

PROVIDING FOR INCREASES IN APPROPRIATIONS CEILINGS, DEVELOPMENT CEILINGS, LAND ACQUISITION AND BOUNDARY CHANGES IN CERTAIN FEDERAL PARK AND RECREATION AREAS, AND FOR OTHER PURPOSES

MAY 15, 1978.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. UDALL, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

together with

SUPPLEMENTAL VIEWS

[To accompany H.R. 12536]

[Including the cost estimate of the Congressional Budget Office]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 12536) to provide increases in appropriations ceilings, development ceilings, land acquisition, and boundary changes in certain Federal park and recreation areas, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 1, beginning on line 3, strike out all after the enacting clause and insert in lieu thereof the following:

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DEFINITION

Sec. 2. As used in this Act, except as otherwise specifically provided, the term "Secretary" means the Secretary of the Interior.

AUTHORIZATION OF APPROPRIATIONS

Sec. 3. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1978. 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.

TITLE I—DEVELOPMENT CEILING INCREASES

SPECIFIC INCREASES

Sec. 101. The limitations of funds for development within certain units of the National Park System and affiliated areas are amended as follows:

(1) Agate Fossil Beds National Monument, Nebraska: Section 4 of the Act of June 5, 1965 (79 Stat. 123), is amended by changing "\$1,842,000" to "\$2,012,000".

(2) Andersonville National Historic Site, Georgia: Section 4 of the Act of October 16, 1970 (84 Stat. 989), is amended by changing "\$1,605,000" to "\$2,205,000", and by changing "(March 1969 prices)" to "(October 1978 prices)".

(3) Andrew Johnson National Historic Site, Tennessee: Section 3 of the Act of December 11, 1963 (77 Stat. 350) is amended by changing "\$266,000" to "\$286,000".

(4) Biscayne National Monument, Florida: Section 5 of the Act of October 18, 1968 (82 Stat. 1188), is amended by changing "\$2,900,000" to "\$6,565,000".

(5) Canaveral National Seashore, Florida: Section 9(b) of the Act of January 3, 1975 (88 Stat. 2121, 2125) is amended by changing "\$500,000" to "\$1,900,000".

(6) Cape Lookout National Seashore, North Carolina: Section 8 of the Act of March 10, 1966 (80 Stat. 33) as amended by the Act of October 26, 1974 (88 Stat. 1445) is amended by changing "\$2,935,000" to "\$4,935,000".

(7) Capitol Reef National Park, Utah: Section 7 of the Act of December 18, 1971 (85 Stat. 739), is amended by changing "\$1,052,700 (April 1970 prices)" to "\$1,373,000 (October 1978 prices)".

(8) Carl Sandburg Home National Historic Site, North Carolina: Section 3 of the Act of October 17, 1968 (82 Stat. 1154), is amended by changing "\$952,000" to "\$1,962,000".

(9) Channel Islands National Monument, California: Section 201(1) of the Act of October 26, 1974 (88 Stat. 1445, 1446) is amended by changing "\$5,452,000" to "\$6,332,000".

(10) Cowpens National Battleground Site, South Carolina: Section 402 of the Act of April 11, 1972 (86 Stat. 120), is amended by changing "\$3,105,000" to "\$5,108,000".

(11) De Soto National Memorial, Florida: Section 3 of the Act of March 11, 1948 (62 Stat. 78), as amended is further amended by changing "\$175,000" to "\$292,000".

(12) Fort Bowie National Historic Site, Arizona: Section 4 of the Act of August 30, 1964 (78 Stat. 681), is amended by deleting "\$550,000 to carry out the purposes of this Act.", and inserting in lieu thereof: "\$85,000 for land acquisition and \$1,043,000 for development".

(13) Frederick Douglass Home, District of Columbia: Section 4 of the Act of September 5, 1962 (76 Stat. 435), is amended by changing "\$413,000" to "\$1,350,000".

(14) Grant Kohrs Ranch National Historic Site, Montana: Section 4 of the Act of August 25, 1972 (86 Stat. 632), is amended by changing "\$1,800,000 (July 1971 prices)" to "\$2,075,000 (October 1978 prices)".

(15) Guadalupe Mountains National Park, Texas: Section 6 of the Act of October 15, 1966 (80 Stat. 920), is amended by changing "\$10,362,000" to "\$24,715,000".

(16) Gulf Islands National Seashore, Florida-Mississippi: Section 11 of the Act of January 8, 1971 (84 Stat. 1967), is amended by changing "\$17,774,000" to "\$25,224,000", and by deleting the phrase "(June 1970 prices)" and inserting in lieu thereof "(October 1978 prices)".

(17) Harper's Ferry National Historical Park, Maryland-West Virginia: Section 4 of the Act of June 30, 1944 (58 Stat. 645), is amended further by changing "\$8,690,000" to "\$14,385,000".

(18) Hubbell Trading Post National Historic Site, Arizona: Section 3 of the Act of August 8, 1965 (79 Stat. 584), is amended by changing "\$952,000" to "\$977,000".

(19) Indiana Dunes National Lakeshore, Indiana: Section 10 of the Act of November 5, 1966 (80 Stat. 1312), is amended by changing "\$8,500,000" to "\$9,440,000".

(20) John Muir National Historic Site, California: Section 3 of the Act of August 31, 1964 (78 Stat. 753), is amended by striking out "\$300,000 for land acquisition and restoration of the buildings thereon." and inserting in lieu thereof "\$224,000 for land acquisition and "\$2,185,000 for development".

(21) To commemorate certain historical events in the State of Kansas: Section 4 of the Act of August 31, 1965 (79 Stat. 588), is amended by changing "\$2,000,000" to "\$2,750,000".

(22) For the preservation and protection of certain lands in Prince Georges and Charles Counties, Maryland: Section 4 of the joint resolution of October 4, 1961 (75 Stat. 783) is amended by inserting "(a)" after "SEC. 4." and by adding the following new subsection (b) at the end thereof:

"(b) In addition to such other sums as have been appropriated for such purposes, there is authorized \$2,000,000 for development."

(23) Longfellow National Historic Site, Massachusetts: Section 4 of the Act of October 9, 1972 (86 Stat. 791), is amended by changing "\$586,000 (May 1971 prices)" to "\$682,000 (October 1978 prices)".

(24) Pecos National Monument, New Mexico: Section 3 of the Act of June 28, 1965 (79 Stat. 195), is amended by changing "\$500,000" to "\$2,375,000".

(25) Perry's Victory and International Peace Memorial, Ohio: Section 4 of the Act of October 26, 1972 (86 Stat. 1181), is amended by changing "\$5,177,000" to "\$9,327,000".

(26) Redwood National Park, California: Section 10 of the Act of October 2, 1968 (82 Stat. 934), is amended by adding the following at the end thereof: "There are hereby authorized to be appropriated \$5,000,000 for development of the park established under this Act; such amount shall be in addition to other amounts available for such purposes."

(27) San Juan Island National Historical Park, Washington: Section 4 of the Act of September 9, 1966 (80 Stat. 737), is amended by changing "\$3,542,000" to "\$5,575,000".

(28) Sitka National Monument, Alaska: Section 3 of the Act of October 18, 1972 (86 Stat. 904), is amended by changing "\$691,000 (June 1971 prices)" to "\$1,571,000 (October 1978 prices)"

(29) Statue of Liberty National Monument, New York-New Jersey: Section 1 of the joint resolution of August 17, 1965 (79 Stat. 543), is amended by changing "\$6,000,000" to "\$34,000,000".

(30) Thaddeus Kosciuszko Home National Historic Site, Pennsylvania: Section 3 of the Act of October 21, 1972 (86 Stat. 1046), is amended by changing "\$592,000" to "\$742,000".

(31) Tuskegee Institute National Historic Site, Alabama: Section 104(e) of the Act of October 26, 1974 (88 Stat. 1463), is amended by changing "\$2,722,000" to "\$2,862,000".

(32) Whiskeytown-Shasta-Trinity National Recreation Area, California: Section 10 of the Act of November 8, 1965 (79 Stat. 1295), is amended by changing "\$22,700,000" to "\$24,649,000".

(33) William Howard Taft National Historic Site, Ohio: Section 3 of the Act of December 2, 1969 (83 Stat. 273), is amended by changing "\$318,000" to "\$1,888,000".

(34) Wilson's Creek National Battlefield, Missouri: Section 3 of the Act of December 16, 1970 (84 Stat. 1441), is amended by changing "\$2,285,000 (March 1969 prices)" to "\$5,640,000 (October 1978 prices)".

TITLE II—ACQUISITION CEILING INCREASES

ACQUISITION CEILINGS

SEC. 201. The limitations on appropriations for the acquisition of lands and interests therein within certain units of the National Park System are amended as follows:

(1) Apostle Islands National Lakeshore, Wisconsin: Section 8 of the Act of September 26, 1970 (84 Stat. 880), is amended by changing "\$4,250,000" to "\$5,750,000".

(2) Big Cypress National Park Preserve, Florida: Section 8 of the Act of October 11, 1974 (88 Stat. 1258), is amended by changing "\$116,000,000" to "\$156,700,000".

(3) Buffalo National River, Arkansas: Section 7 of the Act of March 1, 1972 (86 Stat. 44), is amended by changing "\$30,071,500" to "\$39,948,000".

(4) Cumberland Island National Seashore, Georgia: Section 10 of the Act of October 23, 1972 (86 Stat. 1066), is amended by changing "\$10,500,000" to "\$28,500,000".

SAWTOOTH NATIONAL RECREATION AREA

SEC. 202. Section 13 of the Act of August 22, 1972 (86 Stat. 612), is amended by changing "\$19,802,000" to "\$47,802,000".

TITLE III—BOUNDARY CHANGES

REVISION OF BOUNDARIES

SEC. 301. The Secretary is authorized to revise the boundaries of the following units of the National Park System, and there are authorized to be appropriated not in excess of the amounts specified in the following paragraphs for acquisition of lands and interests in lands within areas added by reason of such revisions:

(1) Bent's Old Fort National Historic Site, Colorado: to add approximately six hundred and twenty-two acres as generally depicted on the map entitled "Boundary Map, Bent's Old Fort National Historic Site, Colorado", numbered 417-80,007-A, and dated June 1976: \$842,000.

(2) Chiricahua National Monument, Arizona: To add approximately four hundred and forty acres as generally depicted on the map entitled "Boundary Map, Chiricahua National Monument, Arizona", numbered 145-80,002, and dated August 1977: "\$294,000.

(3) Coronado National Memorial, Arizona: To add approximately three thousand and forty acres and delete approximately twelve hundred acres as generally depicted on the map entitled "Land Status Map 01, Coronado National Memorial, Cochise County, Arizona", numbered 8630/80,001, and dated October 1977: \$1,410,000.

(4) Eisenhower National Historic Site, Pennsylvania: To add approximately one hundred ninety-five and eighty-three one hundredths acres as

generally depicted on the map entitled "Boundary Map, Eisenhower National Historic Site, Adams County, Pennsylvania", numbered 446-40,001B, and dated April 1978: \$166,000.

(5) Fort Caroline National Memorial, Florida: To add approximately ten acres as generally depicted on the map entitled "Boundary Map, Fort Caroline National Memorial, Florida", numbered 5310/80,000-A, and dated April 1978: \$235,000.

(6) George Washington Birthplace National Monument, Virginia: To add approximately one thousand sixty-five acres as generally depicted on the map entitled "Boundary Map, George Washington Birthplace National Monument", numbered 332-20,000-A, and dated May 1975: \$2,800,000.

(7) Great Sand Dunes National Monument, Colorado: To add approximately one thousand one hundred and nine acres as generally depicted on the map entitled "Boundary Map, Great Sand Dunes National Monument, Colorado", numbered 140-80,001-A, and dated November 1974: \$166,000.

(8) Gulf Islands National Seashore, Mississippi-Florida: To add approximately six hundred acres as generally depicted on the map entitled "Boundary Map, Gulf Islands National Seashore, Mississippi-Florida", numbered 20,006, and dated April 1978: \$300,000.

(9) Hawaii Volcanoes National Park, Hawaii: To add approximately two hundred sixty-nine acres as generally depicted on the map entitled "Boundary Map, Hawaii Volcanoes National Park, Hawaii", numbered 80,000, and dated August 1975: \$562,000.

(10) John Day Fossil Beds National Monument, Oregon: To add approximately one thousand four hundred and eleven acres, and to delete approximately one thousand six hundred and twenty acres as generally depicted on the map entitled "Boundary Map, John Day Fossil Beds National Monument, Oregon", numbered 177-30,000-B and dated May 1978: \$3,500,000. The Act of October 26, 1974 (88 Stat. 1461), which designates the John Day Fossil Beds National Monument is amended by deleting the second proviso of section 101 (a) (2).

(11) Monocacy National Battlefield, Maryland: To add approximately five hundred and eighty-seven acres as generally depicted on the map entitled, "Boundary Map, Monocacy National Battlefield", numbered 894-40,001, and dated May 1978: \$3,500,000.

(12) Montezuma Castle National Monument, Arizona: To add approximately thirteen acres, and to delete approximately five acres as generally depicted on the map entitled "Montezuma Castle National Monument, Arizona", numbered 20,006, and dated April 1978.

(13) Oregon Caves National Monument, Oregon: To add approximately eight acres as generally depicted on the map entitled "Oregon Cave, Oregon", numbered 20,000, and dated April 1978: \$107,000.

(14) Tumacacori National Monument, Arizona: To add approximately seven acres, and delete approximately eleven-hundredths of an acre as generally depicted on the map entitled "Boundary Map, Tumacacori National Monument, Arizona", numbered 311-80,009-A, and dated March 1978; \$24,000.

(15) (A) Tuzigoot National Monument, Arizona: To add approximately seven hundred and ninety-one acres as generally depicted on the map entitled "Master Proposal, Tuzigoot National Monument", numbered 378-30,000D, and dated January 1973: \$1,350,000.

(B) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange or otherwise and subject to such terms, reservations, conditions applied to the acquired lands as he may deem satisfactory, the lands and interests in lands that are included within the boundaries of the Tuzigoot National Monument as revised by this paragraph. When so acquired, they shall be administered in accordance with provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535).

(C) In exercising his authority to acquire such lands and interests in lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the national monument and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction in the State of Arizona. The values of the properties so exchanged either shall be approximately equal, or if they are

not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

(16) White Sands National Monument, New Mexico: To add approximately three hundred and twenty acres, and delete approximately seven hundred and sixty acres as generally depicted on the map entitled "Boundary Map, White Sands National Monument, New Mexico", numbered 142/20,010-A, and dated November 1973.

(17) William Howard Taft National Historic Site, Ohio: To add approximately three acres as generally depicted on the map entitled "Boundary Map, William Howard Taft National Historic Site, Ohio", numbered 448-40,021, and dated January 1977.

(18) Wind Cave National Park, South Dakota: To add approximately two hundred and twenty-eight acres as generally depicted on the map entitled "Boundary Map, Wind Cave National Park, South Dakota", numbered 108-80,008, and dated July 1977: \$227,000.

MAPS AND DESCRIPTIONS

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

ACQUISITION AND DISPOSAL OF LANDS

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

OTHER AUTHORITIES

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

NAME CHANGE; CITY OF REFUGE NATIONAL HISTORICAL PARK

SEC. 305. The Act of July 21, 1955 (69 Stat. 376) is hereby amended to redesignate the City of Refuge National Historical Park as the Puuhonua o Honaunau National Historical Park.

BLACK HAMMOCK ISLAND

SEC. 306. The lot on Black Hammock Island; identified by warranty deed numbered 70-56903, recorded among the land records of Duval County, Florida, on November 23, 1970, owned by the Government, shall, pursuant to the Act of December 18, 1967 (81 Stat. 656; 16 U.S.C. 19g, 19h), be deeded to the National Park Foundation to be sold at fair market value. The proceeds of such sale shall be remitted to the National Park Service for land acquisition and development of the Fort Caroline National Memorial.

ALLEGHENY PORTAGE RAILROAD NATIONAL HISTORIC SITE AND JOHNSTOWN FLOOD NATIONAL MEMORIAL

SEC. 307. (a) The Secretary is authorized to revise the boundaries of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in Pennsylvania to add approximately five hundred and twenty-six acres and sixty-seven acres respectively. Sections 302 and 303 shall be applicable to such boundary revision.

(b) In addition to amounts otherwise available for such purposes there are authorized to be appropriated not more than \$2,743,000 for land acquisition and \$4,280,000 for development to carry out the purposes of this section.

FORT LARAMIE NATIONAL HISTORIC SITE

SEC. 308. (a) The first section of the Act entitled "An Act to revise the boundaries and change the name of the Fort Laramie National Monument, Wyoming, and for other purposes", approved April 29, 1960 (74 Stat. 83), is amended to read as follows: "That in order to preserve the sites of historic buildings and roads associated with Fort Laramie, the boundaries of the Fort Laramie National Historic Site shall hereafter comprise the area generally depicted on the map entitled 'Boundary Map, Fort Laramie National Historic Site', numbered 375-90,001, and dated September 1977. The map shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior".

(b) The first sentence of section 2 of such Act is amended by inserting between the words "boundary" and "described" the phrase "as depicted on the map."

FORT UNION TRADING POST NATIONAL HISTORIC SITE

SEC. 309. (a) The first section of the Act entitled "An Act to authorize establishment of the Fort Union Trading Post National Historic Site, North Dakota and Montana, and for other purposes", approved June 20, 1966 (80 Stat. 211), is amended by deleting "located in Williams County, North Dakota, and such additional lands and interests in lands in Williams County, North Dakota, and Roosevelt County, Montana," and inserting in lieu thereof "located in the States of North Dakota and Montana," and by deleting "400 acres" and inserting in lieu thereof "570 acres as generally depicted on the map entitled 'Fort Union Trading Post, Montana-North Dakota', numbered 436-S0.025, and dated February 1977".

(b) Section 4 of such Act is amended by deleting "\$613,000 for the acquisition of lands and interests in lands and for the development" and inserting in lieu thereof "\$280,000 for the acquisition of lands and \$4,416,000 for development"

ADDITION OF DORCHESTER HEIGHTS TO THE BOSTON NATIONAL HISTORICAL PARK

SEC. 310. (a) Section 2(a) of the Boston National Historical Park Act of 1974 (88 Stat. 1184) is amended—

(1) in paragraph (6) by striking out "and" at the end thereof;

(2) in paragraph (7) by striking out the period and inserting in lieu thereof "; and"; and

(3) by inserting at the end thereof the following new paragraph:
"(8) Dorchester Heights, Boston."

(b) Section 3(a) of such Act is amended—

(1) in paragraph (3) by inserting "and" after the semicolon;

(2) by striking out "(4) Dorchester Heights; and"; and

(3) by striking out "(5)" and inserting in lieu thereof "(4)".

(c) There are authorized to be appropriated such sums as may be necessary for the acquisition of lands or interests in lands designated by the amendment made by subsection (a) as a component of the Boston National Historical Park, and for the development of such component.

ADDITION OF SAILORS SNUG HARBOR TO GATEWAY NATIONAL RECREATION AREA

SEC. 311. (a) The property known as Sailors Snug Harbor consisting of approximately eighty acres, located in and owned by the city of New York, shall be included in, and be administered as, part of the Gateway National Recreation Area.

(b) The Secretary of the Interior is authorized to enter into cooperative agreements with the city of New York and the Snug Harbor Cultural Center, Incorporated, to provide protection and technical assistance for the area designated under subsection (a).

(c) The provisions of this section shall take effect only upon donation by the city of New York to the United States of the property referred to in subsection (a).

ADAMS NATIONAL HISTORIC SITE, MASSACHUSETTS

SEC. 312. (a) In order to preserve for the benefit, education, and inspiration of present and future generations the birthplaces of John Adams and John Quincy Adams, the Secretary is authorized to accept the conveyance, without monetary consideration, of the property known as the John Adams Birthplace at 133 Franklin Street, and the property known as the John Quincy Adams Birthplace at 141 Franklin Street, in Quincy, Massachusetts, together with such adjacent real property as may be desirable, for administration as part of the Adams National Historic Site in Quincy, Massachusetts. Together with, or following such conveyance, the Secretary is authorized to accept the conveyance, without monetary consideration, of furnishings and personal property relating to such birthplaces, after consultation with appropriate officials of the city of Quincy and with the owner or owners of such furnishings and personal property.

(b) The Secretary shall administer the properties acquired pursuant to the first section of this Act as part of the Adams National Historic Site in accordance with this section and the provisions of law generally applicable to national historic sites, including the Act of August 25, 1916 (39 Stat. 535) and the Act of August 21, 1935 (49 Stat. 666).

ADDITION OF EPPEs MANOR TO PETERSBURG NATIONAL BATTLEFIELD

SEC. 313. (a) The Secretary is authorized to acquire not more than twenty-one acres, which shall include the historic Eppes Manor, and such other lands adjacent thereto as he deems necessary, for addition to the Petersburg National Battlefield, as generally depicted on the map entitled "Petersburg National Battlefield, Virginia", numbered APMA 80,001, and dated May 1978.

(b) There are hereby authorized to be appropriated not to exceed \$2,200,000 to carry out the purposes of this section.

ADDITION OF MINERAL KING VALLEY TO SEQUOIA NATIONAL PARK

SEC. 314. (a) It is the purpose of this section to—

(1) assure the preservation for this and future generations of the outstanding natural and scenic features of the area commonly known as the Mineral King Valley and previously designated as the Sequoia National Game Refuge and

(2) enhance the ecological values and public enjoyment of such area by adding such area to the Sequoia National Park.

(b) (1) In order to add to the Sequoia National Park (hereinafter in this section referred to as the "park") a certain area known as Mineral King Valley possessing unique natural and scenic values, there is hereby established as part of such park all lands, waters, and interests therein constituting approximately sixteen thousand two hundred acres designated before the date of the enactment of this Act as the Sequoia National Game Refuge and as depicted on the drawing entitled "Boundary Map, Sequoia-Kings Canyon National Park", numbered 102-90,000 and dated April 1975. A copy of such drawing shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior. After advising 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 in writing, the Secretary is authorized to make minor revisions of the boundaries of the park when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(2) The Sequoia National Game Refuge is hereby abolished and the Secretary of Agriculture shall transfer, without consideration, to the administrative jurisdiction of the Secretary, the area constituting such refuge, and any unexpended funds available for purposes of management of the refuge shall be available for purposes of management of the park.

(c) (1) Within the boundaries of the area added to the park pursuant to this section, the Secretary may acquire lands and interests in lands by donation, purchase with donated or appropriated funds, exchange, or transfer from other Federal departments or agencies.

(2) Where the private use of any property acquired pursuant to this subsection would, in the judgment of the Secretary, be compatible with the purposes of this section, the Secretary may, as a condition of such acquisition, permit the owner or owners of such property to retain for themselves and their successors or assigns rights of use and occupancy. Such rights of use and occupancy shall be for not more than twenty-five years or for a term ending at the death of the owner or his or her spouse, whichever is later. The owner shall reserve such rights and elect the term to be reserved on the date of acquisition of the property. Except for so much of the property as is 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 the right retained by the owner.

(3) A right of use and occupancy retained pursuant to paragraph (2) may be terminated by the Secretary upon his determination that the property or any portion thereof is being used in a manner which is incompatible with the purposes of this section. Such right 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 as of the date of such tender. In the case of any property which was used for noncommercial purposes during the ten calendar years immediately preceding the enactment of this Act, the commercial use of such property subsequent to the enactment of this Act shall be treated as incompatible with the purposes of this section. In the case of any property which was used for commercial purposes at any time during the ten calendar years immediately preceding the enactment of this Act, any substantial change or expansion of such commercial use subsequent to the enactment of this Act without the express approval of the Secretary shall be treated as incompatible with such purposes.

(4) In exercising his authority to acquire property under this section, the Secretary shall give prompt and careful consideration to any offer made by an individual owning property within the park to sell such property if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship. Nothing in this section, or in any other provision of law, shall prevent the Secretary from exercising his authority to acquire property referred to in this subsection at any time after the date of the enactment of this Act.

(5) If any individual tract or parcel of land acquired is partly inside and partly outside the boundaries of the park the Secretary may, in order to minimize the payment of severance damages, acquire the whole of the tract or parcel.

(6) If the management plan prepared under subsection (e) provides for improved access to the area added to the park under this section, the Secretary is authorized to acquire, by donation, purchase with donated or appropriated funds, exchange or transfer from other Federal departments or agencies, the area comprising the road from State Route 198 to, and within, the Mineral King Valley together with a right-of-way for such road of a width sufficient to include improvements to the road and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum average width of two hundred feet. No property may be acquired under this paragraph from a State or political subdivision thereof without the consent of the State or political subdivision, as the case may be. With regard to routes of access to and within the Mineral King Valley, the Secretary shall take such measures as are necessary to protect against the effects of siltation on the ecosystem of the park.

(7) The Secretary shall report to the committees of the Congress named in subsection (b)(1) the action taken by him pursuant to this subsection. Such report shall contain information sufficient to inform such committees of--

(A) the acquisitions made by him pursuant to this subsection during the period covered by such report;

(B) his reasons why all of such property authorized to be acquired and not so acquired as of the date of such report, if any, have not been acquired; and

(C) his schedule of a timetable for the acquisition of such property referred to in subparagraph (B).

Such report shall be submitted before the expiration of the second fiscal year beginning after the date on which the comprehensive management plan is submitted to the committees of Congress pursuant to subsection (e).

(d) (1) The area added to the park by this section shall be administered in accordance with this section and the provisions of law generally applicable to units of the National Park System including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. and following) and the Act of September 25, 1890 (26 Stat. 478; 16 U.S.C. 41 and following). Any other statutory authority available to the Secretary for the conservation and management of wildlife, wildlife habitat, and natural resources may be utilized to the extent he finds such authority will further the purposes of this section.

(2) (A) Except in the case of a lease or permit which the Secretary determines to be incompatible with the administration of the park pursuant to this section, any lease or permit on Federal land within the area added to the park under this section which is in effect immediately before the enactment of this Act shall continue in effect pursuant to its terms and conditions following the expansion of the park under this section.

(B) In the case of a lease or permit which is continued under subparagraph (A), upon notice to the Secretary by the lessee or permittee of his intention to seek renewal or extension of such lease or permit, the lease or permit shall be reviewed by the Secretary, and may be renewed or extended for an additional period of five years. Any such lease or permit shall be reviewed at the end of such renewal or extension period and may also be renewed or extended in the same manner for additional five-year periods thereafter. Any renewals or extensions of leases or permits shall be granted only to those persons who were lessees or permittees of record on the date of enactment of this Act, and any such lease or permit shall provide that the lease or permit may be terminated by the Secretary at any time if the Secretary determines that such lease or permit is incompatible with the administration of the park pursuant to this section or that the land is needed for park purposes.

(3) The Act of December 14, 1974 (88 Stat. 1660) is amended by inserting the following new section after section 4:

"Sec. 5. Notwithstanding any other provision of law, any federally owned lands incorporated within the boundaries of Sequoia National Park subsequent to the date of enactment of this Act, which entail project works, developments, lands, or facilities which are components of Federal Power Commission Project Numbered 298, shall be subject to all provisions of this Act."

(e) (1) Within two years from the date of enactment of this Act, the Secretary, in cooperation with the State of California, shall develop and 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 management plan for the area added to the park under this section. In the preparation of such plan, the Secretary shall give appropriate consideration to the need for the development of additional recreational opportunities and other public uses which are consistent with sound environmental management of the area and the policies of the National Park Service.

(2) (A) In preparing the comprehensive management plan required by this subsection and in preparing any subsequent revision of such plan, the Secretary shall provide for full public participation and shall consider the comments and views of all interested agencies, organizations, and individuals.

(B) For purposes of insuring such full public participation, the Secretary shall provide reasonable advance notice to State and local governments, interested Federal agencies, private organizations, and the general public of hearings, workshops, meetings, and other opportunities available for such participation. Such notice shall be published in newspapers of general circulation in the localities affected by the development and management of the park, published in the Federal Register, and communicated by other appropriate means. The Western Regional Advisory Committee of the National Park Service (or a subcommittee thereof) shall also be utilized for purposes of facilitating public involvement.

(C) The Secretaries or Directors of all Federal departments, agencies, and commissions having a relevant expertise as hereby authorized and directed to cooperate with the Secretary in his development of such plan and to make such studies as the Secretary may request on a cost reimbursable basis.

(D) In preparing the comprehensive management plan required by this subsection, the Secretary shall consider technical information and other pertinent

data assembled or produced by field studies or investigations conducted separately or jointly by the technical and administrative personnel of the Federal and State agencies involved in order to insure the permanent conservation of wildlife within the area added to the park by this section. Except in emergencies, rules and regulations pertaining to the management of wildlife within the area added to the park by this section shall be put into effect only after consultation with the State of California.

(f) There are hereby authorized to be appropriated such sums as may be necessary for the acquisition of land and interests therein described in this section.

(g) Effective upon the transfer referred to in subsection (b) (2), Public Law 85-648 (72 Stat. 604; 16 U.S.C. 45a-3) and section 6 of the Act of July 3, 1926 (44 Stat. 821; 16 U.S.C. 688) are hereby repealed. The repeal of such section 6 shall not be construed to prohibit or prevent the Secretary from exercising any authority applicable to the national parks respecting the protection of birds, game, or other wild animals.

CUYAHOGA VALLEY NATIONAL RECREATION AREA

SEC. 315. (a) Section 2(a) of the Act of December 27, 1974, entitled "An Act to provide for the establishment of the Cuyahoga Valley Recreation Area" (88 Stat. 1784) is amended by striking out "Boundary Map, Cuyahoga Valley Recreation Area, Ohio, numbered 90,000-A, and dated September 1976," and inserting in lieu thereof "Boundary Map, Cuyahoga Valley National Recreation Area, Ohio, numbered 90,001-A, and dated May 1978."

(b) Section 6(a) of such Act is amended by striking out "\$41,100,000" and inserting in lieu thereof "\$70,100,000".

(c) The first sentence of section 6(b) of such Act is amended to read as follows: "For the development of the recreation area, including improvements of properties acquired for purposes of this Act, there is authorized to be appropriated not more than \$26,000,000".

(d) Section 2(e) of such Act is amended by adding the following at the end thereof: "In applying this subsection with respect to lands and interests therein added to the recreation area by subsection (a) of section 315 of the National Parks and Recreation Act of 1978 the date 'January 1, 1978,' shall be substituted for the date 'January 1, 1975,' in each place it appears."

(e) Section 4(f) of such Act is amended by inserting "(or intergovernmental organization)" after "local government" in each place it appears and by adding the following new sentence at the end thereof: "Assistance under this subsection may include payments for technical aid."

DELAWARE WATER GAP NATIONAL RECREATION AREA

SEC. 316. Section 2(a) of the Act entitled "An Act to authorize establishment of the Delaware Water Gap National Recreation Area, and for other purposes", approved September 1, 1965 (79 Stat. 612) is amended by adding the following at the end thereof: "Beginning on the date of the enactment of the National Parks and Recreation Act of 1978, the Secretary of the Interior is authorized to acquire for purposes of the recreation area established under this Act all lands and interests therein within the exterior boundaries of the area depicted on the drawing referred to in this subsection (including any lands within such exterior boundaries designated for acquisition by the Secretary of the Army in connection with the project referred to in this subsection). In exercising such authority, the Secretary of the Interior may permit the retention of rights of use and occupancy in the same manner as provided in the case of acquisitions by the Secretary of the Army under subsection (d). On the date of enactment of the National Parks and Recreation Act of 1978, the acquisition authorities of any other Federal agency contained in this subsection shall terminate and the head of any other Federal agency shall transfer to the Secretary of the Interior jurisdiction over all lands and interests therein acquired by said agency under the authority of this Act, or any other authority of law which lands are within the exterior boundaries of the area depicted on the drawing referred to in this subsection. On the date of enactment of the National Parks and Recreation Act of 1978, all

unexpended balances available to any other Federal agency for acquisition of land within the exterior boundaries referred to in the preceding sentence shall be transferred to the Secretary of the Interior to be used for such purposes. In carrying out his acquisition authority under this section the Secretary shall give priority to the following :

"(1) completion of acquisition of lands for which condemnation proceedings have been started pursuant to the authorization of the project referred to in this subsection ;

"(2) acquisition of lands of beneficial owners, not being a corporation, who in the judgment of the Secretary would suffer hardship if acquisition of their lands were delayed ;

"(3) acquisition of lands on which, in the judgment of the Secretary, there is an imminent danger of development that would be incompatible with the purposes of the recreation area ;

"(4) acquisition of lands of beneficial owners, not being a corporation, who are willing to sell their lands provided they are able to continue to use it for noncommercial residential purposes for a limited period of time which will not, in the judgment of the Secretary, unduly interfere with the development of public use facilities for such national recreation area, pursuant to the authorization for such area ;

"(5) acquisition of scenic easements when, in the judgment of the Secretary, such easements are sufficient to carry out the purposes for which such national recreation area was authorized ; and

"(6) acquisition of lands necessary to preserve the integrity of the recreation area."

