Nothing in this section shall be construed as diminishing the authority of the Secretary under the Act of August 21, 1935 (49 Stat. 666), as amended, or as authorizing the Secretary to establish any national memorial, creation of which is hereby expressly reserved to the Congress.

Terms and conditions.

Development and administration.

Appropriation authorization.

Appropriation authorization.

Presidential monument sites, survey. 16 USC 467b.

Individual sites and structures; report to congressional committees.

16 USC 1-4, 22, 43. 16 USC 450m, 450n.

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Appropriation
authorization.

(d) There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

SEC. 121. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1980. Notwithstanding any other provisions of this Act, authority to enter into contracts, to incur obligations, or to make payments under this Act shall be effective only to the extent, and in such amounts, as are provided in advance in appropriation Acts.

TITLE II

Channel Islands
National Park,
Calif.
Establishment.
16 USC 410ff.

SEC. 201. In order to protect the nationally significant natural, scenic, wildlife, marine, ecological, archaeological, cultural, and scientific values of the Channel Islands in the State of California, including, but not limited to, the following:

- (1) the brown pelican nesting area;
- (2) the undisturbed tide pools providing species diversity unique to the eastern Pacific coast;
- (3) the pinnipeds which breed and pup almost exclusively on the Channel Islands, including the only breeding colony for northern fur seals south of Alaska;
- (4) the Eolian landforms and caliche;
- (5) the presumed burial place of Juan Rodriquez Cabrillo;

and

- (6) the archaeological evidence of substantial populations of Native Americans;

There is hereby established the Channel Islands National Park, the boundaries of which shall include San Miguel and Prince Islands, Santa Rosa, Santa Cruz, Anacapa, and Santa Barbara Islands, including the rocks, islets, submerged lands, and waters within one nautical mile of each island, as depicted on the map entitled, "Proposed Channel Islands National Park" numbered 159-20,008 and dated April 1979, which shall be on file and available for public inspection in the offices of the Superintendent of the park and the Director of the National Park Service, Department of the Interior. The Channel Islands National Monument is hereby abolished as such, and the lands, waters, and interests therein withdrawn or reserved for the monument are hereby incorporated within and made a part of the new Channel Islands National Park.

Channel Islands
National
Monument.
Abolishment.

16 USC 410ff-1.

SEC. 202. (a) Within the boundaries of the park as established in section 201, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, or interests therein (including but not limited to scenic easements) by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or otherwise. Unless the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of its acquisition, less the fair market value on that date of any right retained by the owner. Any lands, waters, or interests therein owned by the State of California or any political subdivision thereof shall not be acquired. Notwithstanding any other provision of law, Federal property located within the boundaries of the park shall with the concurrence of the head of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary for the purposes of the park: *Provided*, That the Secretary shall permit the use of federally owned park lands and waters which (i) have been transferred from another Federal agency pursuant to this section or which (ii) were the subject of a lease or permit issued by a Federal agency as of the date of enactment of this title, for essential national security missions and

California lands
or interest,
exemption.

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for navigational aids, subject to such terms and conditions as the Secretary deems necessary to protect park resources.

(b) Notwithstanding the acquisition authority contained in subsection 202(a), any lands, waters, or interests therein, which are owned wholly or in part, by or which hereafter may be owned by, or under option to, the National Park Foundation, The Nature Conservancy (including any lands, waters, or interests therein which are designated as "Nature Conservancy Lands" on the map referred to in section 201 of this title) or any similar national, nonprofit conservation organization, or an affiliate or subsidiary thereof shall be acquired only with the consent of the owner thereof: *Provided*, That the Secretary may acquire such property in accordance with the provisions of this Act if he determines that the property is undergoing or is about to undergo a change in use which is inconsistent with the purposes of this title.

Nature Conservancy lands, acquisition.

(c) With respect to the privately owned lands on Santa Rosa Island, the Secretary shall acquire such lands as expeditiously as possible after the date of enactment of this title. The acquisition of these lands shall take priority over the acquisition of other privately owned lands within the park.

Santa Rosa Island lands, priority acquisition.

(d)(1) The owner of any private property may, on the date of its acquisition and as a condition of such acquisition, retain for himself a right of use and occupancy of all or such portion of such property as the owner may elect for a definite term of not more than twenty-five years, or ending at the death of the owner, or his spouse, whichever is later. The owner shall elect the term to be reserved. Any such right retained pursuant to this subsection with respect to any property shall be subject to termination by the Secretary upon his determination that such property is being used for any purpose which is incompatible with the administration of the park or with the preservation of the resources therein, and it shall terminate by operation of law upon notification by the Secretary to the holder of the right, of such determination and tendering to him the amount equal to the fair market value of that portion which remains unexpired.

(2) In the case of any property acquired by the Secretary pursuant to this title with respect to which a right of use and occupancy was not reserved by the former owner pursuant to this subsection, at the request of the former owner, the Secretary may enter into a lease agreement with the former owner under which the former owner may continue any existing use of such property which is compatible with the administration of the park and with the preservation of the resources therein.

Lease agreement with former owner.

(3) Any right retained pursuant to this subsection, and any lease entered into under paragraph (2), shall be subject to such access and other provisions as may be required by the Secretary for visitor use and resources management.

SEC. 203. (a) The Secretary is directed to develop, in cooperation and consultation with the Secretary of Commerce, the State of California, and various knowledgeable Federal and private entities, a natural resources study report for the park, including, but not limited to, the following:

Natural resources study report, development. 16 USC 410ff-2

(1) an inventory of all terrestrial and marine species, indicating the population dynamics, and probable trends as to future numbers and welfare;

(2) recommendations as to what actions should be considered for adoption to better protect that natural resources of the park.

Such report shall be submitted within two complete fiscal years from the date of enactment of this title to the Committee on Interior and

Submission to congressional committees.

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Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and updated revisions of such report shall be similarly submitted at subsequent two year intervals to cover a period of ten years after the date of enactment of this title.

Cooperative agreements with State of California.

(b) The Secretary is authorized and directed to enter into and continue cooperative agreements with the Secretary of Commerce and the State of California for the enforcement of Federal and State laws and regulations on those lands and waters within and adjacent to the park which are owned by the State of California. No provision of this title shall be deemed to affect the rights and jurisdiction of the State of California within the park, including, but not limited to, authority over submerged lands and waters within the park boundaries, and the marine resources therein.

16 USC 410ff-3.

SEC. 204. (a) Subject to the provisions of section 201 of this title, the Secretary shall administer the park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.). In the administration of the park, the Secretary may utilize such statutory authority available for the conservation and management of wildlife and natural and cultural resources as he deems appropriate to carry out the purposes of this title. The park shall be administered on a low-intensity, limited-entry basis.

(b) In recognition of the special fragility and sensitivity of the park's resources, it is the intent of Congress that the visitor use within the park be limited to assure negligible adverse impact on the park resources. The Secretary shall establish appropriate visitor carrying capacities for the park.

Comprehensive general management plan, submittal to congressional committees.

(c)(1) Within three complete fiscal years from the date of enactment of this title, the Secretary, in consultation with The Nature Conservancy and the State of California, shall submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, a comprehensive general management plan for the park, pursuant to criteria stated in the provisions of section 12(b) of the Act of August 18, 1970 (84 Stat. 825), as amended (16 U.S.C. 1a-1 et seq.). Such plan shall include alternative considerations for the design and operation of a public transportation system connecting the park with the mainland, with such considerations to be developed in cooperation with the State of California and the Secretary of Transportation. The Secretary shall seek the advice of the scientific community in the preparation of said plan, and conduct hearings for public comment in Ventura and Santa Barbara Counties.

16 USC 1a-7.

Hearings.

(2) Those aspects of such a plan which relate to marine mammals shall be prepared by the Secretary of Commerce, in consultation with the Secretary and the State of California.

Federal funds, approval for expenditure. 16 USC 410ff 4.

SEC. 205. The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking with respect to the lands and waters within or adjacent or related to the park, and the head of any Federal agency having authority to license or permit any undertaking with respect to such lands and waters, shall, prior to the approval of the expenditure of any Federal funds on such undertaking or prior to the issuance of any license or permit, as the case may be, afford the Secretary a reasonable opportunity to comment with regard to such undertaking and shall give due consideration to any comments made by the Secretary and to

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94 STAT. 77

the effect of such undertaking on the purposes for which the park is established.

SEC. 206. Within three complete fiscal years from the date of enactment of this title, the Secretary shall review the area within the park and shall report to the President, in accordance with subsections 3 (c) and (d) of the Wilderness Act (78 Stat. 890), his recommendations as to the suitability or nonsuitability of any area within the park for designation as wilderness. Any designation of any such areas as wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

SEC. 207. Notwithstanding any other provision of law, no fees shall be charged for entrance or admission to the park.

SEC. 208. The Secretary is authorized to expend Federal funds for the cooperative management of The Nature Conservancy and other private property for research, resources management, and visitor protection and use. All funds authorized to be appropriated for the purposes of the Channel Islands National Monument are hereby transferred to the Channel Islands National Park. Effective October 1, 1980, there are hereby authorized to be appropriated such further sums as may be necessary to carry out the purposes of this title, but not to exceed \$500,000 for development. From the Land and Water Conservation Fund there is authorized to be appropriated \$30,100,000 for the purposes of land acquisition. For the authorizations made in this section, any amounts authorized but not appropriated in any fiscal year shall remain available for appropriation in succeeding fiscal years.

Approved March 5, 1980.

Review of
park area;
report to
President.
16 USC 410ff-5.
16 USC 1132.

16 USC 1131
note.

16 USC 410ff-6.

16 USC 410ff-7.

Transfer of funds.

Appropriation
authorizations.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 96-119 (Comm. on Interior and Insular Affairs). No. 96-182, Pt. I accompanying H. R. 2975 (Comm. on Interior and Insular Affairs) and No. 96-182, Pt. II accompanying H. R. 2975 (Comm. on Merchant Marine and Fisheries).

SENATE REPORT No. 96-484 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 125 (1979): May 7, considered and passed House.

Vol. 126 (1980): Feb. 18, considered and passed Senate, amended.

Feb. 20, House concurred in Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS:

Vol. 16, No. 10 (1980): Mar. 5, Presidential statement.

6. National Parks and Recreation Act of 1978 (Technical Amendments)

93 STAT. 664

PUBLIC LAW 96-87—OCT. 12, 1979

Public Law 96-87
96th Congress

An Act

Oct. 12, 1979
[H.R. 5419]

To authorize the Secretary of the Interior to provide for the commemoration of the efforts of Goodloe Byron to protect the Appalachian Trail, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National parks and recreational lands.

Goodloe Byron. Commemoration of conservation efforts.

TITLE I

SEC. 101. Goodloe Byron, late a United States Representative from the State of Maryland, should be afforded appropriate recognition for his long and continuing interest in conservation, outdoor recreation, physical fitness, and the protection of the Nation's natural and scenic resources. Goodloe Byron took an early and leading interest in the protection of the Maryland segment of the Appalachian Trail as a member of the Senate of Maryland and continued his efforts to provide for the protection of the entire Appalachian Trail for public use and enjoyment during his service in the Congress of the United States. As a member of the National Scenic Trails Advisory Council, he encouraged recognition of the value of scenic trails as outdoor recreation resources attractive to all segments of the public.

SEC. 102. The Secretary of the Interior is authorized, in cooperation with the Appalachian Trail Conference and the State of Maryland, to design and erect at a suitable location along the Maryland segment of the Appalachian Trail an appropriate marker in commemoration of the outstanding contributions of Goodloe Byron toward the protection of the Appalachian Trail for the use and enjoyment of the American people in perpetuity.

TITLE II

Frederick Law Olmsted National Historic Site. Establishment. 16 USC 461 note.

SEC. 201. (a) In order to preserve and interpret for the benefit, inspiration, and education of present and future generations the home and office of Frederick Law Olmsted, the great American landscape architect and designer, there is hereby established the Frederick Law Olmsted National Historic Site (hereinafter referred to as the "Site").

(b) The Secretary of the Interior (hereinafter referred to in this Act as the "Secretary") is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange, the property comprising the former home and office of Frederick Law Olmsted at 99-101 Warren Street, Brookline, Massachusetts, together with such adjacent lands and interests therein as the Secretary deems necessary, for establishment of the Site. The Secretary may also acquire for the purposes of the Site all or any portion of the documents, equipment, drawings, and other materials comprising the Olmsted archival collection.

(c) It is the express intent of the Congress that the Secretary should substantially complete the acquisition program authorized by this Act within two years after the date of its enactment.

PUBLIC LAW 96-87—OCT. 12, 1979

93 STAT. 665

SEC. 202. (a) The Secretary shall administer the property, Site, including personal property composing archival collection, acquired for the purposes of this Act in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666), as amended.

Administration.

(b) The Secretary is authorized to enter into a cooperative agreement with an appropriate entity for the management of the archival collection acquired for the purposes of this Act.

16 USC 461.

(c) Within three years of the enactment of this Act, the Secretary shall submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, a general management plan for the Site pursuant to the provisions of section 12(b) of the Act of August 18, 1970 (84 Stat. 825), as amended. Within six months of the date of enactment of this Act, the Secretary shall submit a written report to the same committees relating the state of progress of his acquisition and provisions for management and permanent protection of the archival collection. He shall submit a similar report within one year of the date of enactment of this Act to the same committees indicating the final management and protection arrangements he has concluded for such collection.

General management plan, submittal to congressional committees.

16 USC 1a-7.

Report to congressional committees.

SEC. 203. (a) Effective October 1, 1979, there are authorized to be appropriated from the Land and Water Conservation Fund such sums as may be necessary for the acquisition of lands and interests therein.

(b) There is hereby authorized to be appropriated, effective October 1, 1979, an amount not to exceed \$514,000 for the acquisition of the archival collection; an amount not to exceed \$200,000 for development; and an amount not to exceed \$1,230,000 for the preservation of the archival collection.

Appropriation authorization.

TITLE III

SEC. 301. Notwithstanding any other provision of law, the Secretary shall permit the late Chief Turkey Tayac to be buried in the ossuary at Piscataway Park in Oxon Hill, Maryland. The Secretary shall select the site in such ossuary at which Chief Tayac may be buried. No Federal funds may be used for the burial of Chief Tayac except such funds as may be necessary for the maintenance of the burial site by the Department of the Interior.

Chief Turkey Tayac, burial in Oxon Hill, Md.

TITLE IV

SEC. 401. The National Parks and Recreation Act of 1978, approved November 10, 1978 (92 Stat. 3467), is amended as follows:

(a) Section 101(8), re: DeSoto National Memorial, is amended by changing the phrase "changing '\$3,108,000' to '\$5,108,000.'" to read "by changing '\$175,000' to '\$292,000.'" "

National Park System.

16 USC 1 note.

92 Stat. 3471.

16 USC 450dd

note.