GOLDEN GATE NATIONAL RECREATION AREA

SEC. 317. (a) Subsection 2(a) of the Act of October 27, 1972 (86 Stat. 1299), as amended (16 U.S.C. 459), is further amended to read as follows : "(a) The recreation area shall comprise the lands, waters, and submerged lands generally depicted on the map entitled 'Revised Boundary Map, Golden Gate National Recreation Area, numbered NRA-GG-80,003-J and dated May 5, 1978.'"

(b) Section 3(e) of such Act is amended by deleting "forty-five" and inserting "one hundred and fifteen" in lieu thereof.

(c) Section 3(i) of such Act is amended to read as follows :

"(i) New construction and development within the boundaries described in section 2(a) on lands under the administrative jurisdiction of a department other than that of the Secretary is prohibited, except that improvements on lands which have not been transferred to his administrative jurisdiction may be reconstructed or demolished. Any such structure which is demolished may be replaced with an improvement of similar size, following consultation with the Secretary or his designated representative, who shall conduct a public hearing at a location in the general vicinity of the area, notice of which shall be given at least one week prior to the date thereof. The foregoing limitation on construction and development shall not apply to expansion of those facilities known as Letterman General Hospital or the Western Medical Institute of Research."

(d) Subsection 3(j) of such Act is amended to read as follows :

"(j) The owner of improved residential property or of agricultural property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his or her heirs and assigns a right of use and occupancy for a definite term of not more than twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the death of his or her spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partly donated to the United States, the Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus the fair market value on that date of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his or her determination that it is being exercised in a manner inconsistent with the purposes of this Act, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him or her an amount equal to the fair market value of that portion of the right which remains unexpired. Where appropriate in the discretion of the Secretary, he or she may lease federally owned land (or any interest therein)

which has been acquired by the Secretary under this Act, and which was agricultural land prior to its acquisition. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act. Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land or who was a leaseholder thereon immediately before its acquisition by the United States."

(e) In subsection 3(k) of such Act, following "June 1, 1971," insert "or, in the case of areas added by action of the 95th Congress, January 1, 1978,"; and at the end of the subsection, add the following new sentence: "The term 'agricultural property as used in this Act means lands which are in regular use for agricultural, ranching, or dairying purposes as of January 1, 1978, together with residential and other structures related to the above uses of the property as such structures exist on said date.'"

(f) Section 3 of such Act is amended by adding the following at the end thereof:

"(n) The Secretary shall accept and shall manage in accordance with this Act, any land and improvements adjacent to the recreation area which are donated by the State of California or its political subdivisions. The boundaries of the recreation area shall be changed to include such donated lands.

"(o) In acquiring those lands authorized by the 95th Congress for the purposes of this Act, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding that paid by the Treasury of the United States for borrowing purposes."

(g) Section 4 of such Act is amended by adding the following at the end thereof:

"(e) No fees or admission charges shall be levied for admission of the general public to the recreation area except to portions under lease or permit for a particular and limited purpose authorized by the Secretary. The Secretary may authorize reasonable charges for public transportation and, for a period not exceeding five years from the date of enactment of this legislation, for admission to the sailing vessel Balclutha."

POINT REYES NATIONAL SEASHORE

SEC. 318. (a) Section 2(a) of the Act of September 13, 1962 (76 Stat. 538) as amended (16 U.S.C. 459) is further amended as follows:

"Sec. 2(a) The Point Reyes National Seashore shall consist of the land, waters, and submerged lands generally depicted on the map entitled 'Boundary Map, Point Reyes National Seashore', numbered 612-80,008-E and dated May 1978.

The map referred to in this section shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior, Washington, District of Columbia. After advising 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 in writing, the Secretary may make minor revisions of the boundaries of the Point Reyes National Seashore when necessary by publication of a revised drawing or other boundary description in the Federal Register."

(b) Section 5(a) of such Act is amended to read as follows:

"Sec. 5. (a) The owner of improved property or of agricultural property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his or her heirs and assigns a right of use and occupancy for a definite term of not more than twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the death of his or her spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partly donated to the United States, the Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus the fair market value on that date of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his or her determination that it is being exercised in a manner inconsistent with the purposes of this Act, and it shall terminate by op-

eration of law upon the Secretary's notifying the holder of the right of such determination and tendering to him or her an amount equal to the fair market value of that portion of the right which remains unexpired. Where appropriate in the discretion of the Secretary, he or she may lease federally owned land (or any interest therein) which has been acquired by the Secretary under this Act, and which was agricultural land prior to its acquisition. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act. Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land or was a leaseholder thereon immediately before its acquisition by the United States."

(c) In subsection 5(b) of such Act, following "September 1, 1959," insert "or, in the case of areas added by action of the 95th Congress, May 1, 1978,"; and at the end of the subsection, add the following new sentence: "The term 'agricultural property' as used in this Act means lands which were in regular use for, or were being converted to agricultural, ranching, or dairying purposes as of May 1, 1978, together with residential and other structures related to the above uses of the property."

(d) Section 5 of such Act is amended by adding the following new subsection (c) to read as follows:

"(c) In acquiring those lands authorized by the 95th Congress for the purposes of this Act, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding that paid by the Treasury of the United States for borrowing purposes."

(e) Section 8 of such Act is renumbered section 9 and the following new section is inserted after section 7:

"SEC. 8. The Secretary shall cooperate with the Bolinas Public Utilities District to protect and enhance the watershed values within the seashore. The Secretary may, at his or her discretion, permit the use and occupancy of lands within the seashore by the utilities district for water supply purposes, subject to such terms and conditions as the Secretary deems are consistent with the purposes of this Act."

ANTIETAM NATIONAL BATTLEFIELD

SEC. 319. (a) In furtherance of the purposes of the Act entitled "An Act to provide for the protection and preservation of the Antietam Battlefield in the State of Maryland", approved April 22, 1960 (74 Stat. 79), and other Acts relative thereto, the Secretary is hereby authorized to acquire interests in additional lands as generally depicted on the map entitled "Boundary Map Antietam National Battlefield, Washington County, Maryland," numbered 302-S0.005-A and dated June 1977. The acquisition of such interests in land shall be limited to scenic easements only.

(b) The Antietam National Battlefield Site established pursuant to such Act of April 22, 1960, including interests in land acquired by the Secretary pursuant to subsection (a) of this section, is hereby redesignated the "Antietam National Battlefield". The boundaries of such battlefield are hereby revised to include the area generally depicted on the map referenced in subsection (a) of this section, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK

SEC. 320. (a) Section 8(b) of the Act of January 8, 1971 (84 Stat. 1978) is amended by changing "\$20,400,000" to "\$28,400,000" and by changing "\$17,000,000 (1970 prices)" to "\$22,000,000 (October 1978 prices)".

(b) The boundaries of the Chesapeake and Ohio Canal National Historical Park are revised to include approximately 600 additional acres.

VIRGIN ISLANDS NATIONAL PARK

SEC. 321. (a) (1) The first paragraph of section 1 of the Act of October 5, 1932 (76 Stat. 746; 16 U.S.C. 398c), is amended by adding a comma after the words "adjoining lands, submerged lands, and waters" and inserting "and Hassel Island

located in Saint Thomas Harbor and adjoining lands, submerged lands, and waters.”

(2) Such section 1 is further amended by inserting immediately before the last paragraph, the following:

“HASSEL ISLAND

“The area known as Hassel Island in Saint Thomas Harbor consisting of approximately one hundred and thirty-five acres, together with such adjoining lands, submerged lands, and waters as the Secretary of the Interior deems appropriate, but the boundaries shall not, in any event, extend beyond one hundred yards from the mean high water mark of the island.”

(b) Section 2 of such Act is amended by—

(1) inserting “(a)” after “SEC. 2”;

(2) adding at the end of the first sentence thereof the following: “In acquiring such lands, up to 6.6 acres, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding the current prevailing commercial rate.”; and

(3) adding the following at the end thereof:

“(b) The Secretary is authorized and directed to the maximum extent feasible to employ and train residents of the Virgin Islands to develop, maintain, and administer the Virgin Islands National Park.

“(c) Subject to continued protection and use of Hassel Island for park and recreation purposes and such other conditions as the Secretary may deem appropriate, the Territory of the Virgin Islands may, within but not after five years after the date of the enactment of this subsection, by duly enacted legislation acquire all interests of the United States in Hassel Island by reimbursing the United States in an amount equal to the amount actually expended by the United States for the acquisition of lands and interests in lands and for the costs of construction of permanent improvements, if any.

“(d)(1) Except for property deemed necessary by the Secretary of the Interior for visitor facilities or administration of the park, any owner or owners of improved property on Hassel Island on the date of its acquisition, may retain for themselves a nontransferrable right of use and occupancy of the property for noncommercial residential purposes, for twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the owner's spouse, whichever is later. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner. The authority of the Secretary to acquire the property commonly known as the Royal Mail (hotel) by condemnation shall be suspended for ten years from the date of enactment and the Secretary shall acquire such property only with the consent of the owner or owners thereof, if such owner or owners agree, in writing, within ninety days after the enactment of this subsection to grant to the United States the right of first refusal to purchase such property at a purchase price not exceeding the fixed value of said property on July 1, 1978.

“(2) As used in subsection (d)(1), ‘improved residential property’ means a single-family dwelling, the construction of which began January 1, 1977, together with such lands as are in the same ownership and appurtenant buildings located thereon.

“(3) The Secretary may terminate a right of use and occupancy retained pursuant to subsection (d)(1) upon his determination that such use and occupancy is being, or may be, exercised in a manner inconsistent with the purposes for which they were included within the park and upon tender to the holder of such right of the amount equal to the value of that portion of the right which remains unexpired on the date of termination.”

(c) Section 3 of such Act is amended by inserting “(a)” immediately after “SEC. 3.” and by adding the following new subsection at the end thereof:

“(b)(1) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed on any permanent resident of the Virgin Islands for entrance or admission into the Virgin Islands National Park.

"(2) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed on any United States military personnel or dependents of such personnel for entrance or admission into the Virgin Islands National Park."

(d) Section 4 of such Act is amended to read as follows:

"Sec. 4. Effective October 1, 1978, there are authorized to be appropriated such sums as may be necessary for the acquisition of lands and interests in lands within the Virgin Islands National Park. For purposes of this section, acquisitions of lands on Hassel Island shall be deemed to be acquisitions qualifying for payment under the provisions of paragraph (2) of the Act of June 10, 1977 (Public Law 95-42; 91 Stat. 210). In addition to such sums as may have heretofore been appropriated for development of public facilities within the Virgin Islands National Park, effective October 1, 1978, there are authorized to be appropriated not more than \$1,000,000 for restoration and rehabilitation of historic structures and for development of public facilities on Hassel Island: Provided, That not more than \$500,000 of such amount may be paid to the Territory of the Virgin Islands for its use in furthering projects undertaken pursuant to the Land and Water Conservation Fund Act, the Historic Preservation Act, or other comparable programs upon the transfer of title to the United States of all properties held by the Territory on Hassel Island."

(e) Section 2(c) of the Act entitled "An Act to authorize the establishment of the Virgin Islands National Park, and for other purposes" (70 Stat. 940; 16 U.S.C. 398) is amended by adding the following sentence at the end thereof: "Notwithstanding the acreage limitations and boundary designations contained in this section, the Secretary may, for administration as part of the park, also acquire, with the consent of the owner or by donation, real and personal property which is not within the defined boundaries of the park."

ALIBATES FLINT QUARRIES AND TEXAS PANHANDLE PUEBLO CULTURE
NATIONAL MONUMENT

SEC. 322. (a) The first section of the Act of August 31, 1965 (79 Stat. 587) is amended by adding at the end thereof the following: "The national monument shall comprise the area generally depicted on the map entitled 'Boundary Map, Alibates Flint Quarries', numbered 432-80,021, and dated November 1976. Minor boundary adjustments may be made from time to time by the Secretary."

(b) Section 3 of such Act is amended by deleting "\$260,000" and inserting "\$2,250,000" in lieu thereof.

FIRE ISLAND NATIONAL SEASHORE

SEC. 323. (a) Subsection (b) of the Act of September 11, 1964 (78 Stat. 928), as amended is further amended to read as follows:

"(b) The boundaries of the national seashore shall extend from the easterly boundary of the main unit of Robert Moses State Park eastward to Moriches Inlet and shall include not only Fire Island proper, but also such islands and marshlands in the Great South Bay, Bellport Bay, and Moriches Bay adjacent to Fire Island as Sexton Island, West Island, Hollins Island, Ridge Island, Pelican Island, Pattersquash Island, and Reeves Island and such other small and adjacent islands, marshlands, and wetlands as would lend themselves to contiguity and reasonable administration within the distances of one thousand feet in the Atlantic Ocean and up to four thousand feet in Great South Bay and Moriches Bay and, in addition, mainland terminal and headquarters sites, not to exceed a total of twelve acres, on the Patchogue River within Suffolk County, New York, all as delineated on a map identified as 'Fire Island National Seashore', numbered OGP-0004, dated May 1978. The Secretary shall publish said map in the Federal Register, and it may also be examined in the offices of the Department of the Interior."

(b) Section 2 of such Act is amended by—

(1) striking out "with one exception,"

(2) striking out "the sole exception" and substituting "an exception," and

(3) adding the following new subsection at the end thereof:

"(g) Notwithstanding the limitations of subsection (e)—

"(1) the authority of the Secretary to condemn undeveloped tracts within the Dune District as depicted on map entitled 'Fire Island National Seashore' numbered OGP-0004 dated May 1978, is suspended so long as the owner or owners of the undeveloped property therein maintain the property

in its natural state. The Secretary is authorized to acquire developed properties within the Dune District when there is storm damage to improvements on the property in excess of 50 per centum of the fair market value of such improvements or when the owner or owners of such property undertake exterior improvements which are other than routine maintenance activities; and

“(2) in the event of catastrophic storm damage within any of the delineated communities, the Secretary is authorized to condemn improved and unimproved properties when ninety percent or more of all structures within a community are destroyed and damage to each structure to be acquired is in excess of fifty percent of its fair market value. Structures damaged less than 50 per centum of fair market value remain as inholdings exempt from condemnation.”

TITLE IV—WILDERNESS

DESIGNATION OF AREAS

SEC. 401. 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 in accordance with the applicable provisions of the Wilderness Act:

(1) Big Bend National Park, Texas, wilderness comprising approximately five hundred and thirty-eight thousand two hundred and fifty acres, and potential wilderness additions comprising approximately forty-four thousand seven hundred and fifty acres, depicted on a map entitled “Wilderness Plan, Big Bend National Park, Texas”, numbered 155-20,004-D and dated January 1978, to be known as the Big Bend Wilderness.

(2) Buffalo National River, Arkansas, wilderness comprising approximately ten thousand five hundred and twenty-nine acres and potential wilderness additions comprising approximately twenty-five thousand four hundred and seventy-one acres depicted on a map entitled “Wilderness Plan, Buffalo National River, Arkansas”, numbered 173-20,036-B and dated March 1975, to be known as the Buffalo National River Wilderness.

(3) Carlsbad Caverns National Park, New Mexico, wilderness comprising approximately thirty-eight thousand acres and potential wilderness additions comprising approximately three hundred and twenty acres, depicted on a map entitled “Wilderness Plan, Carlsbad Caverns National Park, New Mexico,” numbered 130-20,003-C and dated May 1978, to be known as the Carlsbad Caverns Wilderness.

(4) Crater Lake National Park, Oregon, wilderness comprising approximately one hundred and twenty-seven thousand five hundred acres, depicted on a map entitled “Wilderness Plan, Crater Lake National Park, Oregon”, numbered 106-20,006-F and dated May 1978, to be known as the Crater Lake Wilderness.

(5) Cumberland Gap National Historical Park, Kentucky, Tennessee, Virginia, wilderness comprising approximately twelve thousand seven hundred acres and potential wilderness additions comprising approximately one thousand nine hundred acres, depicted on a map entitled “Wilderness Plan, Cumberland Gap National Historical Park, Tennessee, Virginia, Kentucky”, numbered 380-20,026-D and dated May 1978, to be known as the Cumberland Gap Wilderness.

(6) Everglades National Park, Florida, wilderness comprising approximately one million two hundred and ninety-six thousand five hundred acres and potential wilderness additions comprising approximately eighty-one thousand nine hundred acres, depicted on a map entitled “Wilderness Plan, Everglades National Park, Florida”, numbered 160-20,011 and dated June 1974, to be known as the Everglades Wilderness.

(7) Glacier National Park, Montana, wilderness comprising approximately nine hundred and twenty-seven thousand five hundred and fifty acres and potential wilderness additions comprising approximately three thousand three hundred and sixty acres, depicted on a map entitled “Wilderness Plan, Glacier National Park, Montana”, numbered 117-20,010-A and dated March 1974, to be known as the Glacier Wilderness.

(8) Guadalupe Mountains National Park, Texas, wilderness comprising approximately fifty-eight thousand acres and potential wilderness additions

comprising approximately seven hundred acres, depicted on a map entitled "Wilderness Plan, Guadalupe Mountains National Park, Texas", numbered 166-20,006-D and dated May 1978, to be known as the Guadalupe Mountains Wilderness.

(9) Gulf Islands National Seashore, Florida, and Mississippi, wilderness comprising approximately one thousand eight hundred acres and potential wilderness additions comprising approximately two thousand eight hundred acres, depicted on a map entitled "Wilderness Plan, Gulf Islands National Seashore, Mississippi, Florida", numbered 635-20,018-A and dated March 1977, to be known as the Gulf Islands Wilderness.

(10) Hawaii Volcanoes National Park, Hawaii, wilderness comprising approximately one hundred and twenty-three thousand one hundred acres and potential wilderness additions comprising approximately seven thousand eight hundred and fifty acres, depicted on a map entitled "Wilderness Plan, Hawaii Volcanoes National Park, Hawaii", numbered 124-20,020 and dated April 1974, to be known as the Hawaii Volcanoes Wilderness.

(11) Organ Pipe Cactus National Monument, Arizona, wilderness comprising approximately three hundred and twelve thousand six hundred acres and potential wilderness additions comprising approximately one thousand two hundred and forty acres, depicted on a map entitled "Wilderness Plan, Organ Pipe Cactus National Monument, Arizona", numbered 157-20,001-A and dated January 1978, to be known as the Organ Pipe Cactus Wilderness.

(12) Theodore Roosevelt National Memorial Park, North Dakota, wilderness comprising approximately twenty-nine thousand nine hundred and twenty acres, depicted on maps entitled "Theodore Roosevelt National Memorial Park, North Dakota" (North Unit and South Unit) numbered 387-20,007-E and dated January 1978, to be known as the Theodore Roosevelt Wilderness.

MAP AND DESCRIPTION

SEC. 402. A map and description of the boundaries of the areas designated in 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 this title. As soon as practicable after this Act 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 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 Act: Provided, That correction of clerical and typographical errors in such maps and descriptions may be made.

CESSATION OF CERTAIN USES

SEC. 403. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary 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.

ADMINISTRATION

SEC. 404. The areas designated by this Act 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 Act 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 Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SAVINGS PROVISIONS

SEC. 405. (a) Nothing in this title shall be construed as altering in any way any rights or claims which the Blackfeet Tribe of Indians may have within or in the vicinity of Glacier National Park. The second proviso of section 1 of the Act of May 11, 1910 (36 Stat. 354; 16 U.S.C. 161) is repealed.

(b) Nothing in this title shall be construed to diminish the authority of the Coast Guard, pursuant to sections 2 and 81 of title 14 United States Code and title 1 of the Ports and Waterways Safety Act of 1972 (33 U.S.C. 1221), or the Federal Aviation Administration to use the areas designated wilderness by this Act within the Everglades National Park, Florida; and the Gulf Islands National Seashore, Florida and Mississippi, for navigational and maritime safety purposes.

(c) Nothing in this title shall be construed as altering in any way the authority granted to the International Boundary Commission under the treaties between the United States and Great Britain of April 11, 1908 (35 Stat. 2003; 12 Bevans 297) and February 24, 1925 (44 Stat. 2102; 6 Bevans 7) as related to lands within the Glacier Wilderness as designated by section 401 of this Act.

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

Subtitle A—Parks, Seashores, Etc.

GUAM NATIONAL SEASHORE

Sec. 501. (a) In order to conserve and protect outstanding natural and scenic values on the island of Guam there is hereby established the Guam National Seashore (hereinafter in this section referred to as the "seashore"). The seashore shall consist of the area as generally depicted on the map entitled "Boundary Map, Guam National Seashore", numbered P-09-80,001-A and dated May 1978, which shall be on file and open to public inspection in the offices of the National Park Service, Department of the Interior. Following ninety days notice to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate, the Secretary may make minor revisions of the boundary of the seashore by publication of a revised map in the Federal Register.

(b) Within the boundaries of the seashore established under this section the Secretary is authorized to acquire lands and waters and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer. Except for property deemed by the Secretary to be essential for visitor facilities, access, or administration of the seashore, acquisition by the Secretary of improved property (including sufficient land to protect the improvements) and agricultural land existing as of January 1, 1978, the Secretary shall be restricted to acquisition of easements to protect and maintain existing land use.

(c) The Secretary shall administer property acquired under subsection (b) in accordance with this section and with the provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535) and the Act of August 31, 1935 (49 Stat. 666).

(d) The Secretary is authorized and directed, to the maximum extent feasible, to employ and train residents of Guam or of the Northern Mariana Islands to develop, maintain, and administer the seashore.

(e) Within three years from the date of enactment of this Act, the Secretary shall transmit to the committees named in subsection (a) a general management plan for the seashore consistent with the purposes of this section. The plan shall be jointly developed by the Secretary and the government of Guam.

(f) Pursuant to the plan developed under subsection (e), the Secretary shall seek to enter into an agreement with the government of Guam as to the role and responsibilities of the National Park Service and the territorial government in protecting, operating, and managing the seashore.

(g) The Secretary shall provide technical assistance to the government of Guam for the development and management of the proposed Guam Territorial Seashore Park.

(h) (1) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed on any permanent resident of Guam or the Northern Mariana Islands for entrance or admission into the Guam National Seashore.

(2) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed on any United States military personnel or dependents of such personnel for entrance or admission into the Guam National Seashore.

(i) Effective October 1, 1978, there is authorized to be appropriated \$10,000,000 for acquisition of land and interests in land and \$500,000 for development to carry out the purposes of this section.

WAR IN THE PACIFIC NATIONAL HISTORICAL PARK

Sec. 502. (a) In order to commemorate the bravery and sacrifice of those participating in the campaigns of the Pacific theater of World War II and to conserve and interpret outstanding natural, scenic, and historic values and objects on the island of Guam for the benefit and enjoyment of present and future generations, the War in the Pacific National Historical Park (hereinafter in this section referred to as the "park") is hereby established.

(b) The boundaries of the park shall be as generally depicted on the drawing entitled "Boundary Map, War in the Pacific National Historical Park, Guam" numbered P-24-80,000-B and dated March 1978, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior. Following ninety days, notice to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate, the Secretary may make minor revisions of the boundary of the park by publication of the revised map in the Federal Register.

(c) Within the boundaries of the park, the Secretary may acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer.

(d) (1) Except for property deemed by the Secretary to be essential for visitor facilities, or for access to or administration of the park, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or in lieu thereof, for a term ending at the death of the owner, or the death of his or her spouse, whichever is the later. The owner shall elect the term to be reserved. 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 such acquisition, less the fair market value on such date of the right retained by the owner.

(2) The Secretary may terminate a right of use and occupancy retained pursuant to this subsection upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this section, and upon tender to the holder of the right of an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(3) The term "improved property", as used in this subsection shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1978 (hereinafter in this section referred to as a "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

(e) Other points on the island of Guam pertinent to this legislation may be identified, established and marked by the Secretary in agreement with the Governor of Guam.

(f) The Secretary shall administer property acquired in accordance with this section and the provisions of law generally applicable to the management of units of the National Park System.

(g) The Secretary is authorized to seek the assistance of appropriate historians to interpret the historical aspects of the park. To the greatest extent possible, interpretative activities will be conducted in at least two of the following three languages: English, Chamorro, and Japanese.

(h) The Secretary is authorized to enter into negotiations with the Secretary of Defense for the berthing and interpretation of a naval vessel of World War II vintage which shall be accessible to the public on the island of Guam.

(i) Within two years from the date of enactment of this Act, the Secretary shall develop and transmit to the committees named in subsection (a), a general

management plan for the national historical park consistent with the purposes of this section.

(j) The Secretary is authorized and directed, to the maximum extent feasible, to employ and train residents of Guam or of the Northern Mariana Islands to develop, maintain, and administer the park.

(k) The Act of November 4, 1963 (77 Stat. 302) is hereby amended as follows:

(1) in the first sentence of section 3, delete the comma after "United States" and delete the words "with interest as set forth below," and

(2) after paragraph (c) of section 3, delete the last paragraph before section 4 and insert in lieu thereof:

"All amounts heretofore withheld from sums collected pursuant to section 30 of the said Organic Act as interest on the amounts made available to the Government of Guam pursuant to this Act shall be credited as reimbursement payments by Guam on the principal amount advanced by the United States under this Act."

(1) (1) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed on any permanent resident of Guam or the Northern Mariana Islands for entrance or admission into the War in the Pacific National Historical Park.

(2) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed on any United States military personnel or dependents of such personnel for entrance or admission into the War in the Pacific National Historical Park.

(m) For the purposes of the park established under this section, effective October 1, 1978, there are authorized to be appropriated such sums as may be necessary but not to exceed \$16,000,000 for the acquisition of lands or interests in lands and \$500,000 for development.

PINE BARRENS AREA, NEW JERSEY

SEC. 503. (a) For the purposes of this section—

(1) The term "Pine Barrens" means the area within the State consisting of approximately nine hundred and seventy thousand acres, described by the "Land and Water Line" appearing at Plate D of the 1976 Bureau of Outdoor Recreation Report (Department of the Interior) entitled "New Jersey Pine Barrens: Concepts for Preservation," (referred to hereinafter in this section as the "1976 BOR Report").

(2) The term "State" means the State of New Jersey.

(b) The Secretary shall prepare and, after appropriate public hearings (at least one of which shall be held within the Pine Barrens), submit to Congress within eighteen months after the date of enactment of this Act, a plan to conserve the natural resource values of the Pine Barrens. Congress shall have the power to disapprove such plan within one hundred and eighty days of its submission. If the Governor of the State notifies the Secretary in writing that the State wishes to participate in the preparation of the plan, the Secretary and such officers or citizens of the State as the Governor may designate shall jointly prepare the plan. If the State does not so participate, the Secretary shall consult with the Governor during the preparation of the plan.

(c) The plan shall—

(1) Provide for a resource assessment which determines the overall carrying capacity of the Pine Barrens. Such resource assessment shall include but not be limited to—

(A) water supply and water quality;

(B) natural hazards, including fire;

(C) endangered, unique, and unusual plants, animals, fish and biotic communities;

(D) ecological factors relating to the production and enhancement of blueberry and cranberry production and other agricultural activity;

(E) air quality;

(F) scenic, esthetic, and open space resources of the Pine Barrens together with a determination of the overall policies required to maintain and enhance these resources;

(G) the outdoor recreation resources and potentials together with a determination of policies required to utilize, protect, and enhance these resources and potentials; and

(H) existing land use patterns throughout the Pine Barrens, as well as alternative beneficial uses of the Pine Barrens.

(2) Propose boundaries for the following areas, which shall be based upon the assessments referred to in subparagraphs (A) through (H) of paragraph (1) of—

(A) the overall Pine Barrens region, with due consideration given the "Land and Water Line" of the 1976 BOR Report, which should be comprehensively managed so as to conserve, protect, or enhance the ecological, wildlife, historical, agricultural, scenic, recreational, cultural, and educational resources of the Pine Barrens, and

(B) those subareas within such region which are of critical ecological importance and with respect to which immediate actions should be taken by the State or the Federal Government, or both, in order to protect such subareas from uses which are incompatible with the conservation, protection, and enhancement of the natural resources of such subareas.

(3) Recommend State and Federal actions which should be implemented to conserve, protect, and enhance the natural resource values of the Pine Barrens.

(d) There are authorized to be appropriated not to exceed \$1,000,000 to the Secretary for the purpose of carrying out the planning activities required under subsection (c). From amounts so appropriated, the Secretary shall reimburse the State for reasonable costs incurred by the State in participating in the joint preparation of the plan.

(e) Pursuant to the intent of this section, the Secretary shall acquire certain lands within the Pine Barrens which are manifestly of critical ecological importance. Such lands shall include, but not be limited to, the area known as "the Plains" and described on pages 2 and 21 of the 1976 BOR Report, and may be acquired prior to the completion of the plan. Any lands so acquired shall be managed by the Secretary in a manner appropriate to conserve, protect, and enhance the natural resource values of the land until such time as he believes it in the best interests of proper ecological management to transfer such land to a qualified State or multijurisdictional Pine Barrens management agency having the authority and capability to plan for and manage land comprehensively in the Pine Barrens region. If the Secretary wishes to make such a transfer of any land acquired under this section, he shall make such transfer conditional upon appropriate ecological management practices, enforceable by a right of reverter to the United States.

(f) For the purposes of acquiring land described in subsection (e), there are authorized to be appropriated not to exceed \$25,000,000.

EDGAR ALLAN POE NATIONAL HISTORIC SITE

SEC. 504. (a) In recognition of the literary importance attained by Edgar Allan Poe, there is hereby authorized to be established the Edgar Allan Poe National Historic Site.

(b) The Secretary is authorized to acquire by donation, purchase or exchange the lands and buildings within the area described in subsection (c). The lands and buildings acquired by the Secretary under this section shall comprise the Edgar Allan Poe National Historic Site and shall be administered by the Secretary through the National Park Service. The Secretary shall administer, maintain, protect, and develop the site subject to the provisions of law generally applicable to national historic sites.

(c) The lands and buildings specified in subsection (b) comprise that area of Philadelphia, Pennsylvania, known as the Poe House complex and includes the house at the rear of 530 North Seventh Street, the adjoining three-story brick residence on the front of the land backing up to and including the building at 532 North Seventh Street, and the North Garden of approximately seven thousand and eighty square feet and the South Garden of approximately nine thousand three hundred and fifty square feet.

(d) As soon as the Secretary finds that a substantial portion of the acquisition authorized under subsection (b) has been completed, he shall establish the Edgar Allan Poe National Historic Site by publication of notice thereof in the Federal Register.

(e) There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this section.

SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK

SEC. 505. (a) In order to provide for the preservation, restoration, and interpretation of the Spanish Missions of San Antonio, Texas, for the benefit and en-

joyment of present and future generations of Americans, there is hereby established the San Antonio Missions National Historical Park (hereafter in this section referred to as the "park") consisting of Concepcion, San Jose, San Juan, and Espada Missions, together with areas and features historically associated therewith, as generally depicted on the drawing entitled "Boundary Map, San Antonio Missions National Historical Park", numbered 930-80,022-C and dated May 1978, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and in the offices of the Superintendent of the Park. After advising the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, in writing, the Secretary may make minor revisions of the boundaries of the park when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(b) For the purposes of this section, the Secretary is authorized—

(1) to acquire by donation, purchase with donated or appropriated funds, or exchange, lands and interests therein constituting the following generally described areas in the historic missions district of the city of San Antonio, Texas—

- (A) Mission San Jose y San Miguel de Aguayo;
- (B) Mission Nuestra Senora de la Purisima Concepcion de Acuna;
- (C) Mission San Francisco de la Espada;
- (R) Espada Acequia, the section of approximately five miles along the west side of and parallel to the San Antonio River;
- (E) Espada Dam and Aqueduct;
- (F) Mission San Juan Capistrano;
- (G) San Juan Acequia, on the east side of the San Antonio River; and
- (H) such lands and interests therein which the Secretary determines are necessary or desirable to provide for public access to, and interpretation and protection of, the foregoing; and

(2) to enter cooperative agreements with the owners of any historic properties, including properties referred to in paragraph (1), in furtherance of the purposes of this section.

Each agreement under paragraph (2) shall provide among other things that the owner will hold and preserve the historic property in perpetuity and will not undertake or permit the alteration or removal of historic features or the erection of markers, structures, or buildings without the prior concurrence of the Secretary, and that the public shall have reasonable access to those portions of the property to which access is necessary in the judgment of the Secretary for the proper appreciation and interpretation of its historical and architectural value. Pursuant to such cooperative agreements and notwithstanding any other provision of law to the contrary the Secretary may, directly or by contract, construct, reconstruct, rehabilitate, or develop such buildings, structures, and related facilities including roads, trails, and other interpretive facilities on real property not in Federal ownership and may maintain and operate programs in connection therewith as he deems appropriate. Any lands or interest therein owned by the Catholic Archdiocese of San Antonio, the State of Texas, or any political subdivision of such State, including the San Antonio River Authority, may be acquired by donation only.

(c) (1) With the exception of any property deemed necessary by the Secretary for visitor facilities or administration of the park, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the property for noncommercial residential purposes, for twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or his spouse, whichever is later. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(2) A right of use and occupancy retained or enjoyed pursuant to this subsection may be terminated with respect to the entire property by the Secretary upon his determination that the property or any portion thereof had ceased to be used for noncommercial residential purposes and upon tender to the holder of a right an amount equal to the fair market value, as of the date of tender, of that portion of the right which remains unexpired on the date of termination.

(3) The term "improved property", as used in this subsection, shall mean a detached, noncommercial residential dwelling, the construction of which was

begun before January 1, 1978 (hereinafter referred to as a "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of non-commercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

(d) The Secretary is authorized and directed to take prompt and appropriate action in accordance with the provisions of this section and any cooperative agreement hereunder to assure the protection and preservation of the historical and architectural values of the missions and the areas and features historically associated therewith within the boundaries of the park. The park shall be administered by the Secretary in accordance with this section and provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467).

(e) (1) There is hereby authorized to be established by the Secretary, a San Antonio Missions Advisory Commission. The Commission shall be composed of seven members, and appointed for a term of two years by the Secretary as follows:

(A) one member to be appointed from recommendations made by the Governor of the State of Texas;

(B) one member to be appointed from recommendations made by the County Commissioners of Bexar County, Texas;

(C) one member to be appointed from recommendations made by the City Council of the City of San Antonio, Texas;

(D) one member to be appointed to represent non-Federal property owners whose property is operated and maintained in accordance with cooperative agreements with the Secretary pursuant to subsection (b) (2);

(E) one member from the membership of a local conservation or historical organization; and

(F) two members representing the general public.

The Secretary shall designate one member to be Chairman of the Commission and may fill any vacancy in the same manner in which the original appointment was made.

(2) Members of the Commission shall serve without compensation as such, but the Secretary may pay expenses reasonably incurred by the Commission and may reimburse members for reasonable expenses incurred in carrying out their responsibilities under this section on vouchers signed by the Chairman.

(3) All appointments to the Commission shall be made by the Secretary within six months after the date of the enactment of this Act and the Secretary, or his designee, shall from time to time, but at least semiannually, meet and consult with the Advisory Commission on matters relating to the park and with respect to carrying out the provisions of this section.

(4) Unless extended by Act of Congress, this Commission shall terminate ten years after the date of its first meeting with the Secretary or his designee.

(f) (1) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section, but not more than \$10,000,000 for the acquisition of lands and interests in lands.

(2) For the development of essential public facilities there are authorized to be appropriated not more than \$500,000. Within one year from the date of enactment of this Act, the Secretary shall develop and transmit 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 final master plan for the development of the park consistent with the objectives of this section, indicating (A) the facilities needed to accommodate the health, safety, and interpretive needs of the visiting public; (B) the location and estimated cost of all facilities; and (C) the projected need for any additional facilities within the park.

SAINT PAUL'S CHURCH, EASTCHESTER

Sec. 506. (a) In order to preserve and protect Saint Paul's Church, Eastchester, in Mount Vernon, New York, for the benefit of present and future generations, the Secretary may accept any gift or bequest of any property or structure which comprises such church and any other real or personal property

located within the square bounded by South Columbus Avenue, South Third Avenue, Edison Avenue, and South Fulton Avenue, in Mount Vernon, New York, including the cemetery located within such square and any real property located within such square which was at any time a part of the old village green, now in Mount Vernon, New York.

(b) Any property acquired under subsection (a) shall be administered by the Secretary 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 approved August 25, 1916 (16 U.S.C. 1 and following) and the Act approved August 21, 1935. The Secretary, in carrying out the provisions of such Acts, shall give particular attention to assuring the completion of such structural and other repairs as such Secretary considers necessary to restore and preserve any property acquired in accordance with this section.

KALOKO-HONOKOHAU NATIONAL HISTORICAL PARK

SEC. 507. (a) There is established the Kaloko-Honokohau National Historical Park in Hawaii (hereinafter in this section referred to as the "park") comprising approximately one thousand three hundred acres of land and water as generally depicted on the map entitled "Kaloko-Honokohau National Historical Park", numbered KHN-80,000, and dated May 1978 which shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(b) The Secretary is authorized to acquire the lands described above by donation, exchange or purchase through the use of donated or appropriated funds, notwithstanding any prior restriction imposed by Congress on the use of appropriated funds for this purpose.

(c) The Secretary shall administer the park in accordance with this section and the provisions of law generally applicable to units of the National Park System, including the Act approved August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.). The purposes of this park are to provide a center for the reorientation to and perpetuation of Hawaiian activities, culture, and historic land use patterns, as well as to provide a resource and culture-based focus for the education, enjoyment and appreciation by local residents and visitors. Development and management of the park shall generally follow the guidelines provided in the study report entitled "Kaloko-Honokohau" prepared by the Honokohau Study Advisory Commission and the National Park Service, May 1974, GPO 690-514.

(d) In administering the park—

(1) the Secretary may provide select areas within the park with native Hawaiian live-in accommodations for Hawaiians who wish to participate actively in indepth cultural pursuits;

(2) the Secretary shall consult with and may enter into agreements with other governmental entities and private landowners to establish adequate controls on air and water quality scenic and esthetic values of the surrounding land and water areas; and

(3) the preservation and interpretation of this historical park should be managed, to the greatest extent possible, by native Hawaiians.

(e) In order to carry out the purposes of this section with respect to the preservation and expression of native Hawaiian culture, the Secretary is authorized and directed to the maximum extent feasible to employ and train native Hawaiians to develop, maintain, and administer the park.

(f) (1) The Secretary may establish the Kaloko-Honokohau, an Advisory Commission for the Kaloko-Honokohau National Historical Park. The Commission shall be composed of nine members, appointed by the Secretary, as follows:

(A) all members shall be residents of the State of Hawaii;

(B) at least six members shall be appointed from lists provided by native Hawaiian organizations submitted through the office of the Governor; and

(C) initial appointment shall consist of two members appointed for a term of five years, two for a term of four years, two for a term of three years, two for a term of two years, and one for a term of one year; members shall not serve more than one term consecutively.

(2) The Secretary shall designate one member of the Commission to be Chairman. Any vacancy in the Commission shall be filled in the same manner as provided in paragraph (1).

(3) Members of the Commission shall serve without compensation. The Secretary is authorized to pay the expenses reasonably incurred by the Commission

in carrying out its responsibilities under this section on vouchers signed by the Chairman.

(4) In addition to the Commission members specified in paragraph (1), the Superintendent of the park, the National Park Service Director, Hawaii, a person appointed by the Governor of Hawaii, and a person appointed by the mayor of the county of Hawaii, shall serve as ex officio, nonvoting members of the Commission.

(5) The purpose of the Commission shall be to advise the Director, National Park Service, with respect to the historical, archeological, cultural, and interpretive programs of the park and its staffing and operation. Particular emphasis shall be made on the operation of the area by qualified Hawaiians and the quality of Hawaiian culture demonstrated and taught therein.

(6) The Commission shall meet not less than twice a year. Interim meetings may be called by the Chairman with the concurrence of the Director of the National Park Service.

(7) The Advisory Commission shall terminate ten years after the date of the enactment of this Act.

(g) There are authorized to be appropriated \$34,750,000 for acquisition with respect to such park and \$1,000,000 for development of such park.

AMERICAN MEMORIAL PARK

Sec. 508. (a) The Secretary, acting through the Director of the National Park Service, is authorized and directed to develop, maintain, and administer the existing American Memorial Park (hereinafter in this section referred to as the "park"), located at Tanapag Harbor Reservation, Saipan. The park shall be administered for the primary purpose of honoring the dead in the World War II Mariana Islands campaign.

(b) The Secretary is authorized and directed to the maximum extent feasible to employ and train residents of the Mariana Islands to develop, maintain, and administer the park.

(c) The Secretary shall provide for interpretative activities at the park, for which he is authorized to seek the assistance of historians to interpret the historical aspects of the park. To the greatest extent possible, interpretative activities shall be conducted in the following four languages: English, Chamorro, Carolinian, and Japanese.

(d)(1) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed on any permanent resident of Guam or the Northern Mariana Islands for entrance or admission into the American Memorial Park.

(2) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed on any United States military personnel or dependents of such personnel for entrance or admission into the American Memorial Park.

(e) The Secretary shall transfer administration of the park to the government of the Northern Mariana Islands at such time as the Governor, acting pursuant to legislation enacted in accordance with sections 5 and 7 of article II of the constitution of the Northern Mariana Islands, requests such a transfer. All improvements, including real and personal property, shall thereupon be transferred without cost to the government of the Northern Mariana Islands and thereafter the full cost of development, administration, and maintenance for the park shall be borne by the government of the Northern Mariana Islands except as provided in subsection (F).

(f) For the development, maintenance, and operation of the park (but not for any acquisition of land or interests in lands), there is hereby authorized to be appropriated the sum of \$3,000,000 effective October 1, 1978. Amounts appropriated pursuant to this subsection shall remain available until expended.

(g) Nothing contained in this section is intended to alter or diminish the authority to exercise the five-year option contained in article VIII of Public Law 94-241.

PALO ALTO BATTLEFIELD NATIONAL HISTORIC SITE

Sec. 509. (a) In order to preserve and commemorate for the benefit and enjoyment of present and future generations an area of unique historical significance as one of only two important battles of the Mexico War fought on American soil, the Secretary is authorized to establish the Palo Alto Battlefield National Historic Site in the State of Texas.

(b) For the purposes of this section, the Secretary is authorized to acquire by donation, purchase, or exchange, not to exceed fifty acres of lands and interests therein, comprising the initial unit, in the vicinity of the site of the battle of Palo Alto, at the junction of Farm Roads 1847 and 511, 6.3 miles north of the Congress such additions as are required to fully protect the historic integrity of the battlefield by June 30, 1979. The Secretary shall establish the historic site by publication of a notice to that effect in the Federal Register at such time as he determines that sufficient property to constitute an administrable unit has been acquired.

Pending such establishment and thereafter, the Secretary shall administer the property acquired pursuant to this section in accordance with this section and provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535) and the Act of August 21, 1935 (49 Stat. 666).

(c) There are authorized to be appropriated not to exceed \$3,000,000 for lands and interests in lands and \$200,000 for development to carry out the provisions of this section.

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA

SEC. 510. (a) The Congress finds that—

(1) there are significant scenic, recreational, educational, scientific, natural, archeological, and public health benefits provided by the Santa Monica Mountains and adjacent coastline area;

(2) there is a national interest in protecting and preserving these benefits for the residents of and visitors to the area; and

(3) the State of California and its local units of government have authority to prevent or minimize adverse uses of the Santa Monica Mountains and adjacent coastline area and can, to a great extent, protect the health, safety, and general welfare by the use of such authority.

(b) There is hereby established the Santa Monica Mountains National Recreation Area (hereinafter referred to as the "recreation area"). The Secretary shall manage the recreation area in a manner which will preserve and enhance its scenic, natural, and historical setting and its public health value as an airshed for the Southern California metropolitan area while providing for the recreational and educational need of the visiting public.

(c) (1) The recreation area shall consist of the lands and waters and interests generally depicted as the recreation area on the map entitled "Boundary Map, Santa Monica Mountains National Recreation Area, California, and Santa Monica Mountains Zone", numbered SMM-NRA 80,000, and dated May 1978, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and in the offices of the General Services Administration in the Federal Office Building in West Los Angeles, California, and in the main public library in Ventura, California. After advising 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, in writing, the Secretary may make minor revisions of the boundaries of the recreation area when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(2) Not later than ninety days after the date of enactment of this Act, the Secretary, after consultation with the Governor of the State of California, the California Coastal Commission, and the Santa Monica Mountains Comprehensive Planning Commission, shall commence acquisition of lands, improvements, waters, or interests therein within the recreation area. Such acquisition may be by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or otherwise. Any lands or interests therein owned by the State of California or any political subdivision thereof (including any park district or other public entity) may be acquired only by donation, or exchange except that such lands acquired after January 1, 1978 by the State of California or its political subdivisions may be acquired by purchase or exchange if the Secretary certifies that the purchase price or value on exchange does not exceed fair market value on the date that the State acquired the land or interest. Notwithstanding any other provision of law, and Federal property located within the boundaries of the recreation area shall, with the concurrence of the head of the agency having custody thereof, be transferred without cost, to the administrative jurisdiction of the Secretary for the purposes of the recreation area.

(3) The Administrator of the General Services Administration is hereby authorized and directed to transfer the site generally known as Nike Site 78 to the Secretary for inclusion in the recreation area: Provided, That the county of Los Angeles shall be permitted to continue to use without charge the facilities together with sufficient land as in the determination of the Secretary shall be necessary to continue to maintain and operate a fire suppression and training facility. At such time as the county of Los Angeles, California, relinquishes control of such facilities and adjacent land or ceases the operation of the fire suppression and training facility, the land and facilities shall be managed by the Secretary as a part of the recreation area.

(d) (1) Within six months after the date of enactment of this Act, in connection with the description of the boundaries of the recreation area, the Secretary shall identify the lands, waters, and interests within such boundaries which must be acquired and held in public ownership for the following critical purposes; preservation of beaches and coastal uplands; protection of undeveloped inland stream drainage basins; connection of existing State and local government parks and other publicly owned lands to enhance their potential for public recreation use; protection of existing park roads and scenic corridors, including such right-of-way as is necessary for the protection of the Mulholland Scenic Parkway Corridor; protection of the public beach and welfare; and development and interpretation of historic sites and recreation areas in connection therewith, to include, but not be limited to, parks, picnic areas, scenic overlooks, hiking trails, and equestrian trails. The Secretary may from time to time revise the identification of such areas, and any such revisions shall become effective in the same manner as herein provided for revisions in the boundaries of the recreation area.

(2) By January 1, 1980, the Secretary shall submit, in writing, to the committees referred to in subsection (c) and to the Committees on Appropriations of the United States Congress a detailed plan which shall indicate—

(A) the lands and areas identified in paragraph (1),

(B) the lands which he has previously acquired by purchase, donation, exchange, or transfer for the purpose of this recreation area,

(C) the annual acquisition program (including the level of funding) recommended for the ensuing five fiscal years, and

(D) the final boundary map for the recreation area.

(e) With respect to improved properties, as defined in this section, fee title shall not be acquired unless the Secretary finds that such lands are being used, or are threatened with uses, which are detrimental to the purposes of the recreation area, or unless each acquisition is necessary to fulfill the purposes of this section. The Secretary may acquire scenic easements to such improved property or such other interests as, in his judgment are necessary for the purposes of the recreation area.

(f) For the purposes of this section, the term "improved property" means—

(1) a detached single-family dwelling, the construction of which was begun before January 1, 1975 (hereafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated as is in the same ownership as the dwelling and as the Secretary designates to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures necessary to the dwelling which are situated on the land so designated, and

(2) property developed for agricultural uses, together with any structures accessory thereto as were used for agricultural purposes on or before January 1, 1978.

In determining when and to what extent a property is to be treated as "improved property" for purposes of this section, the Secretary shall take into consideration the manner of use of such buildings and lands prior to January 1, 1978, and shall designate such lands as are reasonably necessary for the continued enjoyment of the property in the same manner and to the same extent as existed prior to such date.

(g) The owner of an improved property, as defined in this section, on the date of its acquisition, as a condition of such acquisition, may retain for herself or himself, her or his heirs and assigns, a right of use and occupancy of the improved property for noncommercial residential or agriculture purposes, as the case may be, for a definite term of not more than twenty-five years, or in lieu thereof, for a term ending at the death of the owner or the death of her or his spouse, whichever is later. The owner shall elect the term to be reserved,

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 the right retained by the owner. A right retained by the owner pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purposes of this section, 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.

(h) In exercising the authority to acquire property under this section, the Secretary shall give prompt and careful consideration to any offer made by an individual owning property within the recreation area to sell such property, if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship.

(i) The Secretary shall administer the recreation area in accordance with this Act and provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.). In the administration of the recreation area, the Secretary may utilize such statutory authority available for the conservation and management of wildlife and natural resources as appropriate to carry out the purpose of this section. The fragile resource areas of the recreation area shall be administered on a low-intensity basis, as determined by the Secretary.

(j) The Secretary may enter into cooperative agreements with the State of California, or any political subdivision thereof, for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement services and cooperative assistance by nearby law enforcement and fire preventive agencies.

(k) Notwithstanding any other provision of law, the Secretary is authorized to accept donations of funds, property, or services from individuals, foundations, corporations, or public entities for the purpose of land acquisition and providing services and facilities which the Secretary deems consistent with the purposes of this section.

(l) By January 1, 1981, the Santa Monica Mountains National Recreation Area Advisory Commission, established by this section, shall submit a report to the Secretary which shall—

(1) assess the capability and willingness of the State of California and the local units of government to manage and operate the recreation area,

(2) recommend any changes in ownership, management, and operation which would better accomplish the purposes of this section, and

(3) recommend any conditions, joint management agreements, or other land use mechanisms to be contingent on any transfer of land.

(m) The Secretary, after giving careful consideration to the recommendations set forth by the Advisory Commission, shall, by January 1, 1982, submit a report to the Committee referred to in subsection (c) which shall incorporate the recommendations of the Advisory Commission as well as set forth the Secretary's recommendations. Such report shall—

(1) assess the benefits and costs of continued management as a unit of the National Park System,

(2) assess the capability and willingness of the State of California and the local units of government to manage and operate the recreation area, and

(3) recommend any changes in ownership, management, and operation which would better accomplish the purposes of this section.

(n) (1) The Secretary shall request the Santa Monica Mountains Comprehensive Planning Commission to submit a comprehensive plan, prepared in accord with this section and title 7.75 of the California Government Code (commencing with section 67450), for the Santa Monica Mountains Zone generally depicted on the map referred to in subsection (c) of this section for approval.

(2) The comprehensive plan shall include, in addition to the requirements of California State law—

(A) an identification and designation of public and private uses which are compatible with and which would not significantly impair the significant scenic, recreational, educational, scientific, natural, archeological, and public health benefits present in the zone and which would not have an adverse impact on the recreation area or on the air quality of the south coast air basin;

(B) a specific minimum land acquisition program which shall include, but not be limited to, fee and less than fee acquisition of strategic and critical sites not included in the recreation area for public recreational and other related uses; and a program for the complementary use of State and local authority to regulate the use of lands and waters within the Santa Monica Mountains Zone to the fullest extent practicable consistent with the purposes of this section; and

(C) a recreation transportation system which may include but need not be limited to existing public transit.

(3) No plan submitted to the Secretary under this section shall be approved unless the Secretary finds the plan consistent with paragraph (2) and finds that—

(A) the planning commission has afforded adequate opportunity, including public hearings, for public involvement in the preparation and review of the plan, and public comments were received and considered in the plan or revision as presented to him;

(B) the State and local units of government identified in the plan as responsible for implementing its provisions have the necessary authority to implement the plan and such State and local units of government have indicated their intention to use such authority to implement the plan;

(C) the plan, if implemented, would preserve significant natural, historical, and archeological benefits and, consistent with such benefits, provide increased recreational opportunities for persons residing in the greater Los Angeles-southern California metropolitan area;

(D) implementation of the plan would not have a serious adverse impact on the air quality or public health of the greater Los Angeles region.

Before making his findings on the air quality and public health impacts of the plan, the Secretary shall consult with the Administrator of the Environmental Protection Agency.

(4) Following approval of the plan with respect to the Santa Monica Mountains Zone, upon receipt of adequate assurances that all aspects of that jurisdiction's implementation responsibilities will be adopted and put into effect, the Secretary shall—

(A) provide grants to the State and through the State to local governmental bodies for acquisition of lands, waters, and interests therein identified in paragraph (2) (B), and for development of essential public facilities, except that such grants shall be made only for the acquisition of lands, waters, and interests therein, and related essential public facilities, for park, recreation, and conservation purposes; and

(B) provide, subject to agreements that in the opinion of the Secretary will assure additional preservation of the lands and waters of the zone, such funds as may be necessary to retire bonded indebtedness for water and sewer and other utilities already incurred by property owners which in the opinion of the Secretary would if left outstanding contribute to further development of the zone in a manner inconsistent with the approved plan developed by the planning commission.

No grant for acquisition of land may be made under subparagraph (A) unless the Secretary receives satisfactory assurances that such lands acquired under subparagraph (A) shall not be converted to other than park, recreation, and conservation purposes without the approval of the Secretary and without provision for suitable replacement land.

(5) Grants under this section shall be made only upon application of the recipient State and shall be in addition to any other Federal financial assistance for any other program, and shall be subject to such terms and conditions as the Secretary deems necessary to carry out the purposes of this section. Any jurisdiction that implements changes to the approved plan which are inconsistent with the purposes of this section, or adopts or acquiesces in changes to laws, regulations or policies necessary to implement or protect the approved plan, without approval of the Secretary, may be liable for reimbursement of all funds previously granted or available to it under the terms of this section without regard to such additional terms and conditions or other requirements of law that may be applicable to such grants. During the life of the planning commission, changes to the plan must be submitted by the planning commission to the Secretary for approval. No such application for a grant may be made after the date five years from the date of the Secretary's approval of the plan.

(o) The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in the lands and waters within the Santa Monica Mountains Zone, generally depicted on the map referred to in subsections (c), and the head of any Federal agency having authority to license or permit any undertaking in 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 the effect of such undertaking on the 'findings' and purposes of this section: Provided, That no such expenditure shall be approved nor shall any such license or permit be issued which, in the judgment of the Secretary, would be inconsistent with the purposes of this section or the comprehensive plan approved by the Secretary.

(p) The Secretary shall give full consideration to the recommendations of the California Department of Parks and Recreation, the Santa Monica Mountains Comprehensive Planning Commission, and the California Coastal Commission.

(q) (1) There is hereby established the Santa Monica Mountains National Recreation Area Advisory Commission (hereinafter referred to as the "Advisory Commission"). The Advisory Commission shall terminate ten years after the date of establishment of the recreation area.

(2) The Advisory Commission shall be composed of the following members to serve for terms of five years as follows:

(A) one member appointed by the Governor of the State of California;

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

(C) one member appointed by the Board of Supervisors of Los Angeles County;

(D) one member appointed by the Board of Supervisors of Ventura County; and

(E) five members appointed by the Secretary, one of whom shall serve as the Commission Chairperson.

(3) The advisory Commission shall meet on a regular basis. Notice of meetings and agenda shall be published in local newspapers which have a distribution which generally covers the area. Commission meetings shall be held at locations and in such a manner as to insure adequate public involvement. Such locations shall be in the region of the Santa Monica Mountains and no more than twenty-five miles from it.

(4) Members of the Commission shall serve without compensation as such, but the Secretary may pay expenses reasonably incurred in carrying out their responsibilities under this Act on vouchers signed by the Chairperson.

(5) The Secretary, or his or her designee, shall from time to time but at least semiannually, meet and consult with the Advisory Commission on matters relating to the development of this recreation area and with respect to carrying out the provisions of this section.

(r) There are authorized to be appropriated such sums as may be necessary for acquisition of lands and interests in land within the boundaries of the recreation area established under this section, but not more than \$50,000,000 for each of the fiscal years 1970, 1980, and 1981, such sums to remain available until expended. For grants to the State pursuant to subsection (n) there are authorized to be appropriated not more than \$10,000,000 for each of the fiscal years 1979, 1980, and 1981 such sums to remain available until expended.

(s) For the development of essential public facilities in the recreation area there are authorized to be appropriated not more than \$500,000.

(t) Within two years from the date of establishment of the recreation area pursuant to this section, the Secretary shall, after consulting with the Advisory Commission, develop and transmit to the Committees referred to in subsection (c) a general management plan for the recreation area consistent with the objectives of this section. Such plan shall indicate—

(1) a plan for visitor use including the facilities needed to accommodate the health, safety, education and recreation needs of the public;

(2) the location and estimated costs of all facilities;

(3) the projected need for any additional facilities within the area;

(4) any additions or alterations to the boundaries of the recreation area which are necessary or desirable to the better carrying out of the purposes of this section; and

(5) a plan for preservation of scenic, archeological and natural values and of fragile ecological areas.

EBEY'S LANDING NATIONAL HISTORICAL PARK

SEC. 511. (a) The Secretary is authorized to acquire on behalf of the United States by donation, purchase with donated or appropriated funds, or by exchange, lands, easements, interests in lands, and such other property on Central Whidbey Island, Puget Sound, State of Washington, as the Secretary may deem necessary for the purpose of interpreting and preserving the Central Whidbey Island Historic District, containing approximately eight thousand acres surrounding Penn Cove and including prairies that remain in much the same condition as when they were first explored by Captain George Vancouver in 1792, original Donation Land Claims preempted by early settlers according to the provisions of the Donation Land Law passed by the United States Congress in the 1850's, fifteen places listed in the Historic American Buildings Survey, original frame houses built by the early settlers that still stand on the original Donation Lands Claims, and numerous structures portraying a cross section of early domestic architecture. Lands or interests therein owned by the State of Washington or a political subdivision thereof may be acquired only by donation. The Secretary may not acquire fee title to any land under this section without the consent of the owner thereof. In exercising his authority to acquire property under this subsection, the Secretary shall give prompt and careful consideration to any offer made by an individual owning property within the area subject to such authority to sell such property, if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship.

(b) The property acquired under the provisions of subsection (a) shall be known as the Ebey's Landing National Historical Park and shall be established to preserve a rural community which provides an unbroken historical record from the nineteenth century exploration and settlement in Puget Sound to the present time. The park shall commemorate—

(1) the first exploration of the Puget Sound area, by Captain George Vancouver, in 1792;

(2) settlement by Colonel Isaac Neff Ebey who led the first permanent settlers to Whidbey Island, quickly became an important figure in Washington Territory, and ultimately was killed by Haidahs from the Queen Charlotte Islands during a period of Indian unrest in 1857;

(3) early active settlement during the years of the Donation Land Law (1850-1855) and thereafter; and

(4) the growth since 1883 of the historic town of Coupeville.

The Secretary shall administer, protect, and develop such park in accordance with the provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(c) The Secretary may enter into cooperative agreements with the State of Washington, political subdivisions thereof, corporations, associations, or individuals, for the preservation of nationally significant historic sites and structures and for the interpretation of significant events which occurred on Central Whidbey Island, in Puget Sound, and he may erect and maintain tablets or markers at appropriate sites in accordance with the provisions of the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(d) There is hereby authorized to be appropriated \$4,500,000 for the acquisition of lands and interests therein and \$500,000 for development of the park.

Subtitle B—Trails

MORMON PIONEER NATIONAL HISTORIC TRAIL

SEC. 551. Section 5(a) of the National Trails System Act (82 Stat. 919; 16 U.S.C. 1241) is amended by inserting the following new paragraph after paragraph (3):

"(4) The Mormon Pioneer National Historic Trail, a route of approximately one thousand three hundred miles extending from Nauvoo, Illinois, to Salt Lake City, Utah, following the primary historical route of the Mormon Trail is generally depicted on a map, identified as, "Mormon Trail Vicinity Map, figure

2' in the Department of the Interior Mormon Trail study report dated March 1977, and which shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The Trail shall be administered by the Secretary of the Interior."

OVERMOUNTAIN MEN VICTORY TRAIL

SEC. 552. Section 5(c) of the National Trails System Act (82 Stat. 919; 16 U.S.C 1241) is amended by adding at the end thereof the following new paragraph:

"(23) Overmountain Men Victory Trail extending from the vicinity of Elizabethton, Tennessee, to Kings Mountain National Military Park, South Carolina."

CONTINENTAL DIVIDE NATIONAL SCENIC TRAIL

SEC. 553. Section 5(a) of the National Trails System Act (82 Stat. 919; 16 U.S.C. 1241) is amended by adding the following new paragraph at the end thereof:

"(5) The Continental Divide National Scenic Trail, a trail of approximately thirty-one hundred miles, extending from the Montana-Canada border to the New Mexico-Mexico border, following the approximate route depicted on the map, identified as 'Proposed Continental Divide National Scenic Trail' in the Department of the Interior Continental Divide Trail study report dated March 1977 and which shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The Continental Divide National Scenic Trails shall be administered by the Secretary of Agriculture in consultation with the Secretary of the Interior. Notwithstanding the provisions of section 7(c), the use of motorized vehicles on roads which will be designated segments of the Continental Divide National Scenic Trail shall be permitted in accordance with regulations prescribed by the appropriate Secretary."

NORTH COUNTRY NATIONAL SCENIC TRAIL

SEC. 554. Section 5(a) of the National Trails System Act (82 Stat. 919; 16 U.S.C. 1241) is amended by adding the following new paragraph at the end thereof:

"(6) 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 file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The trail shall be administered by the Secretary of the Interior."

AUTHORIZATION OF APPROPRIATIONS

SEC. 555. For acquisition of lands and interests in land with respect to the trails included within the national trails system under this subtitle there is authorized to be appropriated not more than \$3,000,000 for each of the three fiscal years which begins after the date of the enactment of this Act. Such sums shall remain available until expended.

TITLE VI—MISCELLANEOUS PROVISIONS

OLD FAITHFUL INN AT YELLOWSTONE NATIONAL PARK

SEC. 601. (a) The Secretary is hereby authorized to acquire and upgrade the Old Faithful Inn at Yellowstone National Park in the State of Wyoming.

(b) There are hereby authorized to be appropriated to carry out the purposes of this section, \$1,500,000 for acquisition and \$1,500,000 for development.

RIDGELANDS AREA STUDY

SEC. 602. (a) In order to consider preserving in their natural condition appropriate segments of the Ridgelands east of San Francisco Bay for protection of the area's unique ecology and topography and for public outdoor recreation, the

Secretary shall study, investigate, and formulate recommendations on the feasibility and desirability of establishing such area as a unit of the National Park System. The Secretary shall consult with the Secretary of Agriculture, the Chief of Engineers, Department of the Army, and any other appropriate Federal agencies, as well as with the East Bay Regional Park District, the Association of Bay Area Governments, and other State and local bodies and officials involved, and shall coordinate the study with applicable local and State plans and planning activities relating to the Ridglands. Federal departments and agencies are authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to furnish such statistics, data, reports, and other material as the Secretary may deem necessary for purposes of the study.

(b) The Secretary shall submit to the President and the Congress of the United States, within one year after the date of enactment of this Act, a report of his findings and recommendations. The report of the Secretary shall contain, but not be limited to, findings with respect to—

(1) the scenic, scientific, historic, natural, and outdoor recreation values of the Ridglands, including their use for walking, hiking, horseback riding, bicycling, swimming, picnicking, camping, forest management, fish and wildlife management, educational exhibiting, and scenic and historic site preservation;

(2) the type of Federal, State, and local programs that are feasible and desirable in the public interest to preserve, develop, and make accessible for public use the values identified;

(3) the relationship of any recommended national park, recreation area, or wilderness area to existing or proposed Federal, State, and local programs to manage in the public interest the natural resources of the entire San Francisco Bay area;

(4) alternative means of restoring and preserving the values inherent in the area under present ownership patterns; and

(5) the development of public land policies consistent with the protection of private open space land.

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

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

SEC. 603. Section 17(a) of the Pennsylvania Avenue Development Corporation Act of 1972 (86 Stat. 1266), as amended, is further amended by striking the word "and" and preceding the figure "\$1,500,000"; by changing the period at the end of the sentence to a semicolon; and by adding the following at the end of the sentence "and \$2,000,000 for the fiscal year ending September 30, 1979.