92 Stat. 3472.

(b) Section 101(20) re: Pecos National Monument, is amended by changing "\$ 2,375,000" to "\$2,575,000".

(c) Section 301, re: revision of boundaries, is amended by changing the words "but not exceed" in the first sentence to "but not to exceed".

92 Stat. 3473.

(d) Section 301 (8), re: Great Sand Dunes National Monument, is amended by (1) changing "one thousand one hundred and nine acres" to "one thousand nine hundred acres" and by changing "\$166,000" to "\$265,000"; and (2) by adding the following at the end thereof: "The Secretary shall designate the lands described by this paragraph for management in accordance with

Publication in Federal Register.

93 STAT. 666

PUBLIC LAW 96-87—OCT. 12, 1979

- the adjacent lands within the monument by publication of a notice in the Federal Register.”.
- 92 Stat. 3476. (e) Section 302 is amended at the end thereof by changing “section 301” to “title III of this Act”.
- 92 Stat. 3477. (f) Section 309(b), re: Fort Union Trading Post National Historic Site, is amended by changing “this Act in the proviso to “the National Parks and Recreation Act of 1978”
- 92 Stat. 3483.
16 USC 460ff-1. (g) Section 315(a), re: Cuyahoga Valley National Recreation Area, is amended by changing “90,001-A” to “655-90,001-A”.
- 92 Stat. 3491. (h) Section 501(a), re: Guam National Seashore, is amended in clause (1) by changing “Anac” to “Anae”.
- 92 Stat. 3499.
16 USC 396d. (i) Section 505(f)(1), re: Kaloko-Honokohau National Historic Park, is amended by striking “Kaloko-Honokohau” the first time it appears in the subsection.
- 92 Stat. 3501.
16 USC 460kk. (j) Section 507(f), re: Santa Monica Mountains National Recreation Area, is amended by changing “January 1, 1976” to “January 1, 1978”.
- 92 Stat. 3507.
16 USC 461 note. (k) Section 508(d), re: Ebey's Landing National Historical Reserve, is amended by changing “with donated funds” in the first sentence to “with donated or appropriated funds”.
- 92 Stat. 3510.
16 USC 461 note. (l) Section 511(b), re: Maggie L. Walker National Historic Site, is amended by changing “at 113 East Leigh Street” to “at 110 A East Leigh Street”.
- (m) Section 551, re: the National Trails System Act, is amended by—
- 92 Stat. 3514.
16 USC 1244. (1) in paragraph (13), change “(20)” to “(23)”;
- 92 Stat. 3516.
16 USC 1246. (2) in paragraph (18), insert quotation marks at the beginning and end of the second sentence; and
- (3) in paragraph (21), insert quotation marks at the beginning and end of the second sentence.
- 92 Stat. 3517. (n) Section 601(a), re: Yellowstone National Park, is amended by changing “State of Wyoming” to “States of Wyoming and Montana”.
- 92 Stat. 3521.
16 USC 431 note. (o) Section 612 re: Albert Einstein Memorial, is amended by changing “access” in the second sentence to “purposes of such memorial”.
- 92 Stat. 3523.
16 USC 1274.
16 USC 1274
note. (p) Section 704, re: Upper Delaware River, is amended (1) in subsection (a) by changing “705(c)” to “704(c)”; and (2) in subsection (f)(1) by inserting the following sentence at the end thereof: “The Advisory Council shall terminate ten years after the date on which it is established.”.
- (q) Title IX, re: Jean Lafitte National Historical Park, is amended—
- 92 Stat. 3535.
16 USC 230a. (1) in section 902(a) by changing “eight thousand acres” in the first sentence to “eight thousand six hundred acres”;
- 92 Stat. 3536.
16 USC 230c. (2) in section 904 by changing “section 7” in the first sentence to “section 907”;
- 92 Stat. 3537.
16 USC 230f. (3) in section 907(a) by striking the word “and” at the end of the clause numbered (6), changing the period at the end of the clause numbered (7) to “; and”, and adding at the end thereof the following:
- “(8) two members appointed by the Secretary from recommendations submitted by the Police Jury of Saint Bernard Parish.”; and
- (4) in section 907(e) by inserting the following sentence at the end thereof: “The Commission shall terminate ten years from the date of approval of this Act.”.
- 16 USC 469/6b. SEC. 402. Notwithstanding any other provision of law, the Secretary shall not charge any entrance or admission fee in excess of

PUBLIC LAW 96-87—OCT. 12, 1979

93 STAT. 667

the amounts which were in effect as of January 1, 1979, or charge said fees at any unit of the National Park System where such fees were not in effect as of such date, nor shall the Secretary charge after the date of enactment of this section, user fees for transportation services and facilities in Mount McKinley National Park, Alaska.

SEC. 403. Section 3 of the Act of December 2, 1969 (83 Stat. 279), is amended by changing "180,000" to "680,000".

83 Stat. 274.
16 USC 461 note.

SEC. 404. The Wild and Scenic Rivers Act of 1968 (82 Stat. 906), as amended (16 U.S.C. 1271), is further amended as follows:

(a) In section 5(b), in paragraph numbered (3), change "(72)" to "(75)";

16 USC 1276.

(b) In section 5(b), in paragraph numbered (4), change "(74)" to "(75)".

Approved October 12, 1979.

LEGISLATIVE HISTORY:

CONGRESSIONAL RECORD Vol. 125 (1979):

Sept. 27, considered and passed House.

Oct. 1, considered and passed Senate, amended.

Oct. 9, House concurred in certain Senate amendments and in another with an amendment.

Oct. 11, Senate concurred in House amendment.

7. Omnibus New Units, Boundary Changes, Land Acquisition, and Development Increases

PUBLIC LAW 96-607—DEC. 28, 1980

94 STAT. 3539

Public Law 96-607
96th Congress

An Act

To provide, with respect to the national park system: for the establishment of new units; for adjustment in boundaries; for increases in appropriation authorizations for land acquisition and development; and for other purposes.

Dec. 28, 1980
[S. 2363]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

ROGER WILLIAMS NATIONAL MEMORIAL

SEC. 101. Section 4 of the Act of October 22, 1965 (79 Stat. 1069) entitled "An Act to provide for the establishment of the Roger Williams National Memorial in the city of Providence, Rhode Island, and for other purposes" is amended to read as follows:

"SEC. 4. There are hereby authorized to be appropriated not more than \$146,000 for the acquisition of lands and interests in land and not more than \$1,862,000 for the development of the Roger Williams National Memorial, as provided in this Act."

National Park System, amendment.

16 USC 450pp-3.

Appropriation authorization.

TITLE II

HAMILTON GRANGE NATIONAL MEMORIAL

SEC. 201. Section 3 of the Joint Resolution of April 27, 1962 (76 Stat. 57) is amended by changing "\$460,000" to "\$960,000".

TITLE III

CORONADO NATIONAL MEMORIAL

SEC. 301. Section 301 of the National Parks and Recreation Act of 1978 (92 Stat. 3467, 3473) is amended by striking out "\$1,410,000" in paragraph (4) and inserting in lieu thereof "\$2,875,000".

TITLE IV

BIG BEND NATIONAL PARK

SEC. 401. The boundary of the Big Bend National Park in the State of Texas as hereby revised to include the lands and interests therein within the area generally depicted on the map entitled "Big Bend National Park, Boundary Additions", numbered 155/80,019-A and dated June 1980 which shall be on file and available for public inspection in the local and Washington, District of Columbia, Offices of the National Park Service, Department of the Interior. The Secretary is authorized to acquire the lands and interests therein added to the park by this section by donation, purchase with donated or appropriated funds, or exchange, except that lands and interests

16 USC 157c.

94 STAT. 3540

PUBLIC LAW 96-607—DEC. 28, 1980

Appropriation
authorization.

therein owned by the State of Texas or any political subdivision thereof may be acquired only by donation or exchange. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, but not to exceed \$1,500,000 for the acquisition of lands and interests therein.

TITLE V

GENERAL MANAGEMENT PLANS

Submitted to
congressional
committees.
16 USC 410 //
note.

SEC. 501. Within three complete fiscal years from the effective date of this Act, the Secretary shall submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, comprehensive general management plans for the areas established pursuant to titles XII and XVI of this Act, pursuant to the provisions of section 12(b) of the Act of August 18, 1970 (84 Stat. 825; 16 U.S.C. 1a-1 et seq.).

TITLE VI

LYNDON B. JOHNSON NATIONAL HISTORICAL PARK

SEC. 601. The Act entitled "An Act to establish the Lyndon B. Johnson National Historic Site", approved December 2, 1969 (83 Stat. 274) is amended—

16 USC 410kk.

(1) in the first section, by changing "by donation or by purchase with donated funds" to "by donation or by purchase with donated or appropriated funds" and by changing "drawing entitled 'Lyndon B. Johnson National Historic Site Boundary Map', numbered NHS-LBJ-20,000 and dated September 1969" to "drawings entitled 'Boundary Map, Lyndon B. Johnson National Historical Park', numbered 447-40,008B and 447-40,000A, and dated January 1980";

16 USC 410kk-2.

(2) in section 3, by changing "not more than \$680,000 to provide for the development of" to "such sums as may be necessary to carry out the provisions of this Act, but not more than \$4,100,000 for development and not more than \$1,400,000 for the acquisition of lands and interests therein for"; and

16 USC 410kk,
410kk-1,
410kk-2, 461
note.

(3) by changing "National Historic Site" whenever it appears to "National Historical Park".

TITLE VII

MOUND CITY GROUP NATIONAL MONUMENT

Lands acquired
by fees.

SEC. 701. (a) in order to preserve in public ownership certain prehistoric archeological resources of outstanding significance for the benefit and education of the people of the United States, the boundary of Mound City Group National Monument, Ohio, is revised to include the lands within the area generally depicted as "Parcel X" on the map entitled "Hopeton Earthworks Study Area", numbered 353/40,025B, and dated May 1980, and within the area generally depicted as "Revised Monument Boundary" on the map entitled "Transfer of Jurisdiction, Mound City Group National Monument", numbered 353/40,001A, and dated March 1978, which maps shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. With respect to the lands within "Parcel X" above, the lands may be acquired only in fee and shall be

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limited to the mound area depicted on the above referenced map plus such other lands immediately adjacent to the mounds so as to assure adequate access and protection to the area: *Provided*, That the total area acquired in fee shall not exceed one hundred and fifty acres. Access to lands in the vicinity of the mounds by existing roadways shall in no manner be encumbered by Federal acquisition or by the administration of the monument.

(b) Within the boundary of the national monument, the Secretary is authorized to acquire lands and waters by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange. Notwithstanding any other provision of law to the contrary, Federal lands in the vicinity of the monument which are determined to be surplus to the needs of the United States shall upon the request of the Secretary be transferred to the Secretary for use by him in acquiring lands within the monument by exchange.

Procurement of lands and waters.

(c) The Secretary shall, in consultation with interested organizations and individuals, investigate other sites in the region which contain archeological data illustrating the prehistoric Hopewellian civilization that flourished in the Eastern United States, and as a part of this investigation he shall identify those sites which he determines should be protected as part of the Mound City Group National Monument. Not later than two complete fiscal years from the effective date of this section, the Secretary shall transmit a report of his investigation to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, together with his recommendations for such further legislation as may be appropriate.

Consultation.

Report to congressional committees.

(d) There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, not to exceed \$1,000,000 for the acquisition of lands and waters and not to exceed \$100,000 for the development of facilities and the conduct of archeological investigations on the properties acquired pursuant to this section.

Appropriation authorization.

TITLE VIII

THEODORE ROOSEVELT INAUGURAL NATIONAL HISTORIC SITE

SEC. 801. The first two sections of the Act entitled "An Act to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, New York, as a national historic site", approved November 2, 1966 (Public Law 89-708), are amended to read as follows: "That, notwithstanding any other provision of law, the Secretary of the Interior shall acquire on behalf of the United States the real property described in section 3 of this Act, known as the Ansley Wilcox House, which real property is of national historic significance as the place in which Theodore Roosevelt took the oath of office as President of the United States on September 14, 1901, following the assassination of President William McKinley. Such property is hereby designated as the Theodore Roosevelt Inaugural National Historic Site.

Ansley Wilcox House, acquisition.
16 USC 461 note.

80 Stat. 1101.

"SEC. 2. (a) Notwithstanding any other provision of law, the property referred to in the first section of this Act shall be administered by the Secretary of the Interior, acting through the National Park Service, in accordance with this section and provisions of law generally applicable to units of the National Park System, including the Act entitled 'An Act to establish a National Park Service, and for other purposes', approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1,

2-4), and the provisions of the Act entitled 'An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance and for other purposes', approved August 21, 1935 (49 Stat. 666;16 U.S.C. 461-7).

"(b) The Secretary of the Interior shall enter into cooperative agreements with the Theodore Roosevelt Inaugural Site Foundation or other qualified public or private entities for the operation, maintenance, management, development, and interpretation of the Theodore Roosevelt Inaugural National Historic Site.

"(c) Notwithstanding any other provision of law, the Department of the Interior share in any fiscal year of the annual operating costs of the Theodore Roosevelt Inaugural National Historic Site shall not exceed two-thirds of such operating cost."

TITLE IX

STUDY COMMITTEE

SEC. 901. The Congress finds that those portions of the Mississippi, Saint Croix, and Minnesota River corridors lying within the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties in the State of Minnesota—

(a) represent a significant recreation resource which would benefit a large population in the immediate vicinity;

(b) represent a significant historical and cultural resource worthy of preservation for the enjoyment and benefit of present and future generations;

(c) contain significant natural and scientific values that enhance the diversity and esthetic character of the metropolitan area;

(d) are important commercial resources vital to the continued economic well-being of the region and the Nation;

(e) are of national significance and constitute an area of national concern;

(f) are in need of cooperative recreational planning and management so as to improve efforts to further the preservation enhancement, and use of these recreational resources.

Establishment.

SEC. 902. (a) A Study Committee consisting of fifteen members shall be established to examine methods by which Federal, State, regional and local governments can cooperate to enhance the recreational opportunities along those portions of the Mississippi, Minnesota, and Saint Croix Rivers described in section 901 of this title. The members of the Study Committee shall be selected as follows:

Membership.

(1) A Chairperson shall be appointed by the Secretary of the Interior. The Secretary shall appoint the Chairperson from a list of nominees submitted by the Governor of Minnesota;

(2) A representative designated by the Secretary of the Interior shall serve as Vice Chairperson;

(3) One representative shall be designated by each of the following: the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Transportation, and the Secretary of Defense;

(4) Nine other members shall be appointed by the Secretary of the Interior. The Secretary shall appoint these members from a list of nominees submitted by the Governor of Minnesota, the Metropolitan Council, and the mayors of Minneapolis and Saint Paul;

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(5) The nominations and appointments required by section 902(a) shall include representatives of each of those interests described in section 904(e).