PRESERVATION OF HISTORICAL AND ARCHAEOLOGICAL DATA

SEC. 604. (a) Section 7(b) of the Act of June 27, 1960 (74 Stat. 220; 16 U.S.C. 469) is amended by striking out "and" following "1977;" and by striking out the period at the end thereof and substituting the following "; \$500,000 in fiscal year 1979; \$1,000,000 in fiscal year 1980; \$1,500,000 in fiscal year 1981; \$1,500,000 in fiscal year 1982; and \$1,500,000 in fiscal year 1983."

(b) Section 7(c) of such Act is amended by striking out "and" following "1977;" and by striking out the period at the end thereof and substituting the following: "; \$3,000,000 in fiscal year 1979; \$3,000,000 in fiscal year 1980; \$3,500,000 in fiscal year 1981; \$3,500,000 in fiscal year 1982; and \$4,000,000 in fiscal year 1983."

(c) Section 7 of such Act is amended by adding the following at the end thereof:

"(d) Beginning with fiscal year 1979, sums appropriated as provided in this section shall remain available until expended."

HISTORIC SITES FOR PRESIDENTS

SEC. 605. (a) The Secretary is authorized to establish by order, using such guidelines as he deems appropriate, a National Historic Site to commemorate each former President of the United States for his deeds, or for his leadership or for his lifework, or to name a significant memorial as a suitable tribute to honor such President.

(b) The Secretary shall select the location, and shall prepare a plan and a study for the development of such site, and shall submit it 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 no less than six months prior to final designation of the site. Either committee by a vote of the majority of its members may disapprove the action of the Secretary prior to the expiration of such six-month period. If neither committee has disapproved such action during such period the Secretary is authorized to acquire such lands, or interests in land, or structures as may be necessary to properly exemplify the commemoration to the former President, and may acquire the site by donation, purchase with donated or appropriated funds, or by any other means deemed to be appropriate.

(c) Any site established under this section commemorating a former President of the United States shall be administered in accordance with this section and provisions of law generally applicable to units of the National Park System.

(d) There are hereby authorized to be appropriated to carry out the purposes of this section (as described in the original site plan as proposed to the committees of the Congress) such sums as may be necessary.

POTENTIAL PARK UNIT STUDIES

SEC. 606. In addition to other amounts available for such purposes, there are hereby authorized to be appropriated not more than \$10,000,000 annually to be used by the Secretary for carrying out detailed studies of areas which may be suitable for inclusion in the National Park System. Such amounts may not be used to carry out any study which is specifically authorized to be carried out under any other provision of law. Notwithstanding any other provision of law, the study authorized by section 701 of Public Law 94-518 shall be transmitted as provided by said section no later than July 15, 1978.

NEW AREA STUDIES, GENERAL MANAGEMENT PLANS, AND CONTRACTS

SEC. 607. 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" (84 Stat. 825) is amended as follows:

(1) At the end of section 8 add the following: "For the purposes of carrying out the studies for potential new Park System units and for monitoring the welfare of those resources, there are authorized to be appropriated annually not to exceed \$3,000,000. For the purposes of monitoring the welfare and integrity of the national landmarks, there are authorized to be appropriated annually not to exceed \$1,500,000."

(2) Delete section 12(b) and insert in lieu the following:

"(b) General management plans for the preservation and use of each unit of the National Park System, including areas within the national capital area, shall be prepared and revised in a timely manner by the Director of the National Park Service. On January 1 of each year, the Secretary shall submit to the Congress a list indicating the current status of completion or revision of general management plans for each unit of the National Park System. General management plans for each unit shall include, but not be limited to:

"(1) measures for the preservation of the area's resources;

"(2) indications of types and general intensities of development (including visitor circulation and transportation patterns, systems and modes) associated with public enjoyment and use of the area, including general locations, timing of implementation, and anticipated costs;

"(3) identification of and implementation commitments for visitor carrying capacities for all areas of the unit; and

"(4) indications of potential modifications to the external boundaries of the unit, and the reasons therefor."

(3) In section 12(c) delete "or exceeding five years" and insert "or of five years or more"

OAK CREEK CANYON AND CHIRICAHUA NATIONAL MONUMENT STUDIES

SEC. 608. (a) In recognition of the need for and desirability of protecting the Oak Creek Canyon, Yavapai, and Soldiers Wash-Mormon Canyon areas in Ari-

zona as a unit or units of the national park system, the Secretary, in cooperation with the Secretary of Agriculture where national forest lands are involved, shall conduct a study to determine a suitable boundary for such unit or units of the System, including the areas referred to herein together with such lands as may be appropriate to provide for their protection and administration as a national monument or other unit of the National Park System. Such study shall be conducted in consultation with appropriate units of local government concerned and the Sedona-Oak Creek Canyon Interagency Task Force.

(b) The Secretary, in cooperation with the Secretary of Agriculture where national forest lands are involved, shall conduct a study of the boundary of Chiricahua National Monument, Arizona, to determine the appropriate location of a boundary line for additions to the monument which includes such highly scenic features as Cochise Head and which is located to the extent practicable on natural topographic features.

(c) A report of each study conducted pursuant to subsections (a) and (b) of this section shall be submitted by the Secretary to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate not later than one year following the date on which funds are appropriated for the purpose of the study. Each report shall include a map or other description of the boundary determined as a result of the study, a description of the natural, scenic, and cultural features within the boundary, and the recommendation of the Secretary with respect to such further legislation as may be appropriate.

APPROPRIATE AGENCY PROCEDURES

SEC. 609. It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

LAND AND WATER CONSERVATION FUND ACCOMPLISHMENTS REPORTING DATE

SEC. 610. (a) The first sentence of section 6(f)(7) of the Land and Water Conservation Fund Act (78 Stat. 897) is amended by inserting " , so as to be received by the Secretary no later than December 1," after the word "transmit".

(b) The third sentence of such section 6(f)(7) of such Act is amended by striking out the period and inserting in lieu thereof "by no later than February 15 of each year."

RECREATION PROGRAMS

SEC. 611. (a). This section may be cited as the "Urban Parks and Recreation Recovery Act" and shall become effective on October 1, 1978.

FINDINGS AND PURPOSES

(b) The Congress finds that the quality of life in urban areas is closely related to the availability of fully functional park and recreation systems, including land, facilities and service programs. The Congress further finds that many hard-pressed cities and insular areas have recreation systems which are seriously deteriorated and that no existing Federal assistance program fully addresses the needs for physical rehabilitation of these systems. The purpose of this section is to authorize Federal grants to hard-pressed communities specifically for the rehabilitation and development of critically needed recreation areas and facilities for a period of five years. This short-term program is intended to complement existing Federal programs such as the Land and Water Conservation Fund and Community Development grant programs by encouraging and stimulating local

governments to revitalize their park and recreation systems and to make long-term commitments to continuing maintenance of these systems.

URBAN PARK AND RECREATION RECOVERY PROGRAM

(c) The Secretary is authorized to establish an Urban Park and Recreation Recovery Program to provide financial assistance for rehabilitation and development of recreation areas and facilities in the form of challenge grants to local governments in urban and insular areas. Such assistance shall be subject to such terms and conditions as the Secretary considers appropriate and in the public interest to carry out the purposes of this section.

DEFINITIONS

(d) When used in this section—

(1) "recreation facilities" means indoor or outdoor facilities which are intended to serve the close-to-home recreation needs of community residents, with emphasis on public facilities readily accessible to residential neighborhoods, including multiple-use community centers which have recreation as one of their primary purposes, but excluding major sports arenas, exhibition areas and conference halls used primarily for commercial sports, spectator or display activities.

(2) "recreation areas" means existing parks, building or sites dedicated to recreation purposes and administered by public agencies for use by the general public.

(3) "grants" means matching capital grants to public agencies for the purpose of rebuilding, remodeling, expanding or developing existing outdoor or indoor recreation areas and facilities, including improvements in park landscapes, buildings and support facilities, but excluding routine maintenance and upkeep activities.

(4) "maintenance" means all commonly accepted practices necessary to keep recreation areas and facilities operating in a state of good repair and to protect them from deterioration resulting from normal wear and tear.

(5) "general purpose local government" means any city, county, town, township, parish, village or other general purpose political subdivision of a State, including the District of Columbia, and insular areas.

(6) "special purpose local government" means any local or regional special district, public-purpose corporation or other limited political subdivision of a State, or of the District of Columbia, including but not limited to school districts, park authorities, and park, conservation, water or sanitary districts.

(7) "State" means any State of the United States or any instrumentality of a State approved by the Governor; the Commonwealth of Puerto Rico, and insular areas; and

(8) "insular areas" means Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands.

GRANTS TO IMPLEMENT PROGRAM

(e) **GRANTEES.**—The Secretary is authorized to provide 50 per centum matching, rehabilitation grants directly to eligible general purpose local governments upon his approval of applications therefor by the chief executives of such governments. At the discretion of such applicants, and if consistent with an approved application, rehabilitation grants may be transferred to independent special purpose local governments: Provided, That recreation areas and facilities owned or managed by them offer recreation opportunities to the general population in their service areas.

Payments may be made only for development or rehabilitation activities which have been approved by the Secretary. Such payments may be made from time to time in keeping with the rate of progress toward the satisfactory completion of a project.

The Secretary may authorize modification of an approved project only when a grantee has adequately demonstrated that such modification is necessary because of circumstances not foreseeable at the time a project was proposed.

(f) **CRITERIA FOR GRANT ELIGIBILITY AND PRIORITIES FOR PROJECT APPROVAL.**—Eligibility of general purpose local governments for grants shall be based upon need as determined by the Secretary. Within 120 days after the effective date

of this Act, the Secretary shall publish in the Federal Register a list of the general purpose local governments eligible to participate in the Urban Park and Recreation Recovery program together with a discussion of criteria used in their selection. Such criteria shall be based upon the minimum standards for physical and economic distress established for the Department of Housing and Urban Development's Urban Development Action Grants. The Secretary shall also establish priority criteria for project selection and approval which consider such factors as:

- (1) population;
- (2) age and condition of existing recreation areas and facilities;
- (3) demonstrated deficiencies in access to neighborhood recreation opportunities, particularly for low-income and minority residents;
- (4) public participation in determining rehabilitation or development needs;
- (5) the extent to which a project supports or complements target activities undertaken as part of a local government's overall community development and urban revitalization program;
- (6) the extent to which a proposed project would provide employment opportunities for low- and moderate-income residents in the project neighborhood and/or would provide for participation of neighborhood, non-profit or tenant organizations in the proposed rehabilitation activity or in subsequent maintenance, staffing, or supervision of recreation areas and facilities; and

(7) the amount of State and private support for a project as evidenced by commitments of non-Federal resources to project construction or operation.

(g) LOCAL COMMITMENTS TO SYSTEM RECOVERY AND MAINTENANCE.—As a requirement for project approval local governments applying for rehabilitation grants must submit to the Secretary interim evidence of commitments to ongoing rehabilitation, operation, maintenance, and service programs and planning for their overall park and recreation system. Such commitments should maximize coordination of all community resources, including other federally supported urban development and recreation programs. Following an interim period to be established by regulations under this section, all local applicants must submit to the Secretary, as a condition of eligibility, complete park and recreation recovery plans identifying overall rehabilitation and maintenance objectives for the park and recreation system, including satisfactory demonstration by a local government of:

- (1) adequate planning for the development or rehabilitation of specifically identified recreation areas and facilities, including projections of the cost of proposed projects;
- (2) capacity and commitment to assure that facilities provided or improved under this section shall thereafter continue to be adequately maintained, protected, staffed and supervised;
- (3) intention to maintain total local public outlays for park and recreation purposes at levels at least equal to such expenditures in the year preceding that in which grant assistance is sought; and
- (4) the relationship of the park and recreation recovery program to overall community development and urban revitalization efforts.

The Secretary shall establish and publish in the Federal Register requirements for preparation, submission and updating of local park and recreation recovery plans.

(h) PROGRAM DEVELOPMENT GRANTS.—The Secretary is authorized to provide 50 per centum matching grants for program development and planning specifically to meet the objectives of this section.

(i) STATE ACTION INCENTIVE.—The Secretary is authorized to increase Federal grants authorized in this subsection by providing an additional match equal to the total match provided by a State of up to 25% of total project costs. In no event may the Federal matching amount exceed 75% of total project cost. The Secretary shall further encourage the States to assist him in assuring that local rehabilitation plans and programs are adequately implemented by cooperating with the Department of the Interior in monitoring local park and recreation recovery plans and programs and in insuring consistency of such plans and programs, where appropriate, with State recreation policies as set forth in statewide comprehensive outdoor recreation plans.

(j) MATCHING REQUIREMENTS.—The non-Federal shares of project costs assisted under this section may be derived from general or special purpose State

or local revenues, State categorical grants, special appropriations by State legislatures, donations of land, buildings or building materials and/or in-kind construction, technical and planning services, but not from any Federal grant program other than General Revenue Sharing and the Community Development block grant program. Reasonable local costs of plans or program development to meet the requirements of this subsection may be used as part of the local match only when local applicants have not received program development grants under the authority of subsection (h) of this section. The Secretary shall encourage States and private interests to contribute, to the maximum extent possible, to the non-Federal share of project costs. The amount of State and private contributions to the project, shall be considered as one factor in rating projects for approval.

(k) **CONVERSION OF RECREATION PROPERTY.**—No property improved or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing local park and recreation recovery plan and only upon such conditions as he deems necessary to assure the provision of adequate recreation properties and opportunities of reasonably equivalent location and usefulness.

COORDINATION OF PROGRAM

(l) The Secretary shall (a) coordinate the Urban Park and Recreation Recovery Program with the total urban recovery effort and work with the Secretary of HUD to insure maximum effectiveness of the program. The Secretary shall also coordinate to the fullest extent possible with other Federal departments and agencies and with State agencies which administer programs and policies effecting urban areas, including but not limited to, programs in housing, urban development, natural resource management, employment, transportation, community services and voluntary action; (b) encourage maximum coordination of the program between appropriate State agencies and local applicants; and (c) require that local applicants include provisions for participation of community and neighborhood residents and for public-private coordination in rehabilitation planning and project selection.

AUDIT REQUIREMENTS

(m) Each recipient of assistance under this section shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition of project undertakings in connection with which assistance under this section is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit. The Secretary, and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers and records of the recipient that are pertinent to assistance received under this section.

AUTHORIZATION OF APPROPRIATIONS

(n) There are hereby authorized to be appropriated for the grants authorized by this section, not to exceed \$150,000,000 for each of the fiscal years 1979 through 1983, such sums to remain available until expended. Not more than three per centum of the funds authorized in any fiscal year may be used for grants for the development of local park and recreation recovery plans and programs pursuant to this section. Grants made under this section for projects in any one State shall not exceed in the aggregate 15 per centum of the aggregate amount of funds authorized to be appropriated in any fiscal year.

Notwithstanding any other provision of this Act, or any other law, or regulation, there is further authorized to be appropriated \$250,000 for each of the fiscal years 1979 through 1983, such sums to remain available until expended, to each of the insular areas. Such sums will not be subject to the matching provisions of this section, and may be subject to such conditions, reports, plans, and agreements, if any, as determined by the Secretary.

LIMITATION ON USE OF FUNDS

(o) No grant funds available under this section shall be used for acquisition of land or interests in land.

EXPIRATION OF AUTHORITY

(p) The authority for new appropriations under this section shall expire on September 30, 1983. Funds already authorized and appropriated as of that date will remain available until expended.

HELLS CANYON NATIONAL RECREATION AREA

SEC. 612. The words "September 1975" in section 1(b) of the Act of December 31, 1975 (Public Law 94-199), are deleted and replaced with the words "May 1978," to clarify that the boundary between Saulsberry and Freezeout Saddles is the hydrologic divide.

IRVINE COAST-LAGUNA, CALIFORNIA STUDY

SEC. 613. (a) In order to consider preserving in its natural condition, the Irvine Coast-Laguna area, California from Newport Beach to Laguna Beach as generally depicted on the map entitled "Irvine Coast-Laguna Study Area", numbered IRV-90,000, and dated May 1978, and in order to consider protection of the area's unique ecology and topography, its watershed and marine environment, and public outdoor recreation opportunities, the Secretary shall study, investigate, and formulate recommendations on the feasibility and desirability of establishing such area as a unit of the National Park System, such as a park, recreation area, or seashore. The Secretary shall consult with other appropriate Federal agencies, as well as with the appropriate State and local bodies and officials involved, and shall coordinate the study with applicable local and State plans and planning activities relating to the area. Federal departments and agencies are authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to furnish such statistics, data, reports, and other material as the Secretary may deem necessary for purposes of the study.

(b) The Secretary shall submit to the President and the Congress of the United States, within six months after the date of enactment of this section, a report of his findings and recommendations. The report of the Secretary shall contain, but not be limited to, findings with respect to—

- (1) the scenic, scientific, natural, and outdoor recreation values of the Irvine Coast-Laguna area;
- (2) the type of Federal, State, and local programs that are feasible and desirable in the public interest to preserve, develop, and make accessible for public use the values identified; and
- (3) the relationship of any recommended national park, recreation area, or seashore area to existing or proposed Federal, State, and local programs to manage in the public interest the natural resources of the entire Irvine Coast-Laguna area.

(c) There is hereby authorized to be appropriated \$250,000 to carry out the provisions of this section.

THEODORE ROOSEVELT INAUGURAL NATIONAL HISTORIC SITE

SEC. 614. The first section 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), is amended by striking out "at no expense to the United States" and inserting in lieu thereof "at no expense to the Department of the Interior,".

BIG SUR STUDY

SEC. 615. (a) It is the purpose of this section to provide for a study of the area in and around Big Sur, California, to determine the most feasible means of preserving its landscapes of unique and outstanding ecological, scenic, and recreational values and of coordinating the management of the area. Such study shall include consideration of the—

- (1) preferences of the residents of the Big Sur area respecting such issue;
- (2) current land ownership and use patterns;

(3) views of all local, State, and Federal governments and agencies controlling or managing property in such area, and views of all other interested groups and individuals respecting the most feasible means of preserving its unique values and coordinating the management of the area;

(4) cost and benefits of various alternative means of preserving such values and coordinating such management;

(5) any other studies that have been prepared or are being prepared on the most appropriate use or uses of such area; and

(6) any other issues that the Commission, created by this Act, determines are necessary and appropriate to such study.

(b)(1) The Big Sur Preservation Study Commission is hereby established.

(2) The Commission shall be composed of one representative of each of the following agencies heads—

(A) Big Sur Grange;

(B) Big Sur Citizens Advisory Committee;

(C) Big Sur Chamber of Commerce;

(D) Big Sur Foundation;

(E) Big Sur Trust;

(F) Coast Property Owners Association;

(G) United States Department of the Interior;

(H) United States Department of Agriculture;

(I) California Department of Parks and Recreation;

(J) Central California Coastal Commission; and

(K) Monterey County Department of Parks.

(3) A simple majority of the members of the Commission shall constitute a quorum.

The Commission shall act only by a majority vote of the membership of the Commission.

(4) The Chairman of the Commission shall be elected by the members of the Commission from among the members of the Commission and shall serve until expiration of the Commission.

(5) The Commission shall meet at the call of the Chairman or a majority of its members. Commission meetings shall be held at such locations and in such manner as to insure adequate public involvement. Such locations shall be within a twenty-mile radius of the town of Big Sur, California. All meetings for the conduct of business shall be open to the public and shall be preceded by reasonable notice thereof.

(6) Members of the Commission who are employees of the United States or of a State or local unit of government shall serve without additional compensation, except for reimbursement for expenses incurred in the performance of their duties as members of the Commission. All other members shall receive \$50 per diem when actually engaged in the performance of their duties as members of the Commission.

(7) Financial and administrative services (including those related to payment of compensation, budgeting, accounting, financial reporting, and procurement) shall be provided by the Secretary from the funds appropriated to carry out this section.

(8) Technical assistance services shall be provided by the Secretary of the Commission for the purpose of developing the study referred to in this section and shall be provided from the funds appropriated to carry out this section and from any discretionary funds available to the Secretary for the payment for such services.

(9) The Commission shall have the authority to appoint such staff and temporary and intermittent personnel as may be necessary to carry out the duties of the Commission. Such staff and other personnel may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(10) Upon request of the Commission, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist it in carrying out its duties under this section.

(11) The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this section.

Upon request of the Commission, the head of such department or agency shall furnish such information to the Commission.

(12) The Commission shall convene not later than sixty days after the beginning of the first fiscal year for which sums are appropriated to carry out this section.

(c) The Commission shall, within eighteen months after the first day of the first fiscal year beginning after the date of the enactment of this section, complete and submit to the Secretary and the Congress a Big Sur Area Preservation Feasibility Study (hereinafter in this section referred to as the "study" which includes—

(1) a description of the lands within the area, including a detailed description of the boundaries of such area and a resource assessment;

(2) an evaluation of the values, scenic, cultural, historical, recreational, and other, present in such area;

(3) a recommendation of the land uses compatible and incompatible with the preservation of such values;

(4) a recommendation of the most appropriate institutional arrangements, if any, between the residents, the Federal, State, and local governmental units and private entities for the preservation of such values in such area; such a recommendation may include retention of the present status quo arrangements if the Commission deems them sufficient for the needs of the area;

(5) a summary of the findings of the Commission of the views of local residents and affected individuals and groups on any proposed recommendations, together with recommendations by the Commission on the best way to maintain and encourage local participation in any future planning for the area;

(6) a recommendation for coordination of the policies and programs of the local, State, and Federal governments in such area so as to preserve and enhance the values of such area; and

(7) such other information and recommendations as the Commission finds necessary.

(d) Prior to completion of the study, the Commission shall hold at least two public hearings within the confines of the area described in the study for the purpose of receiving public comment on the study. Notice of the date, time, and location of such meeting or hearing shall be published in a local newspaper of general circulation at least once a week for four consecutive weeks, beginning one month before such hearing, and shall contain information as to where a copy of the proposed plan may be inspected. The final study shall not be adopted until thirty days after the last hearing.

(e) The Commission shall, upon adoption of the study by a majority vote of the entire membership of the Commission, submit the study to the Secretary and 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. The Secretary shall, within ninety days of his receipt of the report, forward his recommendations to the Congress.

(f) The Commission shall terminate upon transmittal of the study by the Secretary to the Congress.

(g) There is hereby authorized to be appropriated to carry out the purposes of this section not more than \$350,000 for the eighteen-month period beginning with the first fiscal year which begins after the date of the enactment of this Act.

TITLE VII—WILD AND SCENIC RIVERS ACT AMENDMENTS

Subtitle A—Addition of Segments

ADDITION OF PERE MARQUETTE SEGMENT

SEC. 701. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(16) PERE MARQUETTE, MICHIGAN.—The segment downstream from the junction of the Middle and Little South Branches to its junction with United States Highway 31 as generally depicted on the boundary map entitled 'Proposed Boundary Location, Pere Marquette Wild and Scenic River,'; to be administered by the Secretary of Agriculture. After consultation with State and local govern-

ments and the interested public, the Secretary shall take such action as is provided for under subsection (b) with respect to the segment referred to in this paragraph within one year from the date of enactment of this paragraph. For the purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not more than \$8,125,000 for the acquisition of lands or interests in lands and \$402,000 for development."

ADDITION OF RIO GRANDE SEGMENT

SEC. 702. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(17) RIO GRANDE, TEXAS.—The segment on the United States side of the river from river mile 842.3 above Mariscal Canyon downstream to river mile 651.1 at the Terrell-Val Verde County line; to be administered by the Secretary of the Interior. The Secretary shall, within two years after the date of enactment of this paragraph, take such action with respect to the segment referred to in this paragraph as is provided for under subsection (b). The action required by such subsection (b) shall be undertaken by the Secretary, after consultation with the United States Commissioner, International Boundary and Water Commission, United States and Mexico, and appropriate officials of the State of Texas and its political subdivisions. The development plan required by subsection (b) shall be construed to be a general management plan only for the United States side of the river and such plan shall include, but not be limited to, the establishment of a detailed boundary which shall include an average of not more than 160 acres per mile. Nothing in this Act shall be construed to be in conflict with—

"(A) the commitments or agreements of the United States made by or in pursuance of the treaty between the United States and Mexico regarding the utilization of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington, February 1944 (59 Stat. 1219), or

"(B) the treaty between the United States and Mexico regarding maintenance of the Rio Grande and Colorado River as the international boundary between the United States and Mexico, signed November 23, 1970.

For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated such sums as may be necessary, but not more than \$1,650,000 for the acquisition of lands and interests in lands and not more than \$1,800,000 for development."

ADDITION OF SKAGIT SEGMENT

SEC. 703. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(18) SKAGIT, WASHINGTON.—The segment from the pipeline crossing at Sedro-Woolley upstream to and including the mouth of Bacon Creek; the Cascade River from its mouth to the junction of its North and South Forks; the South Fork to the boundary of the Glacier Peak Wilderness Area; the Suiattle River from its mouth to the boundary of the Glacier Peak Wilderness Area at Milk Creek; the Sauk River from its mouth to its junction with Elliott Creek; the North Fork of the Sauk River from its junction with the South Fork of the Sauk to the boundary of the Glacier Peak Wilderness Area; as generally depicted on the boundary map entitled 'Skagit River—River Area Boundary'; all segments to be administered by the Secretary of Agriculture. Rip-rapping related to natural channels with natural rock along the shorelines of the Skagit segment to preserve and protect agricultural land shall not be considered inconsistent with the values for which such segment is designated. After consultation with affected Federal agencies, State and local government and the interested public, the Secretary shall take such action as is provided for under subsection (b) with respect to the segments referred to in this paragraph within one year from the date of enactment of this paragraph; as part of such action, the Secretary of Agriculture shall investigate that portion of the North Fork of the Cascade River from its confluence with the South Fork to the boundary of the North Cascades National Park and if such portion is found to qualify for inclusion, it shall be treated as a component of the Wild and Scenic Rivers System designated under this section upon publication by the Secretary of notification

to that effect in the Federal Register. Upon a showing by the United States Army Corps of Engineers that a dry dam on the Sauk River provides greater flood control protection on a cost-benefit ratio than other measures, and is not unduly deleterious to the anadromous fishery, the Sauk River from its mouth to the national forest boundary and the segment of the Suiattle River affected by impounded waters shall be withdrawn from wild and scenic river status. The Chief of the United States Army Corps of Engineers shall report to the Congress as soon as funds are appropriated by the Congress and appropriately matched at the local level. Within sixty legislative days of such report, Congress may act and the aforementioned segments of the Sauk and Suiattle Rivers shall be withdrawn from wild and scenic river status and construction of said dam may proceed. For the purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph there are authorized to be appropriated not more than \$11,734,000 for the acquisition of lands or interest in lands and not more than \$332,000 for development."

ADDITION OF UPPER MISSISSIPPI SEGMENTS

Sec. 704. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(19) UPPER MISSISSIPPI, MINNESOTA.—The upper ten segments of those segments of the river qualifying for designation between the northwestern corporate boundary of Anoka and the outlet of Lake Itasca, as generally depicted and classified on the drawing designated as 'Figure 1—Qualifying segments' contained in the Secretary's report entitled 'Upper Mississippi—A Wild and Scenic River Study', dated April 1977. The Secretary may designate lands owned by the Chippewa Indian Tribe as part of the Upper Mississippi component only with the consent of the tribal governing body. The Secretary, in consultation with the Secretary of Agriculture and appropriate officials of the State of Minnesota and its political subdivisions, shall take such action as is provided for under subsection (b) of this section with respect to the segments designated under this paragraph within two years after the date of enactment of this paragraph. In applying section 6(g)(3), January 1, 1977 shall be substituted for January 1, 1967. The development plan required by subsection (b) shall be construed to be a comprehensive master plan which shall include, but not be limited to, the delineation of detailed boundaries for the Upper Mississippi component, and specific plans for its acquisition, development, and management, including provision for continued administration by the Secretary of Agriculture of lands within the Chippewa National Forest. For the purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not more than \$16,500,000 for the acquisition of lands and interests in lands and not more than \$3,300,000 for development."

ADDITION OF UPPER DELAWARE SEGMENT ; SPECIAL PROVISIONS

Sec. 705. (a) Section 3(a) of the Wild and Scenic Rivers Act, is amended by adding the following new paragraph at the end thereof:

"(20) UPPER DELAWARE RIVER, NEW YORK AND PENNSYLVANIA.—The segment of the Upper Delaware River from the confluence of the East and West branches below Hancock, New York, to the existing railroad bridge immediately downstream of Cherry Island in the vicinity of Sparrow Bush, New York, as depicted on the boundary map entitled 'The Upper Delaware Scenic and Recreational River', dated April 1978; to be administered by the Secretary of the Interior, Subsection (b) of this section shall not apply, and the boundaries and classifications of the river shall be as specified on the map referred to in the preceding sentence, except to the extent that such boundaries or classifications are modified pursuant to section 705(c) of the National Parks and Recreation Act of 1978. Such boundaries and classifications shall be published in the Federal Register and shall not become effective until ninety days after they have been forwarded 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. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph there are authorized to be appropriated such sums as may be necessary."

(b) (1) Notwithstanding any requirement to the contrary contained in section 6(c) of the Wild and Scenic Rivers Act, within one hundred and eighty

days after the date of enactment of this Act, the Secretary shall publish in the Federal Register general guidelines for land and water use control measures to be developed and implemented by the appropriate officials of the States of New York and Pennsylvania (hereinafter referred to as the "directly affected States"), by the local political subdivisions, and by the Delaware River Basin Commission (hereinafter referred to as the "Commission"). The Secretary shall provide for participation in the development of said general guidelines by all levels of State, county, and local government, and concerned private individuals and organizations, and also shall seek the advice of the Upper Delaware Citizens Advisory Council established in subsection (f) (hereinafter referred to as the "Advisory Council"). In each of the directly affected States, prior to publication of such general guidelines, public hearings shall be conducted by the Secretary or his designee, in the region of the Upper Delaware River designated by subsection (a) (hereinafter in this section referred to as the "Upper Delaware River").

(2) The Secretary may from time to time adopt amended or revised guidelines and shall do so in accordance with the provisions of paragraph (1) hereof.

(c) (1) Within three years from the date of the enactment of this Act, the Secretary, in cooperation with the Commission, the Advisory Council, the directly affected States and their concerned political subdivisions and other concerned Federal agencies, shall develop, approve, and submit to the Governors of the directly affected States a management plan (hereinafter in this section referred to as the "management plan" or "the plan") for the Upper Delaware River which shall provide for as broad a range of land and water uses and scenic and recreational activities as shall be compatible with the provisions of this section the Wild and Scenic Rivers Act, and the general guidelines for land and water use controls promulgated by the Secretary under the provisions of subsection (b).

(2) The plan apply to the Upper Delaware River and shall set forth—

(A) a map showing detailed final landward boundaries, and upper and lower termini of the area and the specific segments of the river classified as scenic and recreational, to be administered in accordance with such classifications;

(B) a program for management of existing and future land and water use, including the application of available management techniques;

(C) an analysis of the economic and environmental costs and benefits of implementing the management plan, including any impact of the plan upon revenues and costs of local government;

(D) a program providing for coordinated implementation and administration of the plan with proposed assignment of responsibilities to the appropriate governmental unit at the Federal, regional, State, and local levels; and

(E) such other recommendations or provisions as shall be deemed appropriate to carry out the purposes of this section.

(3) Immediately following enactment of this Act, the Secretary, through the National Park Service or such other designee, shall develop and implement such interim programs as he shall deem necessary and appropriate to protect the Upper Delaware River and its environs and to protect the public health and safety. Such interim programs shall include provisions for information to river users, education and interpretation activities, and regulation of recreational use of the river.

(4) To enable the directly affected States and their political subdivisions to develop and implement programs compatible with the management plan, the Secretary shall provide such technical assistance to the said States and their political subdivisions as he deems appropriate.

(5) The Secretary shall promote public awareness of and participation in the development of the management plan, and shall develop and conduct a concerted program to this end. Prior to final approval of the management plan, the Secretary shall hold two or more public hearings in the Upper Delaware River region of each directly affected State.

(6) Upon approval of the management plan by the Secretary, it shall be published in the Federal Register and shall not become effective until ninety days after it shall have been forwarded 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. The plan shall be ad-

ministered by the Secretary in accordance with the provisions of this section and the Wild and Scenic Rivers Act. The Secretary is hereby granted such authority as may be required to implement and administer said plan.