(b) The Governor of Minnesota, the Metropolitan Council, and the mayors of Minneapolis and Saint Paul shall submit the nominations called for in section 902(a) within forty-five days of the date on which this Act is signed into law. All appointments called for in section 902(a) shall be made within sixty days of the date on which this Act is signed into law.

Nominations,
submittal.

(c) Each member of the Study Committee who is an officer or employee of the United States shall serve without additional compensation, but shall continue to receive the salary of his regular position when engaged in the performance of the duties vested in the Study Committee.

Salary.

(d) All members of the Study Committee shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Study Committee from funds appropriated for this purpose.

(e) The Chairperson of the Study Committee, if other than one to whom paragraph (c) applies, shall receive per diem at the maximum daily rate for a GS-11 of the General Schedule when engaged in the actual performance of duties vested in the Study Committee from funds appropriated for this purpose.

Per diem.

5 USC 5332 note.

(f) The Study Committee shall terminate within two years and two months from the date on which the initial appropriation for this title is signed into law. The funds appropriated under this title shall be available until expended.

Termination.

SEC. 903. (a) If a multifunctional regional agency authorized by State law to plan for and coordinate the development of the seven counties described in section 901 is in existence on the date this bill is signed into law, the Governor of the State of Minnesota shall designate such multifunctional regional agency to assist in carrying out the study directed in this title. The agency shall hereinafter be referred to as "Regional Planning Agency".

Regional
Planning Agency.

(b) No later than forty-five days after receiving the report required by section 904(b), the Regional Planning Agency shall provide the Study Committee with written comments on that report. Upon receipt of those comments, the Study Committee shall submit the report, along with the written comments, to the President, the Congress, and appropriate State, regional, and local government units.

Report
Submittal.

SEC. 904. (a) The Study Committee shall conduct a study on the preservation, enhancement, protection, and use of the designated recreation areas along the river corridors described in section 901 of this title. For the purpose of this title, designated areas shall be defined as those park, open space, recreation, or historical sites designated by an adopted Federal or State law or identified in a regional or local government plan.

(b) No later than two years after the date on which the initial appropriation for this title is signed into law, the Study Committee shall provide the Regional Planning Agency with a written report on the findings and conclusions of this study along with recommended policies.

Conclusions and
findings.

(c) In its report, the Study Committee shall make recommendations as to the policies which should be adopted, and actions which should be taken to optimize the recreational, fish and wildlife, historic, natural, scientific, scenic, and cultural values of the river corridor areas referred to in section 901 of this title. The study may

Recommendations.

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also include, but need not be limited to, recommendations for institutional changes, if any, which the Study Committee deems desirable and feasible to provide permanent management of the designated recreational areas along these river corridors. The report may also include recommendations for specific areas of local, regional, State, and Federal agency cooperation for river corridor management of the designated recreational areas. However,

(1) The Study Committee shall recommend no policy or action which would place unreasonable restrictions on existing or compatible economic uses of these resources.

(2) All policies and actions recommended by the Study Committee shall be compatible with and maintain the integrity of, existing federally designated management programs and units on the Saint Croix and Minnesota River Corridors.

Review.

(d) The Study Committee shall review and utilize existing studies and consider existing plans, programs and policies as they affect the present and future recreational use of the river corridors described in section 901 of this title.

(e) The Study Committee shall provide for public participation in the planning process in order to account for the concerns of recreational, commercial, cultural, and environmental interests, and State, regional, and local government.

Appropriation authorization.

SEC. 905. There are hereby authorized to be appropriated \$300,000 to the Department of the Interior to be granted to the Regional Planning Agency to carry out the purposes of this Act.

TITLE X

GOLDEN GATE NATIONAL RECREATION AREA

SEC. 1001. The Act of October 27, 1972 (86 Stat. 1299; 16 U.S.C. 460bb) is amended as follows:

16 USC 460bb-1.

(1) in subsection 2(a), at the end thereof, add the following: "The recreation area shall also include the lands and waters in San Mateo County generally depicted on the map entitled 'Sweeney Ridge Addition, Golden Gate National Recreation Area', numbered NRA GG-80,000-A, and dated May 1980.";

(2) strike out "map" in section 2(b) and substitute "maps";

16 USC 460bb-2.

(3) by adding "Point Montara", after "Point Diablo", in section 3(g);

(4) add the following at the end of section 3(h): "That property known as the Pillar Point Military Reservation, under the jurisdiction of the Secretary of Defense shall be transferred to the administrative jurisdiction of the Secretary at such time as the property, or any portion thereof becomes excess to the needs of the Department of Defense.";

(5) add at the end of section 3 the following:

"(p) With reference to those lands known as the San Francisco water department property shown on map numbered NRA GG-80,000-A, the Secretary shall administer such land in accordance with the provisions of the documents entitled 'Grant of Scenic Easement', and 'Grant of Scenic and Recreation Easement', both executed on January 15, 1969, between the city and county of San Francisco and the United States, including such amendments to the subject document as may be agreed to by the affected parties subsequent to the date of enactment of this subsection. The Secretary is authorized to seek appropriate agreements needed to establish a

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trail within this property and connecting with a suitable beach unit under the jurisdiction of the Secretary.”;

(6) in subsection 5(b), change “seventeen” to “eighteen”; and

(7) insert a comma and the phrase “San Mateo,” after “Marin” in section 5(e).

16 USC 460bb -4.

TITLE XI

GRANT-KOHR'S RANCH NATIONAL HISTORIC SITE

SEC. 1101. The Act entitled “An Act to authorize the establishment of the Grant-Kohrs Ranch National Historic Site in the State of Montana, and for other purposes”, approved August 25, 1972 (86 Stat. 632) is amended—

(1) by inserting the following after the period in the first section: “The boundary of the National Historic Site shall be all generally depicted on the map entitled, ‘Boundary Map, Grant-Kohrs Ranch National Historic Site’, numbered 451-80-13, and dated January 25, 1980, which shall be on file and available for public inspection in the local and Washington, District of Columbia, offices of the National Park Service, Department of the Interior.”; and

(2) by striking out “\$752,000” and “\$2,075,000” in section 4 and inserting in lieu thereof “\$1,100,000” and “\$7,818,000,” respectively.

TITLE XII

JAMES A. GARFIELD NATIONAL HISTORIC SITE

SEC. 1201. In order to preserve for the benefit, education, and inspiration of present and future generations certain historically significant properties associated with the life of James A. Garfield, the Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange, the lands and buildings thereon known as “Lawnfield”, comprising 7.56 acres at 1059 Mentor Avenue, Mentor, Ohio: *Provided*, That the portion of Lawnfield owned by the Western Reserve Historical Society may be only acquired by donation. Upon the acquisition of the aforesaid property, the Secretary may establish the same as the James A. Garfield National Historic Site by publication of a notice and boundary map in the Federal Register. The Secretary shall administer the site in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666), as amended, and he may enter into an agreement with the Society may operate and maintain the site and charge reasonable admission fees, notwithstanding any other provision of law, which may be used to defray the costs of such operation and maintenance.

SEC. 1202. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title, but not to exceed \$205,000 for the acquisition of lands and interests in lands, and \$250,000 for development.

Lawnfield property, acquisition.
16 USC 461 note.

Publication in Federal Register.

43 USC 1457, 16 USC 1, 2, 3, 4, 22, 43.
16 USC 461 note.

Appropriation authorization.

TITLE XIII

KEITH SEBELIUS LAKE

SEC. 1301. The water impounded by the Norton Dam, a component of the Almena Unit of the Pick Sloan Missouri River Basin project, in

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the State of Kansas, constructed under the general authority of the Act of July 24, 1946 (60 Stat 641 et seq.) is hereby designated and hereafter shall be known as the "Keith Sebelius Lake". Any law, regulation, record, map, or other document of the United States referring to the waters impounded by the Norton Dam unit of this project shall be held to refer to the "Keith Sebelius Lake", and any future regulations, records, maps, or other documents of the United States, in reference to these waters, shall bear the name "Keith Sebelius Lake".

TITLE XIV

MONOCACY NATIONAL BATTLEFIELD

16 USC 430j.

SEC. 140. (a) The Act entitled "An Act to establish a National Military Park at the battlefield of Monocacy, Maryland" approved June 21, 1934 (43 Stat. 1198) is amended by revising the first section thereof to read as follows: "That in order to commemorate the Battle of Monocacy, Maryland, and to preserve for historical purposes the breastworks, earthworks, walls, or other defenses or shelters used by the armies therein, the battlefield at Monocacy in the State of Maryland is hereby established as the Monocacy National Battlefield. The battlefield shall comprise the area within the boundary generally depicted on the map entitled 'Monocacy National Battlefield, numbered 894/40,001A, and dated April 1980 which shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior.'"

Appropriation authorization.

(b) In addition to other funds available for purposes of the park referred to in subsection (a), there is authorized to be appropriated up to an additional \$725,000 for acquisition of lands and interests in lands and \$1,250,000 for development.

TITLE XV

ROGERS C. B. MORTON RECOGNITION

SEC. 1501. The Secretary is authorized to commemorate, at Assateague Island National Seashore, Maryland, the contributions of Rogers C. B. Morton, as a Member of Congress, and later as Secretary of the Interior, toward the development of the Seashore and to conservation in general. Such commemoration shall be in the form of an appropriate plaque or monument, suitably located, or may subsequently take the form of dedication of a suitable structure. Within one year of the effective date of this section, the Secretary shall inform, in writing, the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, as to actions he has taken to implement the provisions of this section.

Information, submittal to congressional committees.

TITLE XVI

WOMEN'S RIGHTS NATIONAL HISTORICAL PARK

16 USC 410 //

SEC. 1601. (a) The Congress finds that—

(1) The Women's Rights Convention held at the Wesleyan Methodist Chapel in Seneca Falls, New York, in 1848 was an event of major importance in the history of the United States because it marked the formal beginning of the struggle of women for their equal rights.

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(2) The Declaration of Sentiments approved by the 1848 Women's Rights Convention is a document of enduring relevance, which expresses the goal that equality and justice should be extended to all people without regard to sex.

(3) There are nine sites located in Seneca Falls and Waterloo, New York, associated with the nineteenth century women's rights movement which should be recognized, preserved, and interpreted for the benefit of the public.

(b) it is the purpose of this section to preserve and interpret for the education, inspiration, and benefit of present and future generations the nationally significant historical and cultural sites and structures associated with the struggle for equal rights for women and to cooperate with State and local entities to preserve the character and historic setting of such sites and structures.

(c) To carry out the purpose of this section there is hereby established the Women's Rights National Historical Park (hereinafter in this section referred to as the "park"). The park shall consist initially of the following designated sites in Seneca Falls and Waterloo, New York:

- (1) Stanton House, 32 Washington Street, Seneca Falls;
- (2) dwelling, 30 Washington Street, Seneca Falls;
- (3) dwelling, 34 Washington Street, Seneca Falls;
- (4) lot, 26-28 Washington Street, Seneca Falls;
- (5) former Wesleyan Chapel, 126 Fall Street, Seneca Falls;
- (6) theater, 128 Fall Street, Seneca Falls;
- (7) Bloomer House, 53 East Bayard Street, Seneca Falls;
- (8) McClintock House, 16 East Williams Street, Waterloo;
- and
- (9) Hunt House, 401 East Main Street, Waterloo.

(d) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange lands and interests therein within sites designated as part of the park, except that the Secretary may not acquire the fee simple title to the land comprising the sites designated in paragraphs (7) through (9) of subsection (c). Lands and interests therein owned by a State or political subdivision thereof may be acquired only by donation.

(e) The Secretary is authorized to enter into cooperative agreements with the owners of properties designated as part of the park, pursuant to which the Secretary may mark, interpret, improve, restore, and provide technical assistance with respect to the preservation and interpretation of such properties. Such agreements shall contain, but need not be limited to, provisions that the Secretary shall have the right of access at reasonable times to public portions of the property for interpretive and other purposes, and that no changes or alterations shall be made in the property except by mutual agreement.

(f) The Secretary shall encourage State and local governmental agencies to develop and implement plans for the preservation and rehabilitation of sites designated as part of the park and their immediate environs, in order to preserve the historic character of the setting in which such sites are located. The Secretary may provide technical and financial assistance to such agencies in the development and implementation of such plans, but financial assistance may not exceed 50 per centum of the cost thereof.

(g) The Secretary shall administer the park in accordance with the provisions of this section and the provisions of law generally applicable to the administration of units of the National Park System,

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including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-7).

Establishment
Membership.

(h)(l) There is hereby established the Women's Rights National Historical Park Advisory Commission (hereinafter referred to as the "Commission"). The Commission shall consist of eleven members, each appointed by the Secretary for a term of five years as follows:

(A) One member appointed from recommendations submitted by the Elizabeth Cady Stanton Foundation;

(B) One member appointed from recommendations submitted by the Women's Hall of Fame;

(C) Two members appointed from recommendations submitted by the Governor of New York;

(D) One member appointed from recommendations submitted by the village of Seneca Falls;

(E) One member appointed from recommendations submitted by the town of Seneca Falls; and

(F) Five members appointed by the Secretary, at least one of whom shall represent an institution of higher learning and at least two of whom shall represent national women's rights organizations.

(2) The Secretary shall designate one member to be the Chair of the Commission. Any vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

Expenses.

(3) Members of the Commission shall serve without compensation as such, but the Secretary may pay the expenses reasonably incurred by the Commission and its members in carrying out their responsibilities under this section upon presentation of vouchers signed by the Chair of the Commission.

(4) The function of the Commission shall be to advise the Secretary with respect to matters relating to the administration of the park and the carrying out of the provisions of this section. The Secretary shall consult with the Commission from time to time with respect to his responsibilities and authorities under the section.

Termination.

(5) The Commission shall terminate ten years from the effective date of this section.

Appropriation
authorization.

(i) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, but not to exceed \$490,000 for acquisition, and \$500,000 for development.

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TITLE XVII

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 1701. Authorization of amounts to be appropriated under this Act shall be effective October 1, 1981. Authority to enter into cooperative agreements and to make payments under this Act shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

TITLE XVIII

DEFINITION

SEC. 1801. As used in this Act, except as otherwise specifically provided, the term "Secretary" means the Secretary of the Interior.

Approved December 28, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 96-1024 accompanying H.R. 3 (Comm. on Interior and Insular Affairs) and No. 96-1520 (Comm. of Conference).

SENATE REPORT No. 96-755 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 126 (1980):

May 20, H.R. 3 considered and passed House.

June 5, considered and passed Senate.

June 17, considered and passed House, amended.

Dec. 3, House and Senate agreed to conference report.

8. Public Lands and National Parks Act of 1983

PUBLIC LAW 98-141—OCT. 31, 1983

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Public Law 98-141
98th Congress

An Act

To amend certain provisions of law relating to units of the national park system and other public lands, and for other purposes.