(d) Notwithstanding any provision of the Wild and Scenic Rivers Act, the Secretary may not acquire more than a total of four hundred and fifty acres of land and interests in land for access, development sites, the preservation of scenic qualities, or for any other purposes: Provided, That the Secretary may acquire additional land and interests in land for such purposes not in excess of one thousand acres if such additional acquisition is recommended and provided for in the management plan as finally approved by the Secretary. The limitations contained in this section shall not apply under the circumstances set forth in subsection (e) (4) of this section. Prior to acquisition of any land or interests in land which has been used for business purposes during the annual period immediately preceding the date of the enactment of this Act, the Secretary shall first make such efforts as he deems reasonable to acquire easements or restrictive covenants, or to enter into any other appropriate agreements or arrangements with the owners of said land, consistent with the purposes of this section.

(e) (1) For the purpose of protecting the integrity of the Upper Delaware River, the Secretary shall review all relevant local plans, laws, and ordinances to determine whether they substantially conform to the approved management plan provided for in subsection (c) and to the general guidelines promulgated by the Secretary pursuant to subsection (b). Additionally, the Secretary shall determine the adequacy of enforcement of such plans, laws, and ordinances, including but not limited to review of building permits and zoning variances granted by local governments, and amendments to local laws and ordinances.

(2) The purpose of such reviews shall be to determine the degree to which actions by local governments are compatible with the purposes of this section. Following the approval of the management plan and after a reasonable period of time has elapsed, but not less than two years, upon a finding by the Secretary that such plans, laws, and ordinances are nonexistent, are otherwise not in conformance with the management plan or guidelines, or are not being enforced in such manner as will carry out the purposes of this section (as determined by the Secretary), the Secretary may exercise the authority available to him under the provisions of paragraph (4) hereof.

(3) To facilitate administration of this section, the Secretary may contract with the directly affected States or their political subdivisions to provide, on behalf of the Secretary, professional services necessary for the review of relevant local plans, laws, and ordinances, and of amendments thereto and variances therefrom, and for the monitoring of the enforcement thereof by local governments having jurisdiction over any area in the region to which the management plan applies. The Secretary shall notify the appropriate State or local officials as to the results of his review under this section within forty-five days from the date he receives notice of the local government action.

(4) In those sections of the Upper Delaware River where such local plans, laws, and ordinances, or amendments thereto or variances therefrom, are found by the Secretary not to be in conformance with the guidelines or the management plan promulgated pursuant to subsections (b) and (c) of this section, respectively, or are not being enforced in such manner as will carry out the purposes of this section (as determined by the Secretary), the Secretary is hereby authorized to acquire land or interests in land in excess of the acreage provided for in subsection (d) of this section. Land and interests in land acquired pursuant to this subsection shall be restricted to the geographical area of the local governmental unit failing to conform with the said guidelines or management plan, and shall be limited to those lands clearly and directly required, in the judgment of the Secretary, for protection of the objectives of this Act. The total acreage of land and interests in land acquired pursuant to this subsection shall not in any event exceed the limitations contained in section 6(a) of the Wild and Scenic Rivers Act. This subsection shall apply notwithstanding the first sentence of section 6(c) of the Wild and Scenic Rivers Act. Notwithstanding any limitation on amounts authorized to be appropriated for acquisition of land and interests in land which is contained in section 3(a) (21) of the Wild and Scenic Rivers Act or in any other provision of law, there are authorized to be appropriated such sums as may be necessary to carry out this subsection.

(f) (1) At the earliest practicable date following enactment of this Act but no later than one hundred and twenty days thereafter, there shall be established an Upper Delaware Citizens Advisory Council. The Advisory Council shall en-

courage maximum public involvement in the development and implementation of the plans and programs authorized by this section. It shall report to the Commission and the Secretary from time to time during preparation of the management plan. Following completion of the management plan, it shall report to the Secretary and the Governors of the directly affected States no less frequently than once each year its recommendations, if any, for improvement in the programs authorized by this Act, or in the programs of other agencies which may relate to land or water use in the Upper Delaware River Region.

(2) Membership on the Advisory Council shall consist of seventeen members appointed as follows: there shall be—

(A) six members from each of the directly affected States appointed by the Secretary from nominations submitted by the legislatures of the respective counties and appointed such that two members shall be from each of Orange, Delaware, and Sullivan Counties, New York, and three members shall be from each of Wayne and Pike Counties, Pennsylvania (at least one appointee from each county shall be a permanent resident of a municipality abutting the Upper Delaware River);

(B) two members appointed at large by each Governor of a directly affected State; and

(C) one member appointed by the Secretary.

The Secretary shall designate one of the aforesaid members to serve as Chairperson of the Advisory Council who shall be a permanent resident of one of the aforementioned counties. Vacancies on the Advisory Council shall be filled in the same manner in which the original appointment was made. Members of the Advisory Council shall serve without compensation as such, but the Secretary is authorized to pay expenses reasonably incurred by the Advisory Council in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(g) With respect to the land and water in areas which are not owned by the United States but which are within the boundaries of the segment of the Delaware River designated as a wild and scenic river under subsection (a), the Secretary is authorized to enter into contracts with the Appropriate State or political subdivisions thereof pursuant to which the Secretary may provide financial assistance to such State or political subdivision for purposes of—

(1) enforcing State and local laws in such areas, and

(2) removing solid waste from such areas and disposing of such waste.

(h) Nothing in this section shall be construed as limiting the right to fish and hunt on any of the lands or waters within the boundaries of the Upper Delaware River in the manner provided in section 13 of the Wild and Scenic Rivers Act.

(i) There are hereby authorized to be appropriated to carry out the purposes of this section such sums as may be necessary.

(j) Where any provision of the Wild and Scenic Rivers Act is inconsistent with any provisions of this section, the provision of this section shall govern. In applying the provisions of section 6(g) (3) of the Wild and Scenic Rivers Act, with regard to "improved property", the date specified therein, shall, for purposes of the river designated in this Act, be the date of enactment of this Act (rather than January 1, 1967).

ADDITION OF MIDDLE DELAWARE SEGMENT

SEC. 706. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(21) DELAWARE, NEW YORK, PENNSYLVANIA, AND NEW JERSEY.—The segment from the point where the river crosses the northern boundary of the Delaware Water Gap National Recreation Area to the point where the river crosses the southern boundary of such recreation area; to be administered by the Secretary of the Interior. For purposes of carrying out this Act with respect to the river designated by this paragraph, there are authorized to be appropriated such sums as may be necessary. Action required to be taken under subsection (b) of this section with respect to such segment shall be taken within one year from the date of enactment of this paragraph, except that, with respect to such segment, in lieu of the boundaries provided for in such subsection (b), the boundaries shall be the banks of the river. Any visitors facilities established for purposes of use and enjoyment of the river under the authority of the Act establishing the Delaware Water Gap National Recreation Area shall be compatible with the

purposes of this Act and shall be located at an appropriate distance from the river.”.

ADDITION OF THE AMERICAN SEGMENT

Sec. 707. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof :

“(22) AMERICAN, CALIFORNIA.—The North Fork from a point 0.3 miles above Heath Spring downstream to a point approximately 1,000 feet upstream of the Colfax-Iowa Hill Bridge, including the Gold Run Addition Area, as generally depicted on the map entitled ‘Proposed Boundary Maps’ contained in Appendix I of the document dated January 1978 and entitled ‘A Proposal: North Fork American Wild and Scenic River’ published by the United States Forest Service, Department of Agriculture; to be designated as a wild river and to be administered by agencies of the Departments of Interior and Agriculture as agreed upon by the Secretaries of such Departments or as directed by the President. Action required to be taken under subsection (b) shall be taken within one year after the date of enactment of this paragraph; in applying such subsection (b) in the case of the Gold Run Addition Area, the acreage limitation specified therein shall not apply and in applying section 6(g) (3), January 1 of the calendar year preceding the calendar year in which this paragraph is enacted shall be substituted for January 1, 1967. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not more than \$850,000 for the acquisition of lands and interests in land and not more than \$765,000 for development.”.

ADDITION OF MISSOURI SEGMENT

Sec. 708. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof :

“(23) MISSOURI RIVER, NEBRASKA, SOUTH DAKOTA.—The segment from Gavins Point Dam, South Dakota, fifty-nine miles downstream to Ponca State Park, Nebraska, as generally depicted in the document entitled ‘Review Report for Water Resources Development, South Dakota, Nebraska, North Dakota, Montana’, prepared by the Division Engineer, Missouri River Division, Corps of Engineers, dated August 1977 (hereinafter in this paragraph referred to as the ‘August 1977 Report’). Such segment shall be administered as a recreational river by the Secretary. The Secretary shall enter into a written cooperative agreement with the Secretary of the Army (acting through the Chief of Engineers) for construction and maintenance of bank stabilization work and appropriate recreational development. After public notice and consultation with the State and local governments, other interested organizations and associations, and the interested public, the Secretary shall take such action as is required pursuant to subsection (b) within one year from the date of enactment of this section. In administering such river, the Secretary shall, to the extent, and in a manner, consistent with this section—

“(A) provide (i) for the construction by the United States of such recreation river features and streambank stabilization structures as the Secretary of the Army (acting through the Chief of Engineers) deems necessary and advisable in connection with the segment designated by this paragraph and (ii) for the operation and maintenance of all streambank stabilization structures constructed in connection with such segment (including both structures constructed before the date of enactment of this paragraph and structures constructed after such date, and including both structures constructed under the authority of this section and structures constructed under the authority of any other Act); and

“(B) permit access for such pumping and associated pipelines as may be necessary to assure an adequate supply of water for owners of land adjacent to such segment and for fish, wildlife, and recreational uses outside the river corridor established pursuant to this paragraph.

The streambank structures to be constructed and maintained under subparagraph (A) shall include, but not be limited to, structures at such sites as are specified with respect to such segment on pages 62 and 63 of the August 1977 Report, except that sites for such structures may be relocated to the extent deemed necessary by the Secretary of the Army (acting through the Chief of Engineers) by reason

of physical changes in the river or river area. The Secretary of the Army (acting through the Chief of Engineers) shall condition the construction or maintenance of any streambank stabilization structure or of any recreational river feature at any site under subparagraph (A) (i) upon the availability to the United States of such land and interests in land in such ownership as he deems necessary to carry out such construction or maintenance and to protect and enhance the river in accordance with the purposes of this Act. Administration of the river segment designated by this paragraph shall be in coordination with, and pursuant to the advice of a Recreational River Advisory Group which may be established by the Secretary. Such Group may include in its membership, representatives of the affected States and political subdivisions thereof, affected Federal agencies, and such organized private groups as the Secretary deems desirable. Notwithstanding the authority to the contrary contained in subsection 3(a) of this Act, no land or interests in land may be acquired without the consent of the owner: Provided, That not to exceed 5 per centum of the acreage within the designated river boundaries may be acquired in less than fee title without the consent of the owner, in such instance of the Secretary's determination that activities are occurring, or threatening to occur, thereon which constitute serious damage or threat to the integrity of the river corridor, in accordance with the values for which this river was designated. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not to exceed \$21,000,000, for acquisition of lands and interests in lands and for development."

Subtitle B—Studies

DESIGNATION OF THE GILA RIVER, NEW MEXICO FOR STUDY

SEC. 721. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(59) GILA, NEW MEXICO.—The main stem from the Arizona-New Mexico border, but excluding the authorized Hooker Reservoir site or any alternative suitable to the requirements of the Colorado River Basin Project Act (Public Law 90-537); the West Fork to its headwaters; the East Fork to the junction of Taylor and Beaver Creeks; and the Middle Fork from the junction of Galita and Willow Creeks to its confluence with the West Fork."

DESIGNATION OF THE KERN RIVER (NORTH FORK) FOR STUDY

SEC. 722. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(60) KERN, CALIFORNIA.—The main stem of the North Fork from its source to Isabella Reservoir excluding its tributaries."

DESIGNATION OF THE SHENANDOAH RIVER FOR STUDY

SEC. 723. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(61) SHENANDOAH, VIRGINIA AND WEST VIRGINIA.—The main stem, the North Fork from Front Royal to Brocks Gap; and the South Fork from Front Royal to Waynesboro."

DESIGNATION OF THE LOXAHATCHEE RIVER FOR STUDY

SEC. 724. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(62) LOXAHATCHEE, FLORIDA.—The entire river including its tributary, North Fork."

DESIGNATION OF THE OGEECHEE RIVER FOR STUDY

SEC. 725. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(63) OGEECHEE, GEORGIA.—The entire river."

DESIGNATION OF CERTAIN SEGMENT OF THE SALT RIVER FOR STUDY

SEC. 726. Section 5 (a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof :

"(64) SALT, ARIZONA.—The main stem from the confluence of the White and Black Rivers to Arizona Highway 288."

DESIGNATION OF GILA RIVER (ARIZONA) FOR STUDY

SEC. 727. Section 5 (a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof :

"(65) GILA, ARIZONA.—The main stem from U.S. Highway 666 to head of Safford Valley."

DESIGNATION OF THE VERDE RIVER FOR STUDY

SEC. 728. Section 5 (a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof :

"(66) VERDE, ARIZONA.—The main stem from the Prescott National Forest boundary near Paulden to the vicinity of Table Mountain, approximately 14 miles above Horseshoe Reservoir, except for the segment not included in the national forest between Clarkdale and Camp Verde, North segment."

DESIGNATION OF THE SAN FRANCISCO RIVER FOR STUDY

SEC. 729. Section 5 (a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof :

"(67) SAN FRANCISCO, ARIZONA.—The main stem from confluence with the Gila upstream to the Arizona-New Mexico border, except for the segment between Clifton and the Apache National Forest."

DESIGNATION OF FISH CREEK FOR STUDY

SEC. 730. Section 5 (a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof :

"(68) FISH CREEK, NEW YORK.—The entire East Branch."

DESIGNATION OF BLACK CREEK FOR STUDY

SEC. 731. Section 5 (a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof :

"(69) BLACK CREEK, MISSISSIPPI.—The segment from Big Creek Landing in Forrest County downstream to Old Alexander Bridge Landing in Stone County."

DESIGNATION OF THE SHEEPSCOTT RIVER FOR STUDY

SEC. 732. Section 5 (a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof :

"(70) SHEEPSCOTT, MAINE.—The main stem from and including its head waters to the village of Sheepscoot including the West Branch."

DESIGNATION OF THE CACAPON RIVER FOR STUDY

SEC. 733. Section 5 (a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof :

"(71) CACAPON, WEST VIRGINIA.—The entire river."

DESIGNATION OF THE MADISON RIVER FOR STUDY

SEC. 734. Section 5 (a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof :

"(72) MADISON, MONTANA.—The main stem from Earthquake Lake to Ennis Lake."

DESIGNATION OF THE ESCATAWPA RIVER FOR STUDY

SEC. 735. Section 5 (a) of the Wild and Scenic Rivers Act is amended by adding at the end thereof :

"(73) ESCATAWPA, ALABAMA AND MISSISSIPPI.—The segment upstream from a point approximately one mile downstream from the confluence of the Escatawpa River and Jackson Creek to a point where the Escatawpa River is joined by the

Yellowstone Branch in Washington County, Alabama, near the town of Deer Park, Alabama; and the segment of Brushy Creek upstream from its confluence with the Escatawpa to its confluence with Scarsborough Creek.”

DESIGNATION OF THE MYAKKA RIVER FOR STUDY

SEC. 736. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

“(74) MYAKKA, FLORIDA.—The entire river.”

DESIGNATION OF SOLDIER CREEK FOR STUDY

SEC. 737. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

“(7) SOLDIER CREEK, ALABAMA.—The segment beginning at point where Soldier Creek intersects the south line of section 31, township 7 south, range 6 east, downstream to a point on the south line of section 6, township 8 south, range 6 east, which point is 1,322 feet west of the south line of section 5, township 8 south, range 6 east in the county of Baldwin, State of Alabama.”

DESIGNATION OF BRAZOS RIVER FOR STUDY

SEC. 738. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

“(76) BRAZOS RIVER, TEXAS.—The segment beginning at the point where Fram Road 4 crosses the Brazos River downstream to the Parker County line.”

AUTHORIZATION FOR STUDIES

SEC. 739. Paragraph (3) of section 5(b) of the Wild and Scenic Rivers Act is redesignated as paragraph (4) and is amended by striking out “\$2,175,000” and substituting “\$4,060,000”. Such paragraph is further amended by adding the following at the end thereof: “There are authorized to be appropriated for the purpose of conducting the studies of the rivers named in subparagraphs (59) through (76) such sums as may be necessary.”

STUDY PERIOD

SEC. 740. Section 5(b) of the Wild and Scenic Rivers Act is amended by inserting the following new paragraph after paragraph (2):

“(3) The studies of the rivers named in paragraphs (59) through (76) of subsection (a) shall be completed and reports submitted thereon not later than five full fiscal years after the date of the enactment of this paragraph. The study of rivers named in paragraphs (64) through (67) of subsection (a) shall be completed and the report thereon submitted by not later than April 1981.”

Subtitle C—Authorizations for Funding

ELEVEN POINT RIVER

SEC. 751. Section 16(a) of the Wild and Scenic Rivers Act is amended by striking out “Eleven Point, Missouri, \$4,906,500” and substituting “Eleven Point, Missouri, \$10,407,000”

ROGUE RIVER

SEC. 752. Section 16(a) of the Wild and Scenic Rivers Act is amended by striking out “Rogue, Oregon, \$12,447,200” and substituting “Rogue, Oregon, \$15,147,000”

SAINT CROIX RIVER

SEC. 753. (a) Section 16(a) of the Wild and Scenic Rivers Act is amended by striking out “Saint Croix, Minnesota and Wisconsin, \$11,768,550” and substituting “Saint Croix, Minnesota and Wisconsin, \$21,769,000”.

(b) Section 16(b) of the Wild and Scenic Rivers Act is amended by inserting the following before the period at the end thereof “, except in the case of the Saint Croix River in Minnesota and Wisconsin”.

(c) Section 6(b) of such Act is amended by adding the following at the end thereof: "This subsection shall not apply in the case of the Saint Croix River in Minnesota and Wisconsin."

SALMON RIVER

SEC. 754. Section 16(a) of the Wild and Scenic Rivers Act is amended by striking out "Salmon, Middle Fork, Idaho, \$1,237,100" and substituting "Salmon Middle Fork, Idaho, \$1,837,000".

CHATTOOGA RIVER

SEC. 755. Section 3(a) (10) of the Wild and Scenic Rivers Act (relating to the Chattooga River in North Carolina, South Carolina, and Georgia) is amended by striking out "\$2,000,000" and inserting in lieu thereof "\$5,200,000".

Subtitle D—Amendments to Public Law 90-542

TECHNICAL AMENDMENTS

SEC. 761. Section 2(a) of the Wild and Scenic Rivers Act is amended by striking out "without expense to the United States" and by adding the following at the end thereof: "Upon receipt of an application under clause (ii) of this subsection, the Secretary shall notify the Federal Energy Regulatory Commission and publish such application in the Federal Register. Each river designated under clause (ii) shall be administered by the agency or political subdivision thereof without expense to the United States other than for administration and management of federally owned lands. For purposes of the preceding sentence amounts made available to any State or political subdivision under the Land and Water Conservation Act of 1965 or any other provision of law shall not be treated as an expense to the United States. Nothing in this subsection shall be construed to provide for the transfer to, or administration by, a State or local authority of any federally owned lands which are within the boundaries of any river included within the system under clause (ii)."

FEDERAL LANDS; COOPERATIVE AGREEMENTS

SEC. 762. Section 12(a) of the Wild and Scenic Rivers Act is amended by striking out the first sentence thereof and substituting: "The Secretary of the Interior, the Secretary of Agriculture, and the head of any other Federal department or agency having jurisdiction over any lands which include, border upon, or are adjacent to, any river included within the National Wild and Scenic Rivers System or under consideration for such inclusion, in accordance with section 2(a) (ii), 3(a), or 5(a), shall take such action respecting management policies, regulations, contracts, plans, permits, Federal assistance and other Federal actions affecting such lands as may be necessary to protect such rivers in accordance with the purposes of this Act. Such Secretary or other department or agency head shall, where appropriate, enter into written cooperative agreements with the appropriate State or local official for the planning, administration, and management of Federal lands which are within the boundaries of any rivers for which approval has been granted under section 2(a) (ii)."

EXCHANGE OF STATE LANDS

SEC. 763. The second sentence of section 6(a) of the Wild and Scenic Rivers Act is amended by inserting "or exchange" after "donation".

LEASE OF FEDERAL LANDS

SEC. 764. The Wild and Scenic Rivers Act is amended by adding the following new section after section 14:

"SEC. 14A. (a) Where appropriate in the discretion of the Secretary, he may lease federally owned land (or any interest therein) which is within the boundaries of any component of the National Wild and Scenic Rivers System and which has been acquired by the Secretary under this Act. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act.

"(b) Any Federal land leased by the Secretary under subsection (a) shall not be treated as—

"(1) acquired land for purposes of the 100 acre per mile limitation contained in paragraph (1) of section 6(a), or

"(2) as land owned by the United States for purposes of the 50 per centum limitation contained in section 6(b).

"(c) Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land immediately before its acquisition by the United States."

STUDY OF FEDERALLY OWNED RIVERS

SEC. 765. Section 5 of the Wild and Scenic Rivers Act is amended by adding the following new subsection at the end thereof:

"(e) (1) Not later than one year after the date of the enactment of this subsection, the Secretary of the Interior and the Secretary of Agriculture shall jointly promulgate guidelines for the conduct of studies under this subsection by each such Secretary and by each department or agency of the United States having primary authority for the management of federally owned lands.

"(2) Each such Secretary and the head of each such department or agency shall expeditiously carry out studies (pursuant to the guidelines established under paragraph (1)) and shall submit to the President (pursuant to a schedule established by such Secretary or department or agency head, as the case may be) reports on the suitability or unsuitability for inclusion in the National Wild and Scenic Rivers System of all rivers (or sections thereof) which are within (or substantially within) the exterior boundaries of any area managed by such Secretary or other department or agency head.

"(3) The President shall promptly upon his receipt of each report under paragraph (2) report to the Congress his recommendations and proposals with respect to the inclusion of each such river or section in such System.

"(4) Each river (or section thereof) recommended by the President for inclusion in the National Wild and Scenic Rivers System under this section shall be included in such System, pursuant to the terms of such recommendation, and treated for purposes of this Act and other applicable law as a river listed in section 3(a) unless within 120 days from the date such recommendation is submitted to Congress, such recommendation is disapproved by a joint resolution."

MISCELLANEOUS TECHNICAL AMENDMENTS

SEC. 766. (a) Section 3(b) of the Wild and Scenic Rivers Act is amended by inserting after "one year from the date of this Act" the following: "(except where a different date is provided in subsection (a))".

(b) Section 6(g)(3) of such Act is amended by inserting after "January 1, 1967," the following "(except where a different date is specifically provided by law with respect to any particular river)".

AMENDMENTS REGARDING CERTAIN COMPLEMENTARY AUTHORITIES

SEC. 767. (a) Section 4(b) of the Wild and Scenic Rivers Act is amended by inserting "the Secretary of the department in which the Coast Guard is operating," between "the Secretary of the Army," and "the Chairman of the Federal Power Commission".

(b) Section 10 of such Act is amended by adding the following new subsection at the end thereof:

"(f) Any management, administration, and regulation concerning boating and other activities, on or relating to, waters located within areas of the National Wild and Scenic Rivers System, including water subject to the jurisdiction of the United States, shall be complementary to, and not in derogation of, the authority of the Coast Guard relating to waters subject to the jurisdiction of the United States. No structure or facility shall be installed by the Coast Guard in these areas without coordination with the Secretary of the Interior or the Secretary of Agriculture, as may be appropriate."

(c) Section 12(c) of such Act is amended by inserting "the Secretary of the department in which the Coast Guard is operating," between "the Secretary of the Interior" and "and with the appropriate State water pollution control agencies".

PURPOSE

The purpose of H.R. 12536¹, as reported by the Committee on Interior and Insular Affairs is:

¹ H.R. 12536 was introduced by Representative Phillip Burton and was cosponsored by Representatives Udall, Sebelius, Kastenmeier, Bingham, Won Pat, de Lugo, Byron, Tsongas, Florio, Mathis, Krebs, Lagomarsino, Kostmayer, Corrada, Murphy of Pennsylvania, Heftel, Seiberling, Kazen, Weaver, Miller of California, Beilenson, and Vento.

Also before the Committee during its deliberations were the following bills. H.R. 172, introduced by Representative Bafalis; H.R. 173, introduced by Representative Bafalis; H.R. 195, introduced by Representative Bingham; H. J. Res. 301, introduced by Mr. Ottinger; H.R. 320, introduced by Representative de la Garza; H.R. 380, introduced by Representatives Goldwater and Lagomarsino; H.R. 424, introduced by Representative Kazen; H. J. Res. 651, introduced by Representatives Koch and Bingham; H.R. 704, introduced by Representative White; H.R. 1608, introduced by Delegate Won Pat; H.R. 1705, H.R. 1707, H.R. 1711, H.R. 1714, H.R. 1715, H.R. 1718, H.R. 1719, H.R. 1724, and H.R. 1727, introduced by Representative Sebelius, H.R. 1771, introduced by Representatives Krebs, Phillip Burton, Kastenmeier, Moss, Roybal, Anderson of California, Seiberling, Edwards of California, Long of Louisiana, Charles Wilson of California, Brown of California, Dellums, Carr, Koch, McCloskey, Stark, John Burton, Hannaford, Lloyd of California, Miller of California, Mineta, Patterson of California, Waxman, Beilenson, and Panetta; H.R. 1772, introduced by Representatives Krebs, Van Deerlin, Reuss, Bingham, Mikva, Simon, Holtzman, Roe, Dodd, Rangel, Harkin, Schroeder, Baucus, Weaver, McHugh, Ottinger, Badillo, Traxler, Harris, Solarz, Heftel, Weiss, and Akaka; H.R. 1881, introduced by Representative Murphy of New York; H.R. 2426, introduced by Representative Ellberg; H.R. 2546, introduced by Representative Udall; H.R. 2875, introduced by Representative Udall; H.R. 3157, introduced by Representative Forsythe; H.R. 3471, introduced by Representatives Andrews of North Dakota and Marlenee; H.R. 4354, introduced by Representatives Krebs, Fraser, Mathis, Charles Wilson of Texas, Eckhardt, Roncallo, Rannels, Bonker, Sharp, Tsongas, de Lugo, Won Pat, Burke of Florida, and Murphy of Pennsylvania; H.R. 4462, introduced by Representatives Stark, Charles Wilson of Texas, Solarz, Eckhardt, Fraser and Conte; H.R. 4463, introduced by Representatives Stark, Brown of California, Miller of California, Phillip Burton, Badillo, Boggs, Burke of Florida, Burke of California, Carr, Dellums, de Lugo, Downey, Edgar, Edwards of California, Harris, Moakley, Mineta, Moffett, Moorhead of Pennsylvania, Richmond, Roybal, Ryan, Scheuer, Seiberling and Simon; H.R. 6389, introduced by Representative Edwards of Alabama; H.R. 6403, introduced by Representative Kostmayer; H.R. 6625, introduced by Representatives Florio, Phillip Burton, Patten, Rodino, Thompson, Rinaldo, Fenwick, Meyner, Minish, Howard, Hollenbeck and Maguire; H.R. 6629, introduced by Representative Lott; H.R. 7264, introduced by Representative Beilenson; H.R. 7469, introduced by Representatives Krebs, Ryan, Holtzman, D'Amours, Kostmayer and Mikulski; H.R. 7909, introduced by Representatives Dicks, Symms, and Hansen; H.R. 7965, introduced by Representative Latta; H.R. 7981, introduced by Representatives Kostmayer, Phillip Burton, Meyner, Fenwick, Ertel, Beilenson, Simon, Stark, McCloskey, Holtzman, Krebs, Fraser, Murphy of Pennsylvania, Seiberling, Ottinger, Edgar, Badillo, Waxman, Weiss, Bingham, Miller of California, Brodhead, Luken, Carr and Cavanaugh; H.R. 8132, introduced by Representative Broyhill; H.R. 8366, introduced by Representative Ullman; H.R. 8487, introduced by Representative Gradison; H.R. 8781, introduced by Representatives Beilenson, Anderson of California, Badillo, Bingham, Brown of California, Burke of California, Corman, Dellums, Dornan, Edwards of California, Goldwater, Hannaford, Harrington, Hawkins, Holtzman, and Jeffords; H.R. 8782, introduced by Representatives Beilenson, Johnson of California, Krebs, Leggett, Lloyd of California, McCloskey, McFall, Miller of California, Moss, Patterson of California, Rodino, Roybal, Ryan, Seiberling, Sisk, Van Deerlin, and Waxman; H.R. 8865, introduced by Representatives Kostmayer, Pease, Studds, Weaver, Maguire, Nolan, Wirth, Markey, Moffett, Tsongas and Glickman; H.R. 8953, introduced by Representative Steers; H.R. 9209, introduced by Representative Bennett; H.R. 9265, introduced by Representatives Broyhill, Martin, Jones of North Carolina, Fountain, Whitley, Neal, Preyer, Quillen, Duncan of Tennessee, Davis, Mann, Holland, Butler, Wampler and Spence; H.R. 9461, introduced by Representatives Broyhill, Hefner, Lloyd of Tennessee, Whitehurst, Satterfield, Robert Daniel, Jr., Dan Daniel, and Gudger; H.R. 9480, introduced by Representative Skubitz; H.R. 9481, introduced by Representative Taylor; H.R. 9601, introduced by Representatives Skubitz, Udall and Sebelius; H.R. 9630, introduced by Representatives Skubitz, Smith of Nebraska, Brinkley, Fascell, McKay, Baucus, Sikes, Staggers, Fithian, Brademas, Murphy of New York, Steers, Byron, Marriott, Gudger, Lagomarsino, Lujan, Quillen, Jones of North Carolina, Andrews of North Dakota, Marlenee, Roncallo, Young of Alaska, Taylor and Bauman; H.R. 9631, introduced by Representatives Skubitz, Don H. Clausen, Holt, Johnson of California, Meeds, Chappell, Frey, White, Lott, Latta, Hightower, Holland, Nichols, Gradison, Fauntroy, and Lederer; H.R. 9696, introduced by Representative Brinkley; H.R. 9752, introduced by Representatives Broyhill and Gudger; H.R. 9840, H.R. 9993, introduced by Representative Lott; H.R. 9855, introduced by Representative Vento; Broyhill, Rose, and Andrews of North Carolina; H.R. 10241, introduced by Representatives McDade; H.R. 10425, introduced by Representative Frenzel; H.R. 10481, introduced by Representative Carr; H.R. 10914, introduced by Representatives Carr, Blanchard, Bonior, Brodhead, Convers, Diggs, Ford of Michigan, Kildee, Nedzi, and Traxler; H.R. 11131, introduced by Representative McHugh; H.R. 11166, introduced by Representative McKay; H.R. 11268, introduced by Representatives Broyhill, Robinson, and Trible; H.R. 11419, introduced by Representative Marriott; H.R. 11497, introduced by Representative Vento; H.R. 11522, introduced by Representative Bennett; H.R. 11743, introduced by Representatives McHugh, McDade, Gilman, Bingham, Kostmayer and Fenwick; H.R. 11775, introduced by Representatives Udall, Sebelius, and Seiberling; H.R. 12095, introduced by Representatives Lagomarsino and Goldwater; H.R. 12099, introduced by Representative Murphy of New

(1) To provide for increased development ceilings for selected units of the National Park System and related national recreation areas; (2) To provide for increased land acquisition ceilings for the National Park System and related national recreation areas; (3) To provide for boundary adjustments to units of the National Park System; (4) The designation of specific lands within certain units of the National Park System to be managed in accordance with The Wilderness Act of 1964;

(5) To establish new units in the National Park and National Trails System, and related national recreation areas; (6) To establish units of the national Wild and Scenic River System and to provide for the study of certain other rivers; (7) To amend certain provisions of existing National Park and related legislation to improve their respective administration; and (8) To provide for studies of certain areas as possible park or recreation areas.

BACKGROUND

The Congress has, as established procedure, long considered comprehensive legislative treatment of subject matter areas as efficient means to accomplish national objectives. The committee has included numerous individual bills and administration proposals in H.R. 12536 to permit congressional consideration of comprehensive legislation rather than considering individual bills, in the same subject area, on a piece-meal unrelated basis.