Oct. 31, 1983
[H.R. 1213]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Public Lands and National Parks Act of 1983”.

SEC. 2. (a) The Secretary of the Interior is authorized to accept a conveyance of approximately four acres of land adjacent to the Effigy Mounds National Monument in the State of Iowa, and in exchange therefor to convey the grantor, without monetary consideration, approximately three acres of land within the monument, all as described in subsection (b) of this section. Effective upon consummation of the exchange, the land accepted by the Secretary shall become part of Effigy Mounds National Monument, subject to the laws and regulations applicable thereto, and the land conveyed by the Secretary shall cease to be part of the monument and the boundary of the monument is revised accordingly.

Public Lands
and National
Parks Act of
1983.
16 USC I note.
Effigy Mounds
National
Monument,
Iowa.
Land
conveyance.

(b) The land referred to in subsection (a) which may be accepted by the Secretary is more particularly described as that portion of the southeast quarter of the southeast quarter of section 28 lying south and east of County Road Numbered 561, and the land referred to in subsection (a) which may be conveyed by the Secretary is more particularly described as that portion of the northeast quarter of the northeast quarter of section 33 lying north and west of County Road Numbered 561, all in township 96 north, range 3 west, fourth principal meridian, Allamakee County, Iowa.

Description.

SEC. 3. Section 9 of the Act entitled “An Act to provide for the establishment of Cape Cod National Seashore”, approved August 7, 1961 (16 U.S.C. 459b-8), is amended by striking out “\$33,500,000” and inserting in lieu thereof “\$42,917,575”.

SEC. 4. Section 8 of the Act entitled “An Act to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes”, approved March 10, 1966 (16 U.S.C. 459g-7), is amended by striking out “\$7,903,000” and inserting in lieu thereof “\$13,903,000”.

SEC. 5. Section 15 of the Act entitled “An Act to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes”, approved October 21, 1970 (16 U.S.C. 460x-14), is amended by striking out “\$66,153,000” and inserting in lieu thereof “\$82,149,558”.

SEC. 6. Section 5(a) of the Act of October 18, 1976, entitled “An Act to authorize the establishment of the Congaree Swamp National Monument in the State of South Carolina, and for other purposes” (Public Law 94-545; 90 Stat. 2517; 16 U.S.C. 431 note) is amended by striking out “\$35,500,000” and substituting “\$60,500,000”; and by striking out “\$500,000” and inserting in lieu thereof “\$2,000,000” .

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	SEC. 7. (a) Section 4 of the Act of October 26, 1972 (86 Stat. 1181; 16 U.S.C. 433c note) is amended by striking the phrase "\$9,327,000" and inserting in lieu thereof "\$9,825,000".
Repeal.	(b) Section 5 of the Act of June 2, 1936 (49 Stat. 1393; 16 U.S.C. 433e), is hereby repealed.
Appropriation authorization 40 USC 875.	SEC. 8. (a) The Pennsylvania Avenue Development Corporation Act of 1972 (86 Stat. 1266, 40 U.S.C. 871) is amended as follows:
	(1) by striking out in paragraph (10) of section 6, the figure "100,000,000" and inserting in lieu thereof "120,000,000"; and
40 USC 885.	(2) by adding at the end of section 17(a) the following: "There are further authorized to be appropriated for operating and administrative expenses of the Corporation sums not to exceed \$3,250,000, each, for the fiscal years ending September 30, 1984, September 30, 1985, September 30, 1986, September 30, 1987, and September 30, 1988."
40 USC 874.	(b) Section 5(e) of the Pennsylvania Avenue Development Corporation Act of 1972 is amended by—
	(1) inserting "(1)" after "(e)";
	(2) striking out "The Corporation" in the second sentence thereof and substituting:
	"(2) The Corporation"; and
	(3) adding the following new paragraph at the end thereof:
Effective date. Notification to congressional committees.	"(3) Any alteration, revision, or amendment of the plan and any other action taken by the Corporation which is not a substantial change in the plan within the meaning of paragraph (2) but—
	"(A) which is a significant change in the plan, or which is another significant action taken by the Corporation, and
	"(B) which relates to housing, any major structure, historic preservation, parks, office space, or retail uses, within the development area
	shall not take effect until thirty days after notice of such change or other action has been submitted to the Committee on Interior and Insular Affairs of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate, unless prior to the expiration of such thirty-day period each of such committees notifies the Corporation in writing that the committee does not object to such change or other action. Such notice to the committees shall include an explanation of the reasons why the change or other action is proposed and a summary of any recommendations received by the Corporation from the Secretary of the Interior, the Mayor of the District of Columbia, or from any other interested agency, organization, or individual."
40 USC 872.	(c)(l) Section 3(c) of the Pennsylvania Avenue Development Corporation Act of 1972 is amended by inserting "(7)" at the beginning of the unnumbered paragraph following paragraph (6).
	(2) Section 5(a)(10) of such Act is amended by inserting "a" before "whole".
	(3) Section 5(b) of such Act is amended by striking out "Cooperation" and substituting "cooperation".
40 USC 880.	(d) Section 11 of the Pennsylvania Avenue Development Corporation Act of 1972 is amended by inserting "(a)" after "Sec. 11." and by adding the following new subsections at the end thereof:
	"(b) Within six months after the date of the enactment of this subsection, the Corporation shall transmit to the Congress an estimate, for each fiscal year, of the additional funds which will be necessary for the Corporation to carry out the development plan through the fiscal year 1990. Such estimate shall include a detailed
Estimate of additional funds, transmittal to Congress.	

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Statement of the projects and other expenditures for which such funds are proposed to be used, together with an estimate of the projected costs thereof.

“(c) The report submitted under subsection (a) shall include a detailed discussion of the actions the Corporation has taken within the reporting period to protect and enhance the significant historic and architectural values of structures within the boundaries of the Corporation’s jurisdiction, and indicating similar actions it plans to take and issues it anticipates dealing with during the upcoming fiscal year related to historic and architectural preservation. Such report shall indicate the degree to which public concern has been considered and incorporated into decisions made by the Corporation relative to historic and architectural preservation.”

Detailed report.

SEC. 9. (a) With respect to the land described in subsection (c), the right of reverter and the reserved mineral interests held by the United States in such land are hereby conveyed, without warranty, to the State of Florida for the purpose of allowing the State of Florida to exchange such lands for privately owned lands, such conveyance to the State of Florida to be contingent and effective upon the conveyance to the United States of marketable title to the land described in subsection (d), in fee simple absolute, free and clear of all liens and encumbrances, except those acceptable to the Secretary of the Interior.

Land conveyance.

(b) Immediately upon receipt by the United States of title to the land described in subsection (d), the Secretary of the Interior shall convey, without warranty, the land described in subsection (d) to the State of Florida. The document of conveyance shall—

Document of conveyance.

(1) reserve to the United States all mineral deposits found at any time in the land and the right to prospect for, mine, and remove the same; and

(2) provide that the land shall revert to the United States upon a finding by the Secretary of the Interior that for a period of five consecutive years such land has not been used by the State of Florida for park or recreational purposes, or that such land or any part thereof is being devoted to other uses.

Land reversion to U.S.

(c) The land referred to in subsection (a) is approximately 0.69 of an acre of land, presently encroached upon by the adjoining landowners or occupants, within an area generally described as lot 2, southwest quarter southwest quarter section 15, township 4 south, range 15 west, Tallahassee meridian, Florida. Part of the tract was included in the land conveyed by the United States to the State of Florida on May 10, 1954, by patent numbered 1144377, and part was included in the land conveyed by the United States to the Florida Board of Forestry and Parks (presently named the Florida Department of Natural Resources) on July 26, 1948, by patent numbered 1123723.