Title I includes authorizations for development ceiling increases that are legislatively controlled. The committee finds that there has been adequately demonstrated a need for and a justification of the timeliness of authorizing these ceiling increases to permit the construction of recreational access and facilities to serve the ever-increasing numbers of recreation users.

Title II reflects the committee's views on increases in land acquisition funding authority. Congressional control of funding authority for land acquisition within National Parks and recreation areas requires periodic action by the committee to assure authority is commensurate with the continuing increases in land costs.

Title III includes authorization for the Secretary of the Interior to acquire limited additional lands or interests in lands and to dispose of certain other lands at existing units of the National Park System.

The committee has sought to achieve an efficient balance between the need to require sufficient lands or interests in land to protect the national treasures within these parks and the need to limit acquisition of land by the Federal Government.

Title IV designates certain lands within existing National Park System units to be managed for preservation of their outstanding

York; H.R. 12174, introduced by Representative Robert Daniel, Jr.; H.R. 12328, introduced by Representatives Broyhill, Ginn and Evans of Georgia; H.R. 12364, introduced by Delegate Won Pat; H.R. 12365, introduced by Delegate Won Pat; H.R. 12379, introduced by Representatives Phillip Burton, Udall, Skubitz, Sebelius, Seiberling, Don H. Clausen, Bingham, Lujan, Meeds, Roncallo, Miller of California, Krebs, Santini, Vento, Murphy of Pennsylvania, Raball, Gudger, John Burton, Florio, Carr, Maguire, Kastenmeier, Dicks and Eckhardt; H.R. 12398, introduced by Representative Ullman; H.R. 12433, introduced by Representative Meeds; H.R. 12434, introduced by Representatives Beilenson, Bedell, Bonior, Downey, Panetta, Murphy of Pennsylvania, Nolan, Richmond, Simon, Stark and Weiss; and H.R. 12550, introduced by Representative Meeds.

natural values. The committee action to recognize the potential for degradation of these values through overuse by the public or well intended but destructive recreation development by the National Park Service was balanced by concerns expressed that such action would unduly limit recreation use in some areas.

Title V establishes new units of the National Park and National Trail Systems which the committee believes to be essential additions to these national programs. Timely action to preserve portions of our heritage, both historical and natural, within the states and insular areas is needed to assure these resources are not lost through adverse actions by special interest groups.

Title VI groups miscellaneous provisions, technical policy changes, and certain area studies that the committee found to be needed as guidance to the executive branch.

Title VII includes additions to the Wild and Scenic Rivers Act responsive to the President's environmental message. The committee balanced the administration request with public input in an attempt to achieve the best possible national program for maintaining examples of diverse natural river systems and authorizing some additional studies. The committee also made minor changes to the Wild and Scenic Rivers Act to assist the States in implementing their Wild and Scenic River programs.

SECTION-BY-SECTION ANALYSIS

TITLE I

Section 101 of H.R. 12536 authorizes increases in the limitations on funds for development at a number of units of the National Park System and affiliated areas. In doing so, the bill offers statutory authorization for certain units where the authorized development ceiling was exceeded through funds granted by the Congress as supplemental appropriations to the Department of the Interior for the 1977 fiscal year—known as the President's "Land Heritage" bill. It is recognized that several of the developments covered by the funds authorized by H.R. 12536 may already have started construction or have been completed due to the 1977 supplemental appropriation being expended.

Sec. 101(1) of H.R. 12536 changes the development limitation for Agate Fossil Beds National Monument by \$170,000 to a new limitation of \$2,012,000. This funding will permit completion of the construction of the visitor center-administration building, and planning for an interpretive shelter and access trail at the Carnegie Hill-University Hill fossil site.

Sec. 101(2) of the bill increases the authorized development limitation for Andersonville National Historic Site by \$600,000 to a new authorization of \$2,205,000. The bill recognizes the inroads that inflation has made upon the buying power of the dollar by stating that the revised development costs are reflected as of October 1978 prices. The increased authorization will fund the construction of an information center with related utilities; roads and parking; reconstruction of part of the prison stockade; completion of the planning for the park tour roads; and improvement of access and safety regarding the State

highway and relocation of utility lines. The committee expects the Secretary of the Interior to enter into an agreement with the State of Georgia concerning the improvements to be made to the State highway.

At Andrew Johnson National Historic Site, section 101(3) of the bill changes the development limitation by \$20,000 for a new ceiling of \$286,000. This will permit completion of the restoration of the 1831 House.

Sec. 101(4) increases the authorized development limitation for Biscayne National Monument by \$3,665,000 to a new authorization of \$6,656,000. The increase will permit construction of the mainland visitor center/administration complex at Convoy Point in Homestead Bayfront Park; the replacement of the utility system and dock at Adams Key; and facilitate planning for a visitor contact station and maintenance facility on Elliott Key.

Sec. 101(5) of H.R. 12536 changes the authorized development ceiling for Canaveral National Seashore by \$1,400,000 to a new limitation of \$1,900,000. This will increase the ceiling by the amount requested for the fiscal year 1979 budget. The committee notes, however, that the enabling legislation for the National Seashore required a management plan, including proposed developments, to be submitted by January 1978. This plan is now overdue. The committee expects that the National Park Service will make every effort to complete this required document at the earliest possible date, and therefore allow the committee to review any proposed developments anticipated for this area.

The development ceiling at Cape Lookout National Seashore is increased in section 101(6) of the bill by \$2 million for a new ceiling of \$4,935,000. While the committee has authorized the funds requested for the coming fiscal year, the management plan required by statute for this area is also overdue. This plan should also be brought to completion as soon as possible, in fulfillment of the legislative intent to permit a review of any planned developments for this fragile barrier island.

For Capitol Reef National Park, section 101(7) of H.R. 12536 increases the authorized development limitation by \$320,000 to a new limitation of \$1,373,000. The inflationary influences of the economy are also offset by relating the development costs to October 1978 prices. The increased authorization will permit the construction of a new sewage system at the park headquarters development; extension of utility buildings; campground expansion; and planning for construction of developments in two ranger districts.

Sec. 101(8) of the bill changes the authorized development limitation at Carl Sandburg Home National Historic Site by \$1,010,000 for a new authorization of \$1,962,000. This increase will permit the construction of a visitor orientation facility; the planning and installation of interpretive devices in the Sandburg Home; the restoration of two historic lakes; and facilitate further preservation efforts of the historic properties.

At Channel Islands National Monument, section 101(9) of H.R. 12536 changes the development ceiling by \$880,000 for a new ceiling of \$6,332,000. This will permit construction of a new ranger station and acquisition of a new patrol boat.

Sec. 101(10) of the bill changes the authorized development limitation for Cowpens National Battleground Site by \$2 million to a new limitation of \$5,108,000. This increase will permit the completion of construction for a visitor center and associated utilities, roads, trails and landscaping; completion of the tour road; shelters and exhibits.

For De Soto National Memorial, section 101(11) of the bill increases the development ceiling by \$117,000 for a new ceiling of \$292,000. The increase will permit the construction of a maintenance facility. The committee deleted requested funding for a branch nourishment project at this area, however, and requests the National Park Service to provide the committee with a review of the consequences of this proposed action before requesting additional funds to commence such a project.

Sec. 101(12) of H.R. 12536 increases the authorized development limitation and acquisition ceiling by \$618,000, and further identifies the authorization as consisting of \$1,043,000 for development and \$85,000 for development. The increase will provide for completion of stabilization of historic adobe structures.

Sec. 101(13) of H.R. 12536 will increase the development ceiling for Frederick Douglass Home by \$937,000 to a new ceiling of \$1,350,000. This will permit completing the construction of the visitor center and associated parking, walks and landscaping.

At Grant Kohrs Ranch National Historic Site, section 101(14) of the bill increases the development limitation by \$275,000 for a new limitation of \$2,075,000. The new development ceiling will permit stabilization and restoration of the historic ranch house and outbuildings; facilitate the planning for furnishing the historic buildings; and the construction of a water main for connection to the water system of Deer Lodge, Mont.

Sec. 101(15) of the bill authorizes an increase in the development limitation for Guadalupe Mountains National Park by \$14,353,000 to a new authorization of \$24,715,000. The increase will provide for the construction of a visitor services complex and park headquarters facilities; employee housing; trails and roads.

Sec. 101(16) of H.R. 12536 will authorize an increase in the development limitation for Gulf Islands National Seashore by \$7,450,000 for a new authorization of \$25,224,000 for development. The bill also recognizes changed economic conditions since the original authorization in 1971 by relating the new limitation to October 1978 prices. The increase will provide for additional visitor services and administrative facilities, including but not limited to the replacement of substandard water systems; the stabilization and rehabilitation of historic structures; the construction of visitor facilities at the Pensacola Forts; the construction of visitor center/administrative facilities and related roads, parking, utilities and landscaping, both at Davis Bayou, Mississippi, and at Naval Live Oaks, Fla.; and for the planning of a boat harbor and channel protection at Ship Island.

At Harper's Ferry National Historical Park, Section 101(17) of the bill will increase the authorized limitation on development by \$5,695,000 for a new authorization of \$14,385,000. This will permit the construction of a visitor contact facility and transportation system terminal; the stabilization and restoration of certain historic buildings; the completion of a preservation study of other historic buildings; and the development of a pedestrian crossing of the Potomac River. The

committee notes that the National Park Service has considered several options for providing a safe means for visitors to the historical park and hikers to cross the river. While the selection of a specific option is left with the agency, the committee expects this access to be provided at an early date.

Sec. 101(18) of H.R. 12536 increases the development ceiling for Hubbell Trading Post National Historic Site by \$25,000 to a new ceiling of \$977,000. This will permit the installation of fire suppression equipment for the historic house; the preservation of historic furnishings and equipment; and planning for employee housing.

At Indiana Dunes National Lakeshore, section 101(19) of the bill will increase the development limitation by \$940,000 to a new limitation of \$9,440,000. The bill will thus provide for the construction of visitor facilities and contact stations at West Beach and Pinhook Bog; the planning and production of interpretive exhibits at Bailly and West Bend; the interior restoration at Bailly Homestead; and the planning for future development at Cowles Bog.

For John Muir National Historic Site, section 101(20) of H.R. 12536 will change the authorized development limitation by \$2,109,000 to a new authorization of \$224,000 for land acquisition and \$2,185,000 for development. The increase will permit further historic preservation efforts at the site; the restoration and relocation of the historic Carriage House and Windmill; the expansion of the visitor center; parking and grounds improvement.

At Fort Scott Historic Site, section 101(21) of H.R. 12536 will change the authorized development ceiling by \$750,000 to a new ceiling of \$2,750,000. The increase will permit further restoration work at Fort Scott.

Sec. 101(22) of the bill authorizes \$2 million for planning, site rehabilitation and development at Piscataway Park, all to be accomplished in accordance with a plan which adheres to architectural design in keeping with the colonial period. Funds are also included for the restoration of the Marshall Hall tract.

For Longfellow National Historical Site, section 101(23) of H.R. 12536 authorizes an increase in the development limitation by \$76,000 to a new authorization of \$662,000. Increased construction costs are recognized by relating the development limitation to October 1978 prices.

Sec. 101(24) of the bill will increase the development limitation for Pecos National Monument by \$1,875,000 to provide for the construction of a headquarters/visitor services complex and wayside interpretive exhibits.

Sec. 101(25) of H.R. 12536 will increase the authorized development limitation for Perry's Victory and International Peace Memorial by \$4,150,000 to a new limitation of \$9,327,000. This will permit the rehabilitation of the Memorial Column; the planning and construction of a visitor center and administration building, construction of employee housing; a sewage treatment facility; and an approach mall to the Memorial Column.

Sec. 101(26) of the bill authorizes appropriations of \$5 million for development of visitor facilities at Redwood National Park, in addition to other sums that may have been made available for that purpose. The Committee notes that this increase may be used in conjunction with recent expansion of the park to improve the visitor opportunities

in the area. While further development will occur following completion of a required management plan, this initial amount should be useful in the near future to accomplish such objectives as improving visitor access to the Tall Trees Grove.

At San Juan National Historical Park, section 101(27) of H.R. 12536 increases the authorized development ceiling by \$2,033,000 to a new authorization of \$5,575,000. This will permit the stabilization of historic structures in American Camp and English Camp; the construction of an administrative and maintenance building; improvement of the water supply; and campground development at English Camp.

Sec. 101(28) of H.R. 12536 will increase the development limitation for Sitka National Monument by \$880,000 to a new limitation of \$1,571,000. The bill recognizes increased construction costs by relating the new limitation to October 1978 prices. This will provide for connection of the visitor center sewage system to the proposed city sewage system; stabilization and restoration of the Russian Mission; and for a study of the restoration and possible adaptation of the Russian Mission School Building.

Sec. 101(29) of the bill authorizes an increase in the development limitation for Statue of Liberty National Monument by \$28 million to a new authorization of \$34 million. This will provide for developments on Ellis Island, including rehabilitation of the historic main building; rehabilitation of the seawall and walks; and construction of a sewage system, and further restoration of the significant structures on the island.

At Thaddeus Kosciuszko Home National Historic Site, section 101(30) of H.R. 12536 will increase the development ceiling by \$150,000 for a new ceiling of \$742,000. The increase will permit installation of humidifying equipment to protect historic furnishings, and to adapt part of the structure as employee quarters for further protective measures.

Sec. 101(31) of the bill authorizes an increase in the development limitation for Tuskegee Institute National Historic Site by \$140,000 to a new limitation of \$2,862,000. This will permit rehabilitation of historic buildings, including Grey Columns, the Booker T. Washington Home, and the Carver Museum; relocation of the road through the historic district; construction of a parking area; and planning and installation of interpretive devices and exhibits.

At Whiskeytown-Shasta-Trinity National Recreation Area, section 101(32) of H.R. 12536 changes the authorized development limitation by \$1,949,000 to a new authorization of \$24,649,000. This increase provides for improvements to the park water systems; planning for the future development of the Tower House Historic District; construction of a park headquarters/visitor center; and expansion of the Oak Bottom Campground.

Sec. 101(33) of H.R. 12536 will increase the authorized development limitation for William Howard Taft National Historic Site by \$1,570,000 to a new limitation of \$1,888,000. This will permit rehabilitation of the Taft House; the construction of a visitor contact station and utility system for the Taft House; and parking.

Sec. 101(34) of the bill authorizes an increase in the development ceiling for Wilson's Creek National Battlefield by \$3,355,000 for a

new authorization of \$5,640,000. The increase will provide for construction of a headquarters/visitor center complex, including a maintenance building, employee housing, picnic area and roads; and construction of the tower road and historic site restoration.

TITLE II

Section 201 of the bill would provide for increasing the limitations of funds for land acquisition for the following park units:

An increase of \$1,500,000 is made in the land acquisition ceiling for the Apostle Islands National Seashore.

The existing land acquisition ceiling for Big Cypress National Preserve of \$116 million in Public Law 93-440 would be increased by \$40,700,000 for a new ceiling of \$156,700,000.

The present acquisition is expected to be completely obligated in fiscal year 1979. Approximately 470,000 acres of the total authorized 570,000 acres will have been acquired by this time. About 100,000 acres will remain to be acquired, comprising approximately 20,000 tracts with 50 improvements. The increased cost of acquisition is due to several factors:

1. A substantially higher number of individual parcels to be acquired than originally estimated—from 20,000 to about 75,000. This is because of thousands of unrecorded parcels sold on contract for deed.

2. A substantial increase in land values during the period between the original cost estimate and the enactment of Public Law 93-440.

3. Numerous improvements constructed in the project area since enactment of Public Law 93-440.

Public Law 92-237 of March 1, 1972, authorized an acquisition ceiling of \$16,115,000 and an acreage limitation of 94,146 acres Buffalo National River of which 65,112 acres has been acquired to date. On October 21, 1976, Public Law 94-578 amended the original acquisition ceiling to \$30,071,500. However, when the cost estimates were prepared in 1975 for the ceiling increase, the estimates were calculated conservatively. Therefore, lands that had been selling for \$450 per acre in 1975 are now selling for \$750 to \$850 per acre.

Since the authorizing legislation in 1972, there have been many improvements on the lands identified for acquisition thus increasing the fair market value. Current estimates have been reviewed, and it has been found that an increase of \$9,876,000 will be needed for completing the land acquisition program at Buffalo National River, which results in a new ceiling of \$39,948,000.

Cumberland Island National Seashore was authorized by Public Law 92-536, October 23, 1972, with an acquisition ceiling of \$10,500,000 and an acreage limitation of 40,500 acres. In 1971 when a cost estimate was prepared for the proposed national seashore, the subject land was estimated to be worth approximately \$500 to \$1,000 per acre. Today the subject land is valued between \$2,500 to \$6,000 per acre for larger tracts and up to \$18,000 for subdivision lots. Due to increasing values and increasing numbers of improvements through the project, the cost of the project has increased by \$18 million to complete acquisition of the remaining 3,753 acres. Therefore, an increase of \$18 million is required, thus bringing the acquisition ceiling to \$28,500,000.

Section 202 of the bill would provide authorization for increasing limitations on funds for land acquisition of Sawtooth National Recreation Area, Idaho, by \$28 million. Increases in land values within the area since the enactment of the enabling legislation in 1972 have resulted in the need for additional funds to be authorized to permit the U.S. Forest Service to complete the acquisition program for the area.

TITLE III

Section 301(1) authorizes \$842,000 for the acquisition of some 622 acres of land at Bent's Old Fort National Historic Site. These lands will serve to provide visitors safe and convenient access off of U.S. Highway 50 to the fort site and to protect the historic scene associated with this frontier outpost.

Section 301(2) will permit the addition of approximately 440 acres, comprising the historic Faraway Ranch to the Chiricahua National Monument in Arizona. It is the natural entrance to Bonita Canyon which is a major feature of the monument, and would complement the topography, geology and vegetation of the monument. The Faraway Ranch House spans 88 years of Arizona architecture. To carry out this expansion, \$294,000 is authorized.

Section 301(3) adds approximately 3,040 acres and deletes 1,200 acres of land from Coronado National Memorial, Arizona. Enactment of this section will permit the exchange lands with Forest Service to provide ridgeline to ridgeline visual integrity; afford control of a road through the national forest and memorial now maintained by NPS; control mining claims and protect against incompatible development of private lands; delete lands little used by visitors and that have hunting and trespass problems which can be more appropriately administered as part of the Coronado National Forest. Land acquisition funds totalling \$1,410,000 are provided for this purpose.

Approximately 195 acres of lands are authorized by section 301(4) for addition to the Eisenhower National Historic Site in Pennsylvania. A sum of \$166,000 is also authorized to reimburse the National Park Foundation, which had previously acquired these lands to protect the historic scene at the site.

Section 301(5) of H.R. 12536 adds 10 acres of land to Fort Caroline National Memorial in Florida. To cover the cost of acquisition, \$235,000 are authorized. This additional land will provide trail access between the Spanish Pond and Ribault Monument portions of the memorial, as well as offer additional erosion protection for Ribault Monument.

Section 301(6) adds approximately 1,065 acres to George Washington Birthplace National Monument in Virginia. This action will prevent a change in use of the lands clearly visible from the main visitor use area of the monument. The area would retain the pastoral scene and restore the historic water activities of the Popes Creek Plantation that George Washington knew as a boy, thus contributing to the visitor's understanding and enjoyment of the monument. To carry out this section, \$2,800,000 are authorized to be appropriated.

Section 301(7) of H.R. 12536 authorizes the acquisition of 1,109 acres of land for addition to the Great Sand Dunes National Monument. This land is located in the northwestern area of the park and

forms and integral portion of the dunes formation. It is presently owned by a land development company and has been subject to intrusion by 4-wheel drive vehicles and grazing cattle. Acquisition will protect this significant geological feature from adverse use in the future. A sum of \$166,000 is authorized to be appropriated for the acquisition of this land.

Section 301(8) The Trust for Public Land has negotiated an option to purchase Marsh Point, Gulf Islands National Seashore, a 600-acre undeveloped tract adjacent to the Davis Bayou mainland administrative site for the national seashore in Mississippi. The tract is the third largest salt marsh in Mississippi and would provide an example of salt marsh habitat larger than any now found within the national seashore. It is the largest local breeding site for seaside sparrows, and would provide for an excellent environmental educational area. There is authorized \$300,000 for the acquisition.

Hawaii Volcanoes National Park would, pursuant to section 301(9), be expanded by approximately 269 acres, for which \$562,000 are authorized to cover the cost of land acquisition. The subject lands are directly adjacent to the nationally significant Wahaula Heiau (temple) at the Kalapana entrance to the park and are susceptible to development. The Trust for Public Lands has acquired an option to purchase these lands for subsequent transfer to the park. The National Park Service has expressed the desire to reimburse the Trust for these lands so that their funds might be used for similar conservation efforts elsewhere.

Section 301(10) of the bill adds 1,411 acres and deletes 1,620 acres from the John Day Fossil Beds National Monument in Oregon. This adjustment to the boundary will allow the inclusion of lands containing unique paleontological resources in need of protection and the exclusion of cultivated lands nonessential to the management of the monument. To accomplish the purposes of this section, it is also necessary to delete the second proviso of section 101(a)(2), which limits the acquisition of private lands in fee to 1,000 acres. A sum of \$3,500,000 is authorized for the acquisition of these lands.

Section 301(11) extends the Monocacy National Battlefield by granting authority to acquire an additional 587 acres. There is authorized \$3,500,000 for the acquisition. The 94th Congress authorized the Monocacy National Battlefield. This authorization revises and extends the boundary to reflect new information provided by the National Park Service and provides for additional lands to protect the integrity of the battlefield.

Section 301(12) authorizes the addition of 13 acres and the deletion of 5 acres at Montezuma Castle Monument in Arizona. This authority is sought to facilitate an exchange of lands between the National Park Service and the Forest Service. The exchange would provide better protection and interpretation of an area of fossilized prehistoric mammal footprints, and provide for more efficient administration of both the Montezuma Castle National Monument and of the Coconino National Forest. The National Park Service has advised the committee that the Forest Service concurs in this proposal.

Section 301(13) authorizes the acquisition of about 8 acres of land at Cave Junction, Oregon to serve as a staging area for visitors to Oregon Caves National Monument. Facilities at Oregon Caves proper

are not sufficient to handle the volume of visitor parking needed at the monument. The facility at Cave Junction will provide parking and interpretation to the waiting visitor. An appropriation of \$107,000 for acquisition of the land at Cave Junction is also provided in this section.

As provided in section 301(14) of the bill, 7 acres will be added and .11 acres will be deleted at Tumacacori National Monument. The bulk of this property has been acquired by the National Park Foundation for the protection of historic lands associated with the monument, to provide for the relocation of the administration/utility building, and to protect the area from future adverse development. In addition, there will be a small exchange of lands with the State of Arizona to clarify the right-of-way along U.S. Highway 89. An appropriation of \$24,000 is authorized to carry out the necessary land acquisition.

Land totalling 751 acres is authorized, pursuant to section 301(15), for addition to Tuzigoot National Monument, Arizona, for which \$1,350,000 is authorized to be appropriated to cover the costs of acquisition. The new boundary would include historic lands where the full interpretive cultural story could be told, rather than being limited to only the pueblo site as it is now. An environmentally sensitive marsh area should be protected, an unsightly mine tailings area rehabilitated, and a distance provided between the pueblo site and residential development sufficient to protect the integrity of the monument. The Secretary of the Interior is authorized to make acquisition of the lands subject to such terms as he deems necessary, and is further authorized to make exchanges of private lands within the revised boundary of the monument for Federal lands within the State of Arizona. To carry out acquisition provided in this subsection, \$1,350,000 is authorized to be appropriated.

Section 301(16) would adjust the boundary for White Sands National Monument by adding approximately 320 acres and deleting some 760 acres of land. This will facilitate the exchange of 320 acres of National Park Service lands in the Garlton Lake area of White Sands for 320 acres of adjacent Bureau of Land Management property. In addition, 400 acres of land in the same vicinity will be exchanged for inholdings owned by the State of New Mexico within the monument proper. These adjustments will provide a more appropriate boundary for the National Park Service, the Bureau of Land Management, and the State of New Mexico, and allow more effective management by all agencies concerned.

Sec. 301(17) of H.R. 12536 authorizes an addition of approximately three acres to the William Howard Taft National Historic Site. The committee understands that this property is to be acquired by donation and is to be used for off-street parking.

As provided in section 301(18) of H.R. 12536, one tract of land comprising some 228 acres would be added to the Wind Cave National Park in South Dakota. The land in question has traditionally been used for cattle ranching. Its owner however, is presently arranging the subdivision of the property, which lies immediately adjacent to the south entrance of the park. Any commercial or residential develop-

ment of the tract would be clearly visible for several miles throughout the park, disturbing the aesthetic character of this natural area. To secure the acquisition of these 228 acres, an appropriation of \$227,000 is authorized.

Section 302 requires that maps or detailed descriptions of the lands cited in the previous section be published in the Federal Register within six months of enactment.

Section 303 sets forth the terms of acquisition and administration for these lands added pursuant to section 301. It further provides that lands deleted pursuant to the aforementioned section may be exchanged for non-Federal lands within the subject revised boundary or transferred to the jurisdiction of another Federal agency, or State or local government and provides for further interagency coordination of Federal lands management.

Section 304 states that the authorities granted in this title are supplementary to any other authorities available for the acquisition, development or administration of the areas referred to in section 301.

Henceforth the City of Refuge National Historical Park will be known as the Puuhonua o Honaunau National Historical Park under the provisions of section 305 of H.R. 12536. At several places throughout the Hawaiian Islands, the ancient Hawaiians established places of refuge. These places were sanctuaries for noncombatants, criminals, and for kapu (taboo) breakers. The City of Refuge National Historical Park contains the best preserved such sanctuary. The National Park Service is making every effort to foster and perpetuate knowledge of the ancient Hawaiian culture. The name "City of Refuge" does not convey the precise meaning that is intended in the ancient Hawaiian language, although there were the villages attendant upon the site. Changing the name of the area to "Puuhonua o Honaunau National Historic Site" would convey this meaning more exactly, make interpretation of the park more meaningful, and contribute towards preserving knowledge of the old Hawaiian ways.

Section 306 provides for the sale of Black Hammock Island at fair market values. The proceeds from this sale are to be remitted to the National Park Service for land acquisition and development of Fort Caroline National Memorial.

Section 307 authorizes \$2,743,000 for land acquisition and \$4,280,000 for development at Allegheny Portage and Johnstown Flood National Memorial. The increase will permit the restoration, stabilization and preservation planning for historic structures. In addition, funds will be available for the development of an auto tour route.

Section 308 of the bill will have the effect of increasing the size of Fort Laramie by about 284 acres. The acquisition of these lands will have the effect of filling in the "U", which is the present configuration of the fort site. The lands are presently a mix of farmlands and a commercial campground, which are threatened with adverse commercial development. The lands to be acquired are rich in historic army and pioneer relics and may hold the site of the first Fort Laramie (then called Fort William), built in 1834.

The size limitation for Fort Union Trading Post will be increased from a maximum of 400 acres to a maximum of 570 acres, as provided in section 309. This will enable the National Park Service to acquire

lands along the south bank of the Missouri River necessary to protect the historic scene of the trading post. In addition to moneys for land acquisition, this section establishes a new development limitation of \$4,416,000. This funding will permit completion of exhaustive historical and archeological research, advance planning, and preparation of drawings and specifications for reconstruction of the fort. In addition, these moneys will cover the development and construction of needed visitor and administrative facilities, interpretive structures and devices, as well as roads and trails at Fort Union.

As provided in section 310 of H.R. 12536, Dorchester Heights in the city of Boston is authorized for inclusion in the Boston National Historical Park. Funds necessary to permit acquisition and development of this new component are also authorized.

Section 311 of H.R. 12536 includes the property known as Sailors Snug Harbor, consisting of about 80 acres, which is located in and owned by the city of New York, as part of the Gateway National Recreation Area. This section takes effect only upon donation of the property to the United States. The Secretary of the Interior is authorized to enter into cooperative agreements with the City of New York and the Snug Harbor Cultural Center, Inc., to provide protection and technical assistance for Sailors Snug Harbor following the property's donation.

Section 312 of H.R. 12536 authorizes the Secretary of the Interior to accept, without monetary consideration, the properties known as the John Adams birthplace at 133 Franklin Street and the John Quincy Adams birthplace at 141 Franklin Street in Quincy, Mass., for inclusion in the Adams National Historic Site. He is further authorized to accept furnishings and personal properties which relate to the birthplaces.

Section 313 authorizes the addition of the historic Eppes Manor to the Petersburg National Battlefield in Virginia. \$2,200,000 is authorized for land acquisition for this purpose.

The Mineral King Valley has a history of being proposed for downhill skiing facilities of varying levels of development intensity. Section 314 of the bill recognizes that the quality of the natural resources of the valley, and the valley's location at the southern end of and bordered on 80 percent of its perimeter by Sequoia National Park, indicates that the valley should be managed with primary regard for its natural values and would be a logical addition to Sequoia National Park. Because of the past and continuing interest in providing ski facilities in the valley, however, the committee directs the Secretary to at least consider as alternatives one or more types of skiing facility development in the discussion of recreational opportunities during preparation of the comprehensive management plan required in section 314.

The committee notes that management of the Mineral King addition should ensure full consideration of the wildlife resources of the area and the habitat that supports them. The wildlife resources of Mineral King are a key ingredient in its value as an addition to Sequoia National Park. However, without proper management, the wildlife resources could be adversely impacted by inadequate control of visitor

use, development of recreational facilities in key wildlife habitats and even deer could become a problem by becoming overabundant and damaging the ecosystem of the park and the quality of the park visitor's experience. The management plan for Mineral King should address (1) a program to make the area available to the greatest number of people without adversely affecting the environment, (2) the control of visitor use to ensure preservation of the area's wildlife and recreation qualities, and (3) a program for the management of fish and wildlife resources that ensures protection of the ecosystem in and adjacent to Mineral King including, the reduction of the deer population when and if necessary. The Secretary, in development of the plan, should cooperate with the California Department of Fish and Game.

The committee notes that some property owners may suffer adverse economic impact unless the Secretary provides for rapid acquisition of their lands. The committee, therefore, intends the Secretary to make provisions for determination of these hardship cases and take immediate action to acquire such property.

Subsection 314(d) (3) of H.R. 12536 adds a new section 5 to Public Law 93-522 and authorizes the Secretary of the Interior to revise the existing permit between the National Park Service and the Southern California Edison Co., which allows the SCEC to operate Federal Energy Regulatory Commission Project No. 298 within Sequoia National Park. Such a permit revision is necessary to allow Southern California Edison Co., the continued use of four flow regulators located within the Mineral King Valley area. The committee notes that the existing permit between the National Park Service and the Southern California Edison Co., is not included under the provisions set forth in subsection (d) (2).

Section 315 of H.R. 12536 adds approximately 2,670 acres of land to the Cuyahoga Valley National Recreation area to maintain visual continuity and avert the possibility of noncomplementary commercial development in the valley. Some 230 acres of land are authorized for deletion from the recreation area, the lands being non-essential areas of high development whose acquisition cost would far exceed any return benefits as far as resource protection is concerned. To carry out these boundary adjustments, the limitation on land acquisition authority is increased by \$29 million to a new ceiling of \$70,100,000.

For the Cuyahoga Valley National Recreation Area, there is also authorized to be appropriated \$26 million for development, an increase of \$25,500,000. These funds will be used to meet the short-range development objectives for the park, which provide the most basic components of the visitor-use and recreation program, and the mid-range phase, intended to supplement existing facilities to meet the demands of growing numbers of visitors. Section 315 also extends the Secretary's present authority to assist local governments in the area in establishing zoning ordinances or laws to include intergovernmental organizations and to further provide that such assistance may take the form of payments for technical aid.

The committee noted that the National Park Service has not yet acquired any scenic easements on improved properties, although the

original act establishing the Cuyahoga Valley National Recreation Area intended that maximum use be made of this device in order to minimize the costs to the government and the dislocations of the inhabitants of the area. The committee intends that the National Park Service make maximum effective use of the funds authorized under the National Parks and Recreation Act of 1978 to acquire scenic easements instead of fee title on improved properties, including both those which are in the areas added by this act and those which have not yet been acquired in the original boundaries of the recreation area. Fee title to improved properties should only be acquired where such acquisition is considered essential to the purposes of the recreation area. The fact that an owner of improved property may desire to sell the fee should not, in itself, constitute a sufficient reason to acquire fee title.

Section 316 amends section 2(a) of the act of September 1, 1965, which established the Delaware Water Gap National Recreation Area, by transferring all Federal lands and interests in lands within the exterior boundaries of the park to the National Park Service for administration as part of the recreation area. This section is further intended to transfer all authority of other Federal agencies to acquire lands and interests therein within the Delaware Water Gap NRA to the Secretary of the Interior. The exercise of acquisition authority shall give priority to the following classes of land in order: (1) completion of acquisition of lands on which condemnation proceedings have commenced; (2) lands owned by individuals who would suffer hardship if acquisition were delayed; (3) lands threatened with adverse development; (4) acquisition of lands from willing sellers, with limited right of use and occupancy when consistent with the administration of the recreation area; (5) acquisition of scenic easements where such easements are sufficient to carry out the purposes of the act; and (6) acquisition of lands necessary to preserve the integrity of the recreation area.

Section 317 provides for additions to Golden Gate National Recreation Area. A revised map incorporating the nearly 4,000 acres of additions is referenced. An additional 70 acres of Crissy Airfield is to be granted for the use of the recreation area. Language controlling the reconstruction of buildings on certain lands within the recreation area is rewritten to provide for increased public visibility. Agricultural land is included as qualifying for retained rights of use and occupancy, and a leaseback provision for agricultural lands is added. Note the discussion under section 318 for the use of this authority.

Additional subsections are included to permit the Secretary to accept donations of lands and improvements from State or local governments adjacent to the recreation area, and to permit the Secretary to arrange a deferred payment schedule. A prohibition is included on entrance fees for the recreation area, with certain specific exemptions.

The committee also notes the desire of local residents in various areas to have a particular forum for making their views known. While the existing Advisory Commission for the area should fulfill this need, there may be some value in the Commission permitting, subject to the call of its Chairman, ad hoc groups of citizens from areas such as Bolinas to function as a means of local input to the Commission.

Section 318 expands the Point Reyes National Seashore slightly more than 2,000 acres. A map is referenced which details the boundaries of the enlarged seashore. Minor revisions of the boundary map may be made by publication in the Federal Register, following notification of the appropriate committees of the Congress. The enabling act for the seashore is further amended to provide for retained rights of use and occupancy for agricultural as well as improved residential property. Agricultural property is specifically defined, and the Secretary is authorized to lease agricultural lands under certain conditions. The Secretary may also negotiate deferred payments over ten years where desirable. The Secretary is also to cooperate with the Bolinas Public Utilities District to protect and enhance the watershed values in the seashore.

Most of the area added to the seashore is in the vicinity of Bolinas, on the southern boundary of the existing area. The additions are to protect the pastoral character of these lands, and their special resource qualities are to be maintained by the Secretary. The additions will provide additional opportunities for low intensity visitor use, such as equestrian activities and hiking, but the area is not intended to serve as the main entrance to Point Reyes. The Secretary should use the minor boundary change authority in conjunction with the new map to be certain that, in the case of properties which have been severed by the new boundary lines, the lines can be adjusted to protect the privacy of those portions of properties left outside the seashore boundary.

The committee anticipates that some minimal development, such as restrooms, interpretive facilities, and a small youth hostel, may be appropriate, but major developments are to be avoided. National Park Service management should recognize the special resource qualities of areas such as the reef along the RCA and Holter properties, and emphasize the protection of these resources.

The committee has included a range of management tools to protect the pastoral character of the additions. Rights of use and occupancy which are retained for agricultural properties should permit reasonable further development consistent with expanding and maintaining the agricultural use of the land. The use of agricultural leasebacks is encouraged to maintain this compatible activity, and the Secretary is encouraged to utilize this authority to the fullest extent in ensuring the perpetuation of this use. The acquisition of lands from the Trust for Public Lands should be accomplished subject to the existing leases in effect for the Commonweal Corp., thus permitting the program of the corporation to continue for the life of the leases. The committee anticipates that, through careful and sensitive management, these additions will greatly enhance the ability of the Secretary to maintain the character of the national seashore.

Section 319 changes the name of the Antietam National Battlefield Site to "Antietam National Battlefield." A new boundary map, adding some 1,500 acres to the area, is referenced. Acquisition of the newly added lands is to be limited to scenic easements only.

The additional easement authority provides increased protection for this important Civil War site, which has been threatened by encroaching development.

Section 320. Approximately 600 acres of additional lands are authorized for addition to the Chesapeake and Ohio Canal National Historical Park under the provisions of section 320. These additional lands will principally comprise that portion of the Western Maryland Railway Co.'s right-of-way, in Maryland and West Virginia, which was approved for abandonment by the Interstate Commerce Commission on February 19, 1975, along with such other portions of the right-of-way which are not included in the approval and which no longer needed for railway purposes. The park shall also include two lots located between 30th Street and Thomas Jefferson Street in the Northwest Section of the District of Columbia. These properties shall be used to expand the congested barge area, thereby improving pedestrian circulation and protecting a very sensitive section of the canal. The limitation on funds necessary to carry out the land acquisition is increased by \$8 million to a new ceiling of \$28,400,000. An additional \$5 million in development funds is also provided in section 320. These moneys are intended by the committee for use in the restoration, stabilization and repair of the C. & O. Canal and adjacent tow-path, locks and other historic structures, including Paw Paw Tunnel; renovation of administrative offices; planning for facilities at Williamsport, Md.; and the preparation of a visitor orientation film.

Section 321 directs the Secretary to acquire Hassel Island in Saint Thomas Harbor, Virgin Islands, consisting of approximately 135 acres. There are authorized such sums as may be necessary for land acquisition and not to exceed \$1 million for restoration and rehabilitation of historic properties and development.

Section 322 revises the boundary of the Alibates Flint Quarries to include those lands depicted on the map entitled "Boundary Map, Alibates Flint Quarries," numbered 432-80,021 and dated November 1976. In addition, the development limitation for the monument is increased by \$1,990,000 to a new authorization of \$2,250,000. This increase will permit construction of a new headquarters/visitor center complex with such associated roads, trails and landscaping as may be necessary.

Section 323 amends the authorizing Act for Fire Island National Seashore, N.Y., to enlarge the boundaries of the area. The undeveloped areas within the Dune District are exempted from condemnation, so long as the owners maintain them in their natural state. The Secretary is authorized to acquire developed properties within this area when storm damage to a property exceeds 50 percent, or when exterior improvements are made. When a catastrophic storm destroys 90 percent of the structures within a community, both improved and unimproved properties may be condemned. The committee anticipates that the Secretary will use this authority to consolidate Federal holdings and to prevent reconstruction of severely damaged properties so that the barrier island will ultimately be returned to a natural condition.

TITLE IV

Section 401 consists of a series of paragraphs which designate wilderness and potential wilderness addition acreages of the specific areas

in accordance with the provisions of the Wilderness Act. Specific map references are included for each unit so designated.

The 14 areas, and the acreages designated in each case, are as follows:

1. Big Bend National Park, 538,250 acres, plus potential wilderness additions of 44,750 acres;
2. Buffalo National River, 10,529 acres, plus potential wilderness additions of 25,471 acres;
3. Carlsbad Caverns National Park, 38,000 acres, plus potential wilderness additions of 320 acres;
4. Crater Lake National Park, 127,500 acres;
5. Cumberland Gap National Historical Park, 12,700, plus potential wilderness additions of 1,900 acres;
6. Everglades National Park, 1,296,500 acres, plus potential wilderness additions of 81,900 acres;
7. Glacier National Park, 927,550 acres, plus potential wilderness additions of 3,360 acres;
8. Guadalupe Mountains National Park, 58,000 acres, plus potential wilderness additions of 700 acres;
9. Gulf Islands National Seashore, 1,800 acres, plus potential wilderness additions of 2,800 acres;
10. Hawaii Volcanoes National Park, 123,100 acres, plus potential wilderness additions of 7,850 acres;
11. Organ Pipe Cactus National Monument, 312,600 acres, plus potential wilderness additions of 1,240 acres;
12. Theodore Roosevelt National Memorial Park, 29,920 acres.

Assorted observations on specific areas and general policy are noted below.

Buffalo National River

The committee agreed to exclude from potential wilderness addition, at this time, that acreage owned by the Boy Scouts on the same side of the river where wilderness is designated. This action is intended to in no way influence the disposition of this property as it may be affected by terms of the establishment legislation.

Carlsbad Caverns

A narrow corridor is provided for nonwilderness access to New and Ogle caves.

Crater Lake

The committee designated all of Wizard Island as wilderness, except for that area which is currently developed. In so doing, the intention is that the existing development shall not be expanded. While the committee did not designate the surface of the lake as wilderness, as was proposed by one proposal, it alternatively intended that current boating use may be maintained at the existing level, but shall not be expanded.

Everglades

A major issue incorporated with this proposal is the considerable motor boat access which may penetrate much of the wilderness on the west side. The Secretary should give prompt consideration to the regulation of such use to minimize its adverse influence on the wildlife, and should further consider the advisability of permanently closing some of these routes by their later designation as wilderness. The Sec-

retary should advise the committees of such considerations within 1 year of the date of enactment of this act.

Guadalupe Mountains

In May 1977, the President, in his Environmental Message to the Congress, indicated that he would shortly transmit recommendations for an enlarged "Guadalupe Escarpment Wilderness" to consist of wilderness lands within Carlsbad Caverns National Park and Guadalupe Mountains National Park, plus intervening wilderness quality lands located in the Lincoln National Forest, so as to form a large unified wilderness of approximately 150,000 acres. Recommendations for the enlargement of the wilderness units proposed for the two parks were received from the Administration, and these units are included in this legislation with some minor boundary alterations. The committee was concerned that similar recommendations were not received from the Department of Agriculture, and thus it was not possible to consider designation of the entire unified Guadalupe Escarpment Wilderness at this time. The committee urges the Department of Agriculture to promptly transmit its recommendations so that the full extent of the President's proposed wilderness in this area may receive congressional consideration.

The committee did not designate as wilderness a large area of qualifying lands commonly known as the western desert which lies below the western escarpment of Guadalupe Mountains National Park, because the details of future visitor use in this area are not firm at this time.

The committee desires that recommendations for wilderness designation in this area be transmitted promptly to the committee, simultaneously with the Secretary of Agriculture's transmittal of its recommendations for the Guadalupe escarpment, if possible, so that the entire remaining Guadalupe Escarpment area may receive congressional deliberation collectively.

Gulf Islands

Considering the dearth of wilderness quality islands in this portion of the Gulf of Mexico, the committee was persuaded to designate all of these two islands as wilderness (or potential wilderness additions). While that submerged lands portion of the Seashore extending offshore was not designated as wilderness, the case is easily made for so doing, and so that the Congress may more fully consider this matter later, the Secretary is urged to administer these submerged lands as wilderness in the interim. In keeping with the committee's position for beach and tidelands cleanup policy for Point Reyes National Seashore Wilderness, routine administrative use of motorized equipment shall not be permitted, and may occur only in emergency or very unusual situations.

Theodore Roosevelt

The committee was not decisive in its omission of much of the wilderness quality landscape from wilderness designation in the south unit. It would be beneficial for the Secretary to promptly reconsider his position on appropriate wilderness designation for the south unit of the park, and advise the committees upon completion of his re-evaluation of this area.

Facilities for Visitor use and management

It is noted that a number of these areas contain visitor use facilities (vault-type toilets and boat docks, for example) which might be considered inconsistent with wilderness values and a wilderness experience. Their presence does violate the principle that technological innovation should not precede man into the wilderness. Likewise, in numerous areas there are management devices or activities which are non-conforming to wilderness (wildlife watering devices, underground transmission lines, hydrometeorologic devices, etc.). While it might not be practical or possible to remove such existing devices and facilities upon wilderness designation, the addition of more of these incompatible items should not be permitted, and every effort should be made to eliminate those items now existing, as is practical and possible to do so as time passes. In no case should additional items be added for visitor use. However, in extreme cases where resource protection is jeopardized, limited facilities may be judiciously added (such as wildlife watering devices, cave entrance closure gates, etc.).

Section 402 provides that the map and boundary description which detail each wilderness designation made in section 401 will be on file and available for inspection in the National Park Service offices in Washington, D.C., and in each appropriate area. Copies of the maps and descriptions will also be provided to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate. The maps and descriptions are to serve as the statutory boundaries for the wilderness designations, with the qualification that clerical and typographical errors may be corrected.

Section 403 permits the designation as wilderness of any of those lands referred to as "potential wilderness additions", upon a notice being published by the Secretary in the Federal Register stating that all uses prohibited by the Wilderness Act have ceased on the lands so designated.

Many of the tracts designated as "potential wilderness additions" are areas where the United States does not have full title to the land, and/or where existing uses are occurring which are incompatible with the Wilderness Act. It is the committee's intention that non-Federal interests should be acquired and that any incompatible uses should be extinguished as promptly as possible. Thereupon, the land should be designated as wilderness pursuant to publishing of notice to that effect in the Federal Register, as provided for in this section. Such publishing should occur as changes occur on a tract-by-tract basis, or periodically on a park-by-park basis. All lands, while designated as "potential wilderness additions", are to be managed by the Secretary, to the extent legal and practical to do so, to the same standards as he manages wilderness.

Section 404 provides that the wilderness designated in this act will be managed in accordance with the Wilderness Act, except that appropriate date references in that act shall be to the effective date of this legislation, and that appropriate and relevant references to the Secretary of Agriculture shall be considered to be to the Secretary of the Interior.

Section 405 affirms the right of the Indians of the Blackfeet Reservation in Montana to enter and utilize lands within Glacier National Park as necessary to operate and maintain the Lake Sherburne Reservoir, and to develop (to a water storage capacity not exceeding 40,000 acre-feet), operate, and maintain the Lower Two Medicine Lake Reservoir.

This section also repeals the second proviso of section 1 of the act of May 11, 1910 (36 stat. 354; 16 U.S.C. 161), which provides that ". . . The United States Reclamation Service may enter upon and utilize for flowage or other purposes any area within said park which may be necessary for the development and maintenance of a government reclamation project." This modification would permit continuation of existing water development projects, but would preclude any new projects.

The section also affirms that the existing authority of the Coast Guard and the Federal Aviation Administration to construct and maintain facilities in the areas designated wilderness, for navigational and maritime safety purposes, within the Everglades National Park and the Gulf Islands National Seashore is not diminished by this title. The committee recognizes that certain unmanned navigational facilities now exist in the areas designated wilderness by section 401 of this title within the Everglades National Park and the Gulf Islands National Seashore. The committee expects, however, that any modification of existing facilities, and the placement of new facilities at either existing or new locations, shall be done in full consultation with the Secretary. Moreover, it is the committee's intention that new or expanded facilities at new or existing locations within the wilderness or potential wilderness additions should not occur unless absolutely essential to do so, with no feasible and prudent alternative being available outside the wilderness. The authority of the International Boundary Commission to delineate, mark and maintain the International Boundary in the designated wilderness within the Glacier National Park is affirmed. The committee desires that the absolute minimum disturbance be permitted to occur to the natural landscape, in keeping with the concept of an undisturbed wilderness.

The committee chose to eliminate a previous section of this title which required that (1) wilderness management plans be prepared for all designated wilderness units, including the indication of carrying capacities for various areas within all of the wilderness and (2) the Secretary recommend to the House and Senate Committees, within five years of wilderness designation, as to needed wilderness boundary adjustments. While these actions were eliminated as requirements, the Secretary should nevertheless be taking appropriate actions along these lines. Section 608(b) revises reporting requirements for the submission of general management plans to the congressional committees. Section 608(2) provides, in paragraph (b) (3), that carrying capacities be identified and implementation begin. This provision should, of course, be applied to wilderness areas.

Many of the earlier designated wilderness units had their proposed boundaries developed and adopted under guidelines which have been subsequently majorily revised. Consideration of those boundaries now might result in determinations of boundaries quite different from what exists. The Secretary should consider proposing to the Congress, minor boundary adjustments which would result in improved management

and protection of wilderness and overall park operations. Such minor boundary adjustments need not be subject to the comprehensive input and review provisions of the Wilderness Act for areas initially studied under this act.

TITLE V

Section 501 authorizes establishment of the Guam National Seashore with acquisition limited to easements over improved property and agricultural land. A management plan is to be developed by the Secretary and the Government of Guam. The seashore will be operated under a cooperative agreement between the National Park Service and the Government of Guam, with the Secretary providing technical assistance to the Government of Guam for the development and management of the proposed Guam Territorial Seashore Park. Entrance fees will not be charged for residents of Guam or the Northern Mariana Islands or for U.S. military personnel or dependents. There is authorized to be appropriated \$10 million for land acquisition and \$500,000 for development.

Section 502 authorizes the establishment of the War in the Pacific National Historical Park. The Secretary is authorized to acquire lands within published boundaries. Property owners may retain estates of up to 25 years which may be terminated if their use is inconsistent with park purposes. Other pertinent points of interest on Guam may be marked by the Secretary and the Governor of Guam. The Secretary is authorized to seek the assistance of appropriate historians to interpret the park with interpretive activities to be conducted bilingually. The Secretary is authorized to seek an agreement with the Secretary of Defense for the berthing of a World War II vintage ship at the park. A management plan shall be developed within 2 years. Residents of Guam and the Northern Mariana Islands are to be employed to the maximum extent feasible. The Organic Act of Guam is amended to conform with the provisions of this act. Entrance fees will not be charged for residents of Guam or the Northern Mariana Islands or for U.S. military personnel or dependents. There is authorized to be appropriated \$16 million for land acquisition and \$500,000 for development.

Section 503 authorizes the Secretary to have up to 18 months to develop a plan to conserve an area of 970,000 acres known as the New Jersey Pine Barrens. Congress may disapprove within 180 days of its submission. The State has the option of participating in the preparation of the plan. The legislation contains detailed criteria outlining what is to be included in the plan; \$1 million is authorized for completion of the plan. The Secretary is authorized to acquire critical lands prior to completion of the plan, for management by the Secretary, the State or multi-jurisdictional Pine Barrens management entity which the Secretary approves. There is authorized to be appropriated \$25 million for land acquisition.

Section 504 authorizes the Secretary to acquire the Poe House complex in Philadelphia, Pa., to establish the Edgar Allen Poe National Historic Site. Authorizes appropriation of such sums as are necessary.

Section 505 authorizes the Secretary to establish the San Antonio Missions National Historical Park in Texas. The Secretary is authorized to acquire designated missions and associated historical features,

and to enter into cooperative agreements for the compatible management of other properties. Property owners may retain limited right of use and occupancy. San Antonio Missions Advisory Commission is established for 10 years. Authorizes appropriation of \$10 million for land acquisition and \$500,000 for development. A general management plan is required within 1 year of date of enactment.

Section 506 authorizes the Secretary to accept by donation Saint Paul's Church, Eastchester, N.Y. for establishment as a unit of the National Park System. The Secretary is authorized to complete such structural and other repairs as are necessary to restore and preserve the property.

Section 507 the Secretary is authorized to acquire 1,300 acres to establish the Kaloko-Honokohau National Historical Park. The purpose of the park is to provide a center for the reorientation and perpetuation of Hawaiian activities, culture and basic land patterns. In administering the park the Secretary may provide authentic live-in accommodations for Hawaiians, enter into cooperative agreements with adjacent landowners to protect the scene and to the greatest extent possible insure that the park is managed by native Hawaiians. Establishes an advisory commission for ten years. Authorizes appropriations of \$34,750,000 for land acquisition and \$1 million for development.

Section 508 the Secretary is authorized to develop, maintain and administer the existing American Memorial Park located at Tanapag Harbor Reservation, Saipan. To the maximum extent feasible, residents of the Mariana Islands are to be trained to develop, maintain and administer the park. To the greatest extent possible, interpretative activities are to be quadri-lingual. Administration of the park is to be transferred to the Government of Saipan upon request of that government. Authorizes appropriation of \$3 million for development.

Section 509 the Secretary is authorized to acquire fifty acres of land to establish the Palo Alto Battlefield National Historic Site in Texas. The park is to be managed under appropriate National Park System authorities. Authorizes appropriation of \$3 million for land acquisition and \$200,000 for development.

Section 510 establishes the Santa Monica Mountains National Recreation Area in California and authorizes the Secretary to acquire such lands as he deems necessary within the boundaries of a referenced boundary map to which the Secretary may make minor boundary revisions. State lands shall be acquired by donation or exchange except that lands purchased by the State after January 1, 1978, may be acquired by purchase. Federal property will be transferred to the recreation area. The county of Los Angeles is permitted to continue to use a portion of Nike Site 78 as a fire suppression and training facility.

Within 6 months of enactment, the Secretary will identify critical areas which need to be acquired. By January 1, 1980, the Secretary is to submit to the Congress a detailed plan for acquisition and a final boundary map for the recreation area. Single family residential and agricultural property will only be acquired if threatened with use detrimental to the recreation area. Improved property may be acquired by easement. Owners of improved property may retain a right of use and occupancy. The Secretary shall give prompt and careful consideration to offers made by willing sellers.

Administration of the recreation area shall be in accordance with the 1916 Organic Act for the National Park System, and only low-intensity uses will be allowed within fragile resource areas. The Secretary may enter into cooperative agreements for rescue, firefighting and law enforcement services. The Secretary may accept donations of funds, property or services.

By January 1, 1981, the Advisory Commission, established by this section, shall submit to the Secretary its recommendations regarding future management, ownership, and operation of the recreation area. By January 1, 1982, the Secretary shall submit to Congress a report incorporating the Advisory Commission's recommendations which shall (1) assess the benefits and costs of continued National Park Service management, (2) assess the capability and willingness of the State to manage and operate the area, and (3) recommend beneficial changes in management, operation or ownership.

The Secretary is authorized to make grants to the State for additional acquisitions outside the recreation area but within the Santa Monica Mountains Zone identified on the referenced map, and to release funds to retire bonded indebtedness previously incurred which if not retired would contribute to further development inconsistent with the purposes of this section. Neither grants nor funds can be released until State and local governments comply with a comprehensive plan for the entire zone prepared by an existing state planning commission and approved by the Secretary. The plan would use State and local authority to protect and buffer the recreation area and to preserve certain natural, historic, archeological, public health, air quality, and other benefits of the area as well as to provide increased recreational opportunities.

The Santa Monica Mountains Comprehensive Planning Commission established by California State law may submit its comprehensive plan prepared in accord with the State law and with specific criteria of this section. The plan will contain a program for additional acquisition of strategic and critical sites outside the recreation area for which the grants to the State and through the State to local governments are provided. The Secretary must find that the plan is consistent with stated criteria before approving it and must consult with the Administrator of the Environmental Protection Agency before making the findings regarding air quality and public health.

Grants will not be released until the Secretary has received adequate assurances that all aspects of the plan will be adopted and put into effect by the relevant unit of government and that the lands acquired will not be converted to other than park, recreation or conservation purposes. The Secretary may attach any terms and conditions to the grants he deems necessary. Additionally, any State or local government that changes laws, regulations, or policies necessary to implement the approved plan may be liable for reimbursement of all funds previously granted under this section. Changes to the plan must be approved by the Secretary. Applications for grants must be made within 5 years of the Secretary's approval of the plan. Federal expenditures within the zone which would be inconsistent with the purposes of the section and the approved comprehensive plan may not be approved.

The Secretary must fully consider all recommendations of the California Department of Parks and Recreation, the Santa Monica Moun-

tains Comprehensive Planning Commission, and the California Coastal Commission.

The Santa Monica Mountains National Recreation Area Advisory Commission is established for 10 years and will be composed of nine members—five appointed by the Secretary (one of whom will be the chairperson) and one each appointed by the Governor of California, the mayor of Los Angeles, the Los Angeles County Board of Supervisors, and the Ventura County Board of Supervisors. The advisory commission must follow certain procedures to assure local public notice and involvement.

By January 1, 1981, the Secretary shall, in consultation with the advisory commission, submit a general management plan for the recreation area.

Appropriations are authorized of \$50 million per year for fiscal years 1979 through 1981 for land acquisition within the recreation area; \$10 million per year for fiscal years 1979 through 1981 for the grant program; and \$500,000 for facility development in the recreation area.

The committee notes the concern of citizens within the area regarding the boundary map delineations. The bill provides for a complex inter-governmental relationship to implement the Santa Monica Mountains National Recreation Area and intends that the Secretary carefully incorporate the views of the State of California, the Santa Monica Mountains Comprehensive Planning Commission, local citizens groups, and the area Coastal Commission into development and refinement of the boundary and acquisition map.

The committee also notes the Secretary is given broad powers to administer Federal grants to the State and through the State to the local political jurisdictions. The committee cautions that such authority must be used with great care to provide an even-handed administration assuring the intent that appropriate local laws and regulations provide for compatible land use practices without inequities between local jurisdictions.

The committee intends that funds for Federal acquisition within the recreation area shall be appropriated from the Land and Water Conservation Fund and other authorizations from the general fund of the treasury.

Section 511 authorizes the Secretary to establish Ebey's Landing National Historical Park in the State of Washington. The area of the park is limited to 8,000 acres on Whidby Island surrounding Penn Cove. Land acquisition is limited to easements except when the owner wishes to sell in fee. The Secretary may enter into cooperative agreements with the State, local government, or private individuals, corporations, or associations to preserve significant historic sites. There is authorized \$4,500,000 for acquisition of lands and \$500,000 for development.

Section 551 amends the National Trails System Act to establish the Mormon Pioneer National Historic Trail extending from Nauvoo, Illinois to Salt Lake City, Utah to be administered by the Secretary of the Interior.

Section 552 amends the National Trails System Act to authorize the study of the Overmountain Men Victory Trail extending from Elizabethton, Tenn. to Kings Mountain National Military Park, S.C.

Section 553 amends the National Trails System Act to establish the Continental Divide National Scenic Trail extending from the Montana-Canada border to the New Mexico-Mexico border, to be administered by the Secretary of Agriculture in consultation with the Secretary of the Interior.

Section 554 amends the National Trails System Act to establish the North Country National Scenic Trail extending from eastern New York State to the vicinity of Lake Sakakawea in North Dakota, to be administered by the Secretary of the Interior.

Section 555 authorizes appropriation of \$3 million per year for three fiscal years after enactment for land acquisition in the areas authorized in sections 551 through 554.

TITLE VI

Section 601 authorizes the Secretary to acquire the historic structure known as Old Faithful Inn in Yellowstone National Park, as well as to restore the structure; \$1,500,000 is authorized to be appropriated for purchase; an additional \$1,500,000 is authorized to be appropriated for renovation work to assure the continued protection of the building.

Section 602 directs the Secretary to study the ridgelands area east of San Francisco Bay for: (1) the type of Federal, State or local programs to preserve the identified values and assure public use thereof; (2) alternative means to integrate the values to be preserved with under current land ownership; and (3) suitability and feasibility for a unit of the National Park System. The report of the Secretary containing specified information, is to be submitted to Congress in 1 year. Sums necessary to carry out the study are authorized.

Section 603 provides authorization for \$2 million for salaries and expenses through fiscal year 1979 for the Pennsylvania Avenue Development Corporation.

Section 604 extends the authorization for the act providing for the preservation of historical and archeological data for an additional 5 fiscal years.

Section 605 authorizes the Secretary to establish a national historic site for each President of the United States.

The House and Senate authorizing committees will have an opportunity for a 6-month review of any site proposed under this authority, and may disapprove of the site by majority vote during the review period. Necessary sums are appropriated.

Section 606 authorizes up to \$10 million for the Secretary to use in conducting studies, not otherwise specifically authorized by law, for reviewing possible additions to the National Park system.

The due date for the feasibility study of the Mount Mitchell area in North Carolina for potential addition to the National Park System is moved forward to July 15, 1978. The committee understands that the study itself has been completed, and intends that the document will be made available for review at an early date.

Section 607 (1) These appropriation ceilings are designed to permit specific line item budget requests and appropriations for these two activities (new area studies and landmarks monitoring). The new area studies candidates, in order to be entered on the annual list of no less than 12 areas, must appear to possess resource qualities of national significance. Areas without natural or historical resource qualities of apparent national significance, such as might be the case with potential urban recreation areas, should be studied and considered under the provisions of section 606 of this act, and should not be incorporated into study and reporting provisions of section 8 of Public Law 91-383. Areas listed on the annual list of 12 should correlate with the themes identified in the National Park System Plan, Part I and II. Funds from the \$3 million authorized annual ceiling are also to be available for the monitoring of the welfare of those areas which appear to have national significance, and have been, or have not yet been, studied for potential national park system addition, pursuant to the first sentence of section 8 of Public Law 91-383.

The \$1,500,000 made available by this section is for monitoring the welfare of both national natural and national historic landmarks, pursuant to the provisions of section 8 of Public Law 91-383.

(2) This provision replaces an earlier similar provision which required copies of all national park system area general management plans to be submitted to the House and Senate Committees on an unspecified basis. That awkward requirement of individual plan submittal is replaced with an annual listing of the status of completion or revision of all general management plans. Also, the former criteria for plan elements is replaced with a broadened and more comprehensive directive of plan requirements. It is worthy of note that all plans are to henceforth address the identification of visitor carrying capacities for all parts of each park unit, and are further required to address implementation commitments. Both elements of physical (biological) and social (psychological) capacity are to be addressed and incorporated in devising the overall capacity for each part of each park unit.

(3) This change is intended to assure that contracts of five years duration, as well as those of over five years duration, are encompassed by the reporting requirement.

Section 608 directs studies to be made by the Secretary of the Oak Creek Canyon and Chiricahua National Monument areas in Arizona for possible additions to the National Park System.

Section 609 restates the policy of the Congress to conserve certain wildlife, wilderness, park, and recreation values on Federal lands, and directs that a procedure be established to require the Secretary to review various Federal properties for such uses.

Section 610 this section provides submission dates for the states to the Secretary and for the Secretary to the Committees of the Congress relative to the statutorily required annual accomplishments report for the Land and Water Conservation Fund Act.

Section 611 authorizes the Secretary to make grants for the rehabilitation of recreation facilities in urban areas. The grants are to cover 50 percent or more under certain circumstances of project costs, and are to go to local governments, with a requirement that the local

jurisdiction make satisfactory commitments for the ongoing maintenance and operation of its park and recreation system. Eligible sources of local matching funds are defined, as well as the terms under which property may be converted to other uses. \$150 million per year is authorized to be appropriated for this program for the next 5 fiscal years, as well as \$250,000 per year for each of the insular areas, as defined in this section.

The committee notes the immediate need for this program to provide assistance to local governments for urban park recovery. The Secretary should implement this program as rapidly as possible and at the full funding authorization level. Local governments must provide evidence of ongoing rehabilitation, maintenance, development, and service programs. The committee does not intend the Secretary to establish harsh nor restrictive criteria to the submission or evaluation of such evidence. The committee recognizes that those cities which need the matching grants the most are often least able to pay for expensive, sophisticated planning expertise to meet excessive standards.

The committee intends that the Secretary establish close and continuing liaison and coordination with the Department of Housing and Urban Development to assure well balanced and integrated programs for urban neighborhood revitalization.

The committee further intends the Secretary shall monitor and evaluate the effectiveness of the program including auditing each local grant financed under this program.

Section 612 references a new map for the Hells Canyon National Recreation Area in Oregon and Idaho. The new map is to be identical to that adopted at the time the recreation area was authorized, except for the correction of a drafting error, thus clarifying that the wilderness boundary is to be on the hydrologic divide along the western rim of the canyon.

Section 613 directs the Secretary to study the Irvine Coast-Laguna, Calif., area to determine the scenic, scientific, national, and outdoor recreation values and to recommend feasibility of federal, state or local programs to manage those resources. \$250,000 is authorized for the study.

Section 614 amends the act to provide for the preservation of the Ansley Wilcox House, Buffalo, N.Y., by permitting the expenditure of federal funds except for the Department of the Interior. The committee notes that the original intent of Congress in authorizing this site was that it not be managed by the National Park Service. The present amendment is to insure that this area is not blocked from receiving other federal financial assistance.

Section 615 provides for the creation of a Big Sur Study Commission to study the most feasible and acceptable approach to preserving the outstanding ecological, scenic and recreational values.

The section directs that the Commission take into account, in its study, the preferences of Big Sur's residents; the current land ownership patterns; views of local, State, and Federal agencies and those of all interested groups and individuals; costs and benefits of alternative preservation schemes; any other studies of the area; and any other issues the Commission determines are appropriate to such study.