Land descriptions.

(d) The land to be received in exchange for the land described in subsection (c) consists of approximately 1.10 acres of land located in a tract generally described as section 16, township 4 south, range 15 west, Tallahassee meridian, Florida, and more particularly described as follows: Begin at the intersection of the south right-of-way line of Thomas Drive (State Road Numbered 392) and the east line of section 16, township 4 south, range 15 west, Bay County, Florida. Thence south 0 degree 31 minutes 37 seconds west along the east line of said section 16 for 468.20 feet to the south line of said section 16; thence north 89 degrees 28 minutes 23 seconds west along said south line of section 16 for 205 feet; thence north 24 degrees 10

Land exchange.

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minutes 23 seconds east for 511.11 feet to the point of beginning, containing 1.10 acres more or less.

Payment of U.S. costs.

(e) The State of Florida shall pay promptly to the Secretary of the Interior, any and all costs, including administrative overhead, that may be incurred by the United States in connection with the transactions authorized under subsection (a).

SEC. 10. (a) For the purposes of this section only, the limitation provision of section 1 of the Act of December 22, 1928 (45 Stat. 1069; 43 U.S.C. 1068), popularly known as the Color-of-Title Act, that limits conveyances under that Act to not more than one hundred and sixty acres, shall not apply to any claim for a patent that may be filed under the Color-of-Title Act for a parcel of land described as section 39, township 5 south, range 4 east, Saint Helena Meridian, Louisiana.

Patent claim provisions

(b) Except as provided in subsection (a) of this section, all provisions of the Color-of-Title Act shall apply to any claim for a patent under the Color-of-Title Act for the parcel of land described in subsection (a) of this section.

Land conveyances, written application.

SEC. 11. (a) All right, title, and interest of the United States in certain lands within the boundaries of the Sequoia National Forest in Tulare County, California, and described in subsection (b) is hereby conveyed to those persons who submit a written application to the Secretary of Agriculture within five years after the date of enactment of this Act, with such proof of title as the Secretary may consider appropriate.

Descriptions.

(b) The lands to be conveyed under subsection (a) are described as follows:

PARCEL B – MOUNT DIABLO MERIDIAN, CALIFORNIA

Township 14 South, Range 27 East

Section 14:

West half southwest quarter southwest quarter northwest quarter southwest quarter southeast quarter,

Northwest quarter northwest quarter northwest quarter southwest quarter southwest quarter southeast quarter.

Land consolidation and administration.

SEC. 12. (a) To provide for consolidation of lands in the San Juan and San Isabel National Forests, lands administered by the Bureau of Land Management, Montrose District, and lands acquired by the Bureau of Reclamation as a part of the McPhee Dam and Reservoir, all in Colorado, and to provide for more efficient administration of those lands, the exterior boundaries of the San Juan and San Isabel National Forests in the State of Colorado are hereby modified as shown on United States Department of Agriculture, Forest Service maps entitled "Boundary Modification, San Juan National Forest", and "Boundary Modification, San Isabel National Forest", dated August 1981. The maps and legal description of the boundaries of such lands shall be on file and available for public inspection in the offices of the Chief of the Forest Service, Department of Agriculture; the Director of the Bureau of Land Management, and the Commissioner of the Bureau of Reclamation, Department of the Interior; and appropriate field offices of those agencies.

Maps and legal description. Public availability.

(b) All Bureau of Land Management-administered lands that, by reason of the boundary modification described in subsection (a), fall within the boundaries of the San Juan or San Isabel National Forests, comprising about twenty-five thousand five hundred and

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fifty-nine acres and depicted as areas 1-8 on the maps referred to in subsection (a), are hereby added to the respective national forests and shall be administered in accordance with the laws, rules, and regulations applicable to the national forest system.

(c) All national forest system lands that by no reason of the boundary modification described in subsection (a), no longer fall within the boundaries of the San Juan National Forest, comprising about thirty-one thousand six hundred and seven acres and depicted as areas 9-11 on the maps referred to in such section, are hereby removed from the national forest system and transferred to the Secretary of the Interior to be administered in accordance with the laws rules, and regulations applicable to the public lands as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (90 Stat. 2746; 43 U.S.C. 1702(e)).

(d) Notwithstanding subsection (a) or any other law, the Secretary of the Interior shall retain jurisdiction over all lands administered by the Bureau of Reclamation that, by reason of the boundary modification described in the first section of this Act, fall within the boundary of the San Juan National Forest, until such time as the Secretary of the Interior, by agreement with the Secretary of Agriculture, transfers such jurisdiction to the Secretary of Agriculture. Upon such transfer, the land involved shall be added to the San Juan National Forest and shall be administered in accordance with the laws, rules, and regulations applicable to the national forest system.

Jurisdiction.

(e) For the purpose of section 7 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 903, as amended; 16 U.S.C. 4601-9) the boundaries of the San Juan and San Isabel National Forests, as modified by subsection (a), shall be treated as if they were the boundaries of those forests on January 1, 1965.

16 USC 4607-9.

(f) Nothing in this section shall affect valid existing rights, or interests in existing land use authorization, except that any such right or authorization shall be administered by the agency having jurisdiction over the land after the enactment of this Act in accordance with subsections (b) and (c) and other applicable law. Reissuance of any such authorization shall be in accordance with applicable law and the regulations of the agency having jurisdiction, except that the change of administrative jurisdiction shall not in itself constitute a ground to deny the renewal or reissuance of any such authorization.

Right or authorization.

Reissuance.

(g) Those parts of the areas which on December 15, 1981, were designated as Bureau of Land Management Wilderness Study Areas (Needle Creek, CO-030-229B; West Needles contiguous, CO-030-229A; Whitehead Gulch, CO-030-230B; and Weminuche contiguous, CO-030-238B) contained within area 3 and that are made a part of the national forest system by this section shall be studied in conjunction with the West Needles Wilderness Study Area in accordance with the provisions of section 105 of the Colorado Wilderness Act of 1980, including the requirement that the Secretary of Agriculture review the suitability or unsuitability of such lands for inclusion in the National Wilderness Preservation System and report to Congress by December 31, 1983. All portions of such areas which are not included within the national forest system by this section shall be reviewed as to their suitability or nonsuitability for preservation as wilderness, and recommendations thereon shall be submitted to the Congress, in the same manner as with respect to those areas required to be reviewed pursuant to

Report to Congress.

94 Stat. 3268.
16 USC 1132
note.Review
Recommendations to Congress.

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43 USC 1782.

section 603 of the Federal Land Policy and Management Act of 1976, and during the period of review and until Congress has determined otherwise, such portions shall be managed pursuant to section 603(c) of such Act.

Effective date.

(h) The provisions of this section shall take effect on the date of enactment of this Act.

2 USC 652.

SEC. 13. Any provision of this Act (or any amendment made by this Act) which, directly or indirectly, authorizes the enactment of new budget authority described in section 402(a) of the Congressional Budget Act of 1974 shall be effective only for fiscal years beginning after September 30, 1983.

Approved October 31, 1983.

LEGISLATIVE HISTORY—H.R. 1213:

HOUSE REPORT No. 98-15 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 98-141 (Comm. on Energy and Natural Resources).

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Mar. 8, considered and passed House.

Oct. 6, considered and passed Senate, amended.

Oct. 20, House concurred in Senate amendments.