The section provides 18 months for the Commission to complete its study, to provide a detailed description of the lands and resources

within the area; an evaluation of the scenic, cultural, historical, recreational and other values in the area; a recommendation for land uses compatible and incompatible with the preservation of these values; a recommendation of the most appropriate institutional arrangements, if any, between the residents, local, State, and Federal governments, a summary of the findings of the Commission of the views of local residents and recommendations by the Commission of ways to maintain public participation in future planning; and a recommendation for coordination of programs and policies of local, State and Federal governments to preserve the area.

The section authorizes the appropriation of \$350,000 for 18 months beginning with the first fiscal year which begins after the date of enactment of this section. The Commission shall terminate upon transmittal of the Study to the Secretary and the Congress.

TITLE VII

Section 701 establishes the Pere Marquette River, Michigan from the junction of the Middle and Little South Branches to the point of intersection with the United States Highway 31 as a Wild and Scenic River. The river will be administered by the Department of Agriculture. The Department shall establish detailed boundaries, determine the river's classification and complete a development plan within 1 year of the date of enactment.

There are authorized to be appropriated not more than \$8,125,000 for land acquisition and \$402,000 for development.

Section 702 establishes the Rio Grande, Tex., from Mariscal Canyon downstream to the Terrell-Val Verde County line as a Wild and Scenic River. The river will be administered by the Department of Interior. The Department shall establish detailed boundaries, determine the river classifications and complete a development plan within two years of the date of enactment. Such planning will be coordinated with the United States Commissioner, International Boundary and Water Commission, as well as state and affected local governments. The plan will only apply to the United States side of the Rio Grande and the detailed boundary will be limited to not more than 160 acres per mile.

Nothing in the act shall conflict with treaties, commitments or agreements with Mexico regarding the international boundary or use of the Rio Grande.

There are authorized to be appropriated not more than \$1,650,000 for land acquisition and \$1,800,000 for development.

Section 703 establishes the Skagit River, Wash., from the pipeline crossing at Sedro Woolley upstream to and including the mouth of Bacon Creek; the Cascade River from its mouth to the junction of its North and South Forks; the South Fork to the boundary of the Glacier Peak Wilderness Area; the Suiattle River from its mouth to the boundary of the Glacier Peak Wilderness area at Milk Creek; the Sauk River from its mouth to its junction with Elliott Creek; the North Fork of the Sauk River from its junction with the South Fork of the Sauk to the boundary of the Glacier Peak Wilderness Area as a Wild and Scenic River. The river will be administered by the Department of Agriculture. The Department will establish detailed boundaries, determine the river classifications and complete a development plan within one year of the date of enactment.

Rip-rapping of natural channels with native rock to protect agricultural land is deemed to be consistent with the purposes of the Act. The Secretary of Agriculture is required to investigate a portion of the North Fork, Cascade River and if found to qualify may add the segment to the system.

A portion of the Sauk River is reserved as a site for a dry dam to provide flood control providing the U.S. Army Corps of Engineers shows a cost-benefit ratio better than other alternatives and that such a structure will not be harmful to the anadromous fishery.

There are authorized to be appropriated not more than \$11,734,000 for land acquisition and \$332,000 for development.

The committee adopted the amendment to reserve a portion of the Sauk River for a possible future dry dam to provide flood control in the downstream area. The committee does not intend this action to promote water resources development. The special nature of the Skagit River problem led the committee to adopt the amendment as a special case without prejudicing the committee's intent to prohibit water resources development on designated Wild and Scenic rivers.

Section 704 establishes 10 segments of the Upper Mississippi River, Minnesota totaling 300.3 miles to be administered by the Department of Interior (with provisions for the Department of Agriculture to manage those segments within the Chippewa National Forest) as a Wild and Scenic River. Also establishes two segments of the river may be designated by the Secretary of the Interior upon application by the Governor of Minnesota. No segment or portion of the river may be designated within areas owned by the Chippewa Indian Tribe unless consented to by the tribal governing body.

The agencies shall establish detailed boundaries, determine the river classification and complete a development and management plan within 2 years of the date of enactment.

There are authorized to be appropriated not more than \$16,500,000 for land acquisition and \$3,300,000 for development.

Section 705 establishes the Delaware River from the confluence of the East and West branches below Hancock, N. Y., to the existing railroad bridge upstream from Sparrow Bush, New York as a Wild and Scenic River to be administered by the Secretary of the Interior.

Subsection (b) directs the Secretary of the Interior to publish general guidelines within 180 days after enactment for land and water use control measures to be developed and implemented in the river corridor. The Secretary shall provide for public participation in the development of these guidelines, including by all levels of government and private individuals as well as the Upper Delaware Citizens Advisory Council as established.

Within 3 years from enactment the Secretary in cooperation with the Delaware River Basin Commission, the Advisory Council, and the directly affected States and municipalities, shall develop a management plan which will provide for land and water uses and scenic and recreational activities consistent with the Wild and Scenic Rivers Act and the general guidelines aforesaid.

The Secretary may not acquire more than 450 acres of land and interest in land for access, development sites, preservation of scenic qualities, or for any other purposes. However, the Secretary may acquire an additional 1,000 acres of land and interests in land if such

additional acquisition is recommended for and provided in the management plan as finally approved by the Secretary.

The Secretary shall review all relevant local laws and ordinances to determine whether they substantially conform to the management plan. In addition, the Secretary shall determine the adequacy of the enforcement of such laws and ordinances. The purpose of such reviews is to determine whether they conform to or are compatible with the purposes of the act. The Secretary, upon finding that such laws and ordinances are not in conformance with the management plan, or are not being properly enforced, may acquire land or interest in land in excess of the acreages provided above. However, any acquisition shall be in conformance with the Wild and Scenic Rivers Act, and limited to the boundaries of the local governmental unit failing to conform or comply with management plan.

No later than 120 days after enactment, the Secretary shall establish an Upper Delaware Citizens Advisory Council to encourage maximum public involvement in the development and implementation of the management plan.

With respect to the land and water within the boundaries of the designation, the Secretary is authorized to enter into contracts with the states or political subdivisions pursuant to which the Secretary may provide financial assistance for enforcing state and local laws in such areas and for removing and disposing of solid waste in such areas.

Nothing in this section shall be construed as limiting the right to fish and hunt on any of the lands or waters within the boundaries of the Upper Delaware Rivers as provided in Section 13 of the Wild and Scenic Rivers Act.

There are authorized to be appropriated to carry out the purposes of this section such sums as may be necessary.

Section 706 establishes the Delaware River within the boundary of the Delaware Water Gap National Recreation Area as a Wild and Scenic river to be administered by the Secretary of the Interior.

The wild and scenic designation is limited to the banks of the river so that the land acquisition restrictions enumerated in section 6 of the Wild and Scenic Rivers Act do not apply. This will provide the National Park Service with flexibility in managing the river corridor as part of the Delaware Water Gap National Recreation Area. Section 706 also directs the NPS to manage the lands adjacent to the river in a way compatible with the purposes of the Wild and Scenic Rivers Act.

Section 707 establishes the North Fork of the American River, Calif., from three-tenths of 1 mile above Heath Springs downstream to a point just above the Colfax-Iowa Hill Bridge as a Wild and Scenic River. The river will be jointly administered by the Department of Interior and the Department of Agriculture. The agencies shall establish detailed boundaries, determine the river classification and complete a development plan within one year of the date of enactment. Acreage limitations specified in Section 3(b) are waived for the river segment in the Gold Run area.

Owner's of affected improved property as defined in Section 6 (g) (3) of the act is redefined as to date of construction being before January 1 of the calendar year preceding the calendar year in which this paragraph is enacted.

Section 708. The addition of this segment of the Missouri River to the system is the result of a delicate negotiation between affected landowners; various governmental planning councils, groups and agencies; conservation interests; and members of Congress. The language provides that the Secretary of the Interior shall construct such recreation features and streambank stabilization features as he deems necessary and advisable, and shall maintain various streambank stabilization structures. No streambank stabilization structure or recreational feature is to be placed or maintained on private land without the owner and the United States first negotiating suitable arrangements for adequate protection of any land within that ownership within the river boundary in accordance with the purposes of the Wild and Scenic Rivers Act. Condemnation authority is limited to no more than 5 percent of the acreage within the designated river boundary, and that is limited to less-than-fee acquisition, and may be exercised only when an owner is damaging, or is threatening to jeopardize or damage, the integrity of the river corridor. This 5 percent acreage limitation excludes (1) those lands for which easements or fee acquisition have been or come to be negotiated associated with lands upon which interests or fee have been or are acquired for the construction of streambank stabilization structures and/or recreational facilities, and (2) those lands protected by any level of government ownership. The river is to be administered by the Secretary, under contract with the Secretary of the Army, through the Corps of Engineers.

The committee intends that the administration shall assign the necessary manpower and budgetary priority to acquisition and development required for accelerated establishment of these Wild and Scenic rivers. The committee is concerned that lack of administration sense of urgency would have a serious impact upon those private landowners affected. There is a further need for the administration to advise landowners in the affected areas immediately as to the details of land acquisition procedures and degree of estate, fee or easements to be acquired.

The committee also intends that the managing agencies develop their management plans with full public involvement as rapidly as possible. Significant attention should be paid to the problem of overuse that often occurs on designated rivers to the detriment of the resource such designation attempts to protect. Particular attention and urgency should be paid to the Pere Marquette River, Mich., to preserve one of the most famous scenic rivers in the midwest region.

Sections 721 through 740 amend the act to include the named rivers for study as to their potential to be included in the Wild and Scenic River System. The studies are to be completed and reports submitted within 5 years of the date of enactment except that those studies in sections 726 through 729 shall be submitted to the Congress by April 1981.

The committee is concerned that past Wild and Scenic River studies directed by the Congress have taken an inordinate number of years to accomplish. The committee intends that the administration shall assign adequate priority to this program so that these studies are initiated soon enough to complete them within the time frame established. The committee is particularly concerned that the study of the Sheepscott River shall begin not later than January 1, 1979 and shall

be conducted with full participation of the state and local agencies and citizens.

Sections 751 through 755 amend the act to increase authorization levels for: Eleven Point River, Missouri from \$4,906,500 to \$10,407,000; Rouge River, Oregon from \$12,447,200 to \$15,147,000; Salmon River, Idaho from \$1,237,100 to \$1,837,000; Chattooga River, South Carolina, North Carolina and Georgia from \$2,000,000 to \$5,200,000; St. Croix River, Wisconsin from \$11,768,500 to \$21,769,000. Section g(b) regarding limitation on fee land acquisition of the St. Croix River is waived.

Section 761 amends section 2(a) of Public Law 90-542 to permit Federal agencies to manage, for Wild and Scenic River purposes, those rivers declared by the respective States as wild and scenic.

Section 762 amends section 12(a) of Public Law 90-542 to require Federal agencies to manage Federal lands adjacent to any river under consideration as a Wild and Scenic River in a manner consistent with the purposes of the act. Federal agencies are directed to enter into cooperative agreements with States, where appropriate, to manage Federal lands consistent with approved State river objectives.

Section 763 amends section 6(a) of Public Law 90-542 to permit the Secretary administering a wild and scenic river to accept State lands through exchange as well as by donations.

Section 764 adds a new section 14A to Public Law 90-542 to permit the Secretary administering a Wild and Scenic River to lease, with restrictions, lands acquired for compatible private uses. Leased lands would be exempt from the provisions related to the 50 percent and 100 acre-per-mile limitations.

The committee intends the administration to make full use of the authority provided to enter into long-term leases with private individuals so that lands deemed available can be used productively and in consonance with the purpose of the Wild and Scenic Rivers Act.

Section 765 amends section 5 of Public Law 90-542 to require the Secretaries of Interior and Agriculture to study rivers within Federal lands for Wild and Scenic River purposes and report to the Congress recommending such rivers for inclusion in the system.

The committee feels a complete inventory of rivers must be made as soon as possible on Federal lands.

Section 766 amends section 3(b) of Public Law 90-542 to provide that boundaries for the component Wild and Scenic Rivers may be set in accordance with authorization specified in the appropriate amendment to the act; and provides that the definition of improved property may be specified as a part of the appropriate amendment to the act.

Section 767 amends section 4(b) of Public Law 90-542 to assure the authorities of the Coast Guard in regulating boating safety and related functions are applicable to Wild and Scenic Rivers.

OVERSIGHT STATEMENT

All features of H.R. 12536 involve matters of concern to the Committee on Interior and Isular Affairs and will be subject to continuing scrutiny as its provisions are implemented. By limiting authorizations, the committee will have a greater opportunity to exercise appropriate oversight with respect to the various areas involved in the

bill. None of the areas involved in this legislation have been the subject of any reports or recommendations from the Committee on Government Operations under Rule X, clause 2 (b) (2).

INFLATIONARY IMPACT STATEMENT

To some extent the authorizations contained in this legislation reflect normal inflationary pressures which are caused by increasing costs of recreation lands and increasing costs for materials and labor involved in developing public facilities. The components of H.R. 12536 are located in all parts of the country and may, in a few cases, involve expenditures which will exert some local economic impact, but in context of the national economy the expenditures involved will be disbursed over a period of years and throughout such wide geographic regions as to virtually have no inflationary impact.

COST AND BUDGET ACT COMPLIANCE

Altogether the provisions of H.R. 12536 authorize the appropriation of approximately \$1,350 million. Of this amount nearly \$400 million is already authorized to be appropriated from the Land and Water Conservation Fund. Only moneys authorized for grants, development, planning, and studies would be subject to appropriations from the General Fund of the Treasury. These sums are estimated by the Committee to total no more than \$1 billion for the next 5 years. The analysis transmitted to the Committee from the Congressional Budget Office follows:

CONGRESSIONAL BUDGET OFFICE,
U.S. CONGRESS,
Washington, D.C., May 15, 1978.

HON. MORRIS K. UDALL,
Chairman, Committee on Interior and Insular Affairs, 1324 Longworth Office Building, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for H.R. 12536, the National Parks and Recreation Act of 1978.

Should the committee so desire, we would be pleased to provide further details on the attached cost estimate.

Sincerely,

JAMES BLUM
(For Alice M. Rivlin, Director).

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

1. Bill number: H.R. 12536.
2. Bill title: National Parks and Recreation Act of 1978.
3. Bill status: As ordered reported by the House Committee on Interior and Insular Affairs, May 10, 1978.
4. Bill purpose: The bill increases ceilings on funds for development; raises the limitations on appropriations for land acquisition; and authorizes amounts for revisions of boundaries within specific

units of the National Park System. In addition, it designates new wilderness areas; establishes new areas of the National Trails System; and amends the Wild and Scenic Rivers Act.

5. Cost estimate:

[By fiscal years; in millions of dollars]

	1979	1980	1981	1982	1983
Authorization level:					
Specifically authorized:					
land and water conservation fund.....	396.8	56.0	56.0		
General funds.....	335.7	178.8	179.8	169.8	170.3
Total.....	732.5	234.8	235.8	169.8	170.3
Other.....	¹ 59.0				
Total authorization level.....	791.5	234.8	235.8	169.8	170.3
Estimated cost.....	249.8	439.6	392.6	253.3	196.1

¹Estimated.

The above estimate does not include the costs of several provisions for which no estimate could be developed in the time available. These include the addition of Dorchester Heights to the Boston National Historical Park; the addition of Sailors Snug Harbor to the Gateway National Recreation Area; the addition of Hassel Island to the Virgin Islands National Park; the establishment of the Edgar Allen Poe National Historic Site; the rehabilitation and reconstruction of buildings in the San Antonio Missions National Historic Park; the restoration and preservation of Saint Paul's Church in Mount Vernon, New York; and the acquisition of the Upper and Middle Delaware River segments. In addition, it excludes the costs of operation, maintenance, and administration associated with a number of new acquisitions, which also could not be estimated in the time available.

The costs of this bill fall within budget function 300.

6. Basis of estimate: Funds used by the National Park Service for land acquisition are allocated from the Land and Water Conservation Fund. Thus, the authorization level increases for land acquisition in titles II, III, V, VI, and VII raise only the amount which the Park Service is authorized to receive from this fund. Funds used for development, construction, and other purposes are directly authorized and appropriated to the National Park Service.

TITLE I

The first title of this bill raises the authorization ceilings on funds for development in 34 units of the National Park System. The authorization level is increased by \$96.5 million in this title, and the resultant costs are estimated to be approximately \$7.9 million in fiscal year 1979, \$24.2 million in fiscal year 1980, \$37.6 million in fiscal year 1981, \$16.5 million in fiscal year 1982, and \$10.3 million in fiscal year 1983. These cost estimates are based on the currently planned construction program of the National Park Service.

TITLE II

Title II raises the limitations on appropriations for land acquisition in 5 units of the National Park System. The authorization level is

increased by \$98.1 million. Estimated costs resulting from this increased authorization are approximately \$23.5 million in fiscal year 1979, \$52.4 million in fiscal year 1980, and \$22.2 million in fiscal year 1981, based on data supplied by the National Park Service.

TITLE III

The first section of title III authorizes the revision of boundaries in 18 parks and authorizes appropriations of \$15.5 million from the Land and Water Conservation Fund for acquisition of necessary additional lands. It is expected that the National Park Service will carry out all of the acquisition associated with these revisions in fiscal year 1980, based on information available from the Park Service.

In section 307, \$2.7 million is authorized for land acquisition and \$4.3 million is authorized for development in the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial. It is estimated that costs associated with this section will be \$4.2 million in fiscal year 1979, \$2.0 million in fiscal year 1980, and \$0.8 million in fiscal year 1981.

Section 309 raises the existing combined ceiling for land acquisition and development by a total of \$4.1 million for the Fort Union Trading Post National Historic Site. It is estimated that resultant expenditures will be approximately \$0.9 million in fiscal year 1979, \$2.2 million in fiscal year 1980, and \$1.0 million in fiscal year 1981.

Section 310 authorizes such sums as may be necessary for the addition of specific areas in Dorchester Heights to the Boston National Historical Park. No estimate of the cost of this addition could be developed in the time available.

Section 313 authorizes \$2.2 million for the acquisition of the Eppes Manor and adjacent lands for the addition to the Petersburg National Battlefield. It is estimated that this sum will be spent at a rate of \$0.4 million in fiscal year 1979, \$1.1 million in fiscal year 1980, and \$0.7 million in fiscal year 1981.

Section 314 authorizes the addition of the Mineral King Valley to the Sequoia National Park. Within 2 years after enactment of this bill, the Secretary is to submit an acquisition plan for lands in the area. It is estimated that expenditures for this plan will be approximately \$0.1 million in each fiscal year 1979 and 1980. Such sums as may be necessary for the acquisition of this land is authorized. It is estimated that acquisition of this area will cost approximately \$5.4 million, and resultant expenditures will be approximately \$2.7 million in each of the fiscal years 1979 and 1980, based on information available from the National Park Service.

Section 315 authorizes \$29.0 million for the necessary land acquisition and property improvements for a revision of the boundaries of the Cuyahoga National Recreation Area, and \$26.0 million for the development of this recreation area. It is estimated that this land acquisition will be carried out at an equal rate in fiscal years 1979 and 1980, and the development will continue over a 5-year period, based on historical data for similar acquisition and development programs.

Section 319 authorizes the Secretary of the Interior to purchase up to 3,300 acres of new land for the Antietam National Battlefield Site.

It is estimated that this land will cost approximately \$5.9 million and resultant expenditures will be approximately \$1.2 million in fiscal year 1979, \$3.0 million in fiscal year 1980, and \$1.7 million in fiscal year 1981, based on information provided by the National Park Service.

In section 320 an additional \$8.0 million is authorized for land acquisition and an additional \$5.0 million is authorized for development in the Chesapeake and Ohio National Historical Park. It is estimated that resultant expenditures will be \$5.8 million in fiscal year 1980, \$4.8 million in fiscal year 1981, and \$2.4 million in fiscal year 1982, based on information available from the National Park Service.

Section 321 adds Hassel Island in St. Thomas Harbor to the Virgin Islands National Park. Such sums as may be necessary are authorized for land acquisition, and \$1.0 million is authorized for development. No estimate is available as to costs of acquisition for this area. It is expected that development will cost approximately \$0.8 million in fiscal year 1980 and \$0.2 million in fiscal year 1981, based on historical data for similar development programs.

Section 322 revises the boundaries and the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument, and authorizes \$2.0 million for land acquisition and development. It is estimated that these funds will spend at a rate of \$0.4 million in fiscal year 1979, \$1.0 million in fiscal year 1980, and \$0.6 million in fiscal year 1981, based on historical disbursement rates for similar activities.

Section 323 authorizes land acquisition for boundary revisions in the area of the Fire Island National Seashore. Based on data available from the Department of the Interior, it is estimated that this land acquisition will cost approximately \$43.0 million and will be carried out at an equal rate in fiscal years 1980 and 1981.

TITLE IV

Title IV designates 3.5 million acres of land as wilderness, and 0.2 million acres as potential wilderness. It is estimated that no cost will be incurred by the federal government as a result of these designations.

TITLE V

Subtitle A of title V establishes 11 new areas of the National Park System. In the first two sections of this subtitle, the Guam National Seashore and the War in the Pacific National Park are established. Funds authorized from the Land and Water Conservation Fund for acquisition are \$10.0 million for the seashore and \$16.0 million for the park, and both are authorized to receive \$0.5 million for development. It is estimated that expenditures resulting from these authorizations will be \$6.1 million in fiscal year 1979, \$13.2 million in fiscal year 1980, and \$7.8 million in fiscal year 1981. For each area, the Secretary of the Interior is directed to develop a management plan in coordination with the Government of Guam, and it is estimated that development of these plans will cost approximately \$0.3 million over the next 3 years, based on historical data for similar programs.

Section 503 authorizes \$1.0 million for a management plan to be developed for the Pine Barrens Area in the 18 months following enactment of this bill. In addition, it authorizes \$25.0 million from the Land and Water Conservation Fund for acquisition of those lands in the Pine Barrens which are manifestly of critical ecological importance. It is assumed that this acquisition will be completed by fiscal year 1971, and its associated costs are estimated to be \$5.7 million in fiscal year 1979, \$12.8 million in fiscal year 1980, and \$7.5 million in fiscal year 1981, based on historical disbursement rates for acquisition.

Section 505 establishes the San Antonio Missions National Historical Park. The Secretary of the Interior is authorized up to \$10.0 million to purchase lands and \$0.5 million to develop and maintain facilities for this park. In addition, an advisory commission is established to oversee creation of this park. It is estimated that costs to the government resulting from enactment of this section will be \$2.4 million in fiscal year 1979, \$5.1 million in fiscal year 1980, and \$3.0 million in fiscal year 1981.

In section 506, the Secretary is authorized to accept any property located on the grounds of Saint Paul's Church, Eastchester, and is directed to restore and preserve this property. No significant cost to the government is expected as a result of this section.

In sections 507, 508, and 509, three new park units are established. For land acquisition, \$37.8 million is authorized to be appropriated; and for development, \$4.2 million is authorized to be appropriated in these three parks. In addition, a commission composed of nine members is established to oversee creation of one of these units. It is estimated that costs associated with these additional parks will be \$7.5 million in fiscal year 1979, \$22.6 million in fiscal year 1980, and \$11.9 million in fiscal year 1981, based on historical disbursement rates for similar new park additions.

Section 510 establishes the Santa Monica Mountains National Recreation Area. The Secretary of the Interior is directed to begin necessary land acquisition 90 days after enactment of this bill; to identify all lands for purchase within 6 months after enactment of this bill; and to submit an acquisition plan by January 1, 1980. In addition, this section establishes the Santa Monica Mountains National Recreation Area Advisory Commission. This commission is directed to submit a report by January 1, 1981, assessing the willingness and capability of local governments to manage and operate the recreation area. By January 1, 1982, the Secretary must submit a report assessing the benefits of continuing management as a unit of the National Park Service in light of the commission's recommendations. The Santa Monica Mountains Comprehensive Planning Commission must then submit a final plan for management of the area. There are authorized to be appropriated \$53.0 million for land acquisition in each of fiscal years 1979, 1980, and 1981; \$10 million for grants to the states in each of these fiscal years; and \$0.5 million for the development of essential public facilities in the recreation area. Costs resulting from this section are estimated to be \$20.6 million in fiscal year 1979, \$47.1 million in fiscal year 1980,

\$63.4 million in fiscal year 1981; \$42.5 million in fiscal year 1982, and \$15.9 million in fiscal year 1983, based on historical disbursement rates for similar activities.

Section 511 directs the establishments of Ebey's Landing National Historic Park and authorizes \$4.5 million for land acquisition and \$0.5 million for development of the park. Costs associated with this park are estimated to be \$0.9 million in fiscal year 1980, \$2.3 million in fiscal year 1981, and \$1.8 million in fiscal year 1982, based on historical data for similar acquisition and development programs.

Subtitle B of title V adds 4 new units to the National Trails System. For land acquisition with respect to these trails, there is authorized to be appropriated \$3.0 million for each of the 3 fiscal years following enactment of this bill. It is estimated that costs incurred as a result of this subtitle will be approximately \$1.8 million in fiscal year 1979, \$4.5 million in fiscal year 1980, and \$2.7 million in fiscal year 1981, based on historical acquisition rates for similar programs.

TITLE VI

Section 601 authorizes the appropriation of \$1.5 million for acquisition and \$1.5 million for construction of the Old Faithful Inn at Yellowstone National Park. Based on information available from the National Park Service, it is estimated that outlays resulting from this section will be \$2.0 million in fiscal year 1980, and \$1.0 million in fiscal year 1981.

In section 603, the Secretary of the Interior is directed to submit a study of the ridglands area east of San Francisco. Based on historical data for similar studies, it is estimated that approximately \$0.2 million will be spent in fiscal year 1979 to carry out this study.

In section 604, \$2.0 million is authorized for grants for the Pennsylvania Avenue Development Corporation. It is estimated that all of this amount will be spent in fiscal year 1979, based on past experience with this program.

Section 605 authorizes \$3.5 million in fiscal year 1979, \$4.0 million in fiscal year 1980, \$5.0 million in fiscal year 1981, \$5.0 million in fiscal year 1982, and \$5.5 million in fiscal year 1983 for the preservation of historical and archeological data. Based on agency data, it is estimated that all these amounts will be spent in the fiscal year in which they are authorized.

In sections 607 and 608, \$13.0 million for studies and \$1.5 million for monitoring are authorized annually for new park areas studies. Based on information from the National Park Service, it is estimated that expenditures resulting from this section will be \$3.5 million in fiscal year 1979, \$3.5 million in fiscal year 1980, \$5.5 million in fiscal year 1981, \$5.5 million in fiscal year 1982, and \$7.5 million in fiscal year 1983.

Section 609 directs the Secretary of the Interior to conduct a study on the Oak Creek Canyon and Chiracahua National Monument areas to determine appropriate boundary lines for these areas. Based on agency information, it is estimated that these studies will cost approximately \$0.2 million in fiscal year 1979 and \$0.2 million in fiscal year 1980, and the amount used will come from the \$13.0 million annual authorization for new area studies provided in section 607.

In section 612, an additional \$150.3 million is authorized annually in fiscal years 1979 through 1983 to augment the existing federal grant programs. These funds will be administered and spent in a manner similar to those funds now provided through the Land and Water Conservation Fund. It is estimated expenditures resulting from enactment of this section will be approximately \$127.8 million in fiscal year 1979, and \$150.3 million in each of the fiscal years 1980 through 1983.

Section 614 authorizes the appropriation of \$0.3 million for a study of the Irvine Coast, Laguna, California. Based on information available from the legislative offices of the National Park Service, it is estimated that these funds will all be spent in fiscal year 1979.

TITLE VII

Title VII amends the Wild and Scenic Rivers Act. In the first subtitle, \$59.9 million for the addition and \$6.6 million for the development of 6 segments of land are specifically authorized, and such sums as may be necessary are authorized for land acquisition and development in two additional areas. In addition, the Secretary is directed to prepare a management plan for the Upper Delaware segment within 3 years of the date of enactment of this bill, and an Upper Delaware Citizens Advisory Council is established. Based on historical disbursement rates for similar programs, it is estimated that funds authorized for land acquisition will be spent at a rate of 20 percent in fiscal year 1980, 50 percent in fiscal year 1981, and 30 percent in fiscal year 1982; funds authorized for development will be spent at a rate of 85 percent in fiscal year 1982 and 15 percent in fiscal year 1983; and the total cost of the management plan will be spent equally in the 3 fiscal years following enactment of this bill.

In the second subtitle, 19 new river areas are designated for study. Reports concerning these studies are to be submitted for all these areas within 5 fiscal year after the date of enactment of this bill, and four of these reports must be submitted in April 1981. It is estimated that each of these reports will cost approximately \$200,000 and expenditures on their preparation will occur at an equal rate in each fiscal year for the duration of the studies. An additional \$1.9 million is authorized for studies previously authorized, and such sums as may be necessary are authorized to carry out the studies directed in this subtitle. All of the \$1.9 million is assumed to be spent in fiscal year 1979, based on information provided by the agency.

Subtitle C authorizes \$19.3 million in additional funds from the Land and Water Conservation Fund for land acquisition in four specific river segments designated in the Wild and Scenic Rivers Act. Based on historical disbursement rates, it is assumed that outlays for this land acquisition will begin in fiscal year 1980 and will occur at a rate of 20 percent, 50 percent, and 30 percent in the three fiscal years 1980, 1981, and 1982, respectively.

7. Estimate comparison: None.

8. Previous CBO estimate: On May 10, 1978, a CBO estimate was prepared for S. 2876, as ordered reported by the Senate Committee on Energy and Natural Resources. S. 2876 is also an omnibus park bill, but differs significantly in scope from H.R. 12536. The cost estimates reflect these differences.

9. Estimate prepared by: Debra Goldberg.
 10. Estimate approved by:

JAMES L. BLUM,
Assistant Director for Budget Analysis.

COMMITTEE AMENDMENTS AND RECOMMENDATION

During its deliberations, the committee adopted numerous changes in the text of H.R. 12536 which are fully reflected in the single amendment finally recommended as a substitute text for the bill. By a unanimous voice vote, the Committee on Interior and Insular Affairs recommended the enactment of H.R. 12536, as amended.

DEPARTMENTAL REPORTS AND COMMUNICATIONS

Various features of the legislation resulted from recommendations received from the Departments of the Interior and Agriculture, as well as from other agencies. These recommendations and comments are printed below, in full.

It should be noted that recommendations for all of the twelve park wilderness designations in the bill have been transmitted to the Congress at various times by the President as components of various annual recommendations for wilderness. In addition, most of the designations of wild and scenic rivers, the river studies, and the national scenic trial designations incorporated into the bill were transmitted to the Congress by the President as part of his Environmental Message of May 1977.

U.S. DEPARTMENT OF THE INTERIOR,
 OFFICE OF THE SECRETARY,
 Washington, D.C., February 9, 1978.

HON. MORRIS K. UDALL,
*Chairman, Committee on Interior and Insular Affairs,
 House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This responds to the request of your committee for the views of this Department on H.R. 173, a bill to amend section 5(a) of the Wild and Scenic Rivers Act by designating the Myakka River in Florida as a potential addition to the National Wild and Scenic Rivers System.

We recommend against the enactment of the bill.

H.R. 173 would amend section 5(a) of the Wild and Scenic Rivers Act by designating the Myakka River in the State of Florida for study as a potential component of the National Wild and Scenic Rivers System.

As part of this Department's effort to identify river systems for potential study for inclusion in the National Wild and Scenic Rivers System, the Bureau of Outdoor Recreation has undertaken and completed an inventory of potential wild and scenic rivers in the Floridian Physiographic Section. The Myakka River was evaluated in the inventory. Portions of the Myakka are attractive and present good opportunities for viewing wildlife and fishing. However, our evaluation of all the rivers and their resources in the Floridian Physiographic

Section found the Myakka to be of significantly lesser quality than several other river segments in the area.

At the time of the Bureau of Outdoor Recreation inspection, the River was so low that for much of its length only the deeper pools contained water. According to our information, this condition is not uncommon during the dry season in the spring of the year. During this low water, the River cannot be used for recreational boating in the upper two-thirds of its length.

United States Geological Survey flow data for the period October 1973 to September 1974 shows the following:

256 days with flow less than 100 CFS.

244 days with flow less than 50 CFS.

141 days with flow less than 10 CFS.

The average annual discharge is 260 CFS with periods of no flow for many days during some years.

In addition to this lack of year-round flow, the River has been impounded in Myakka River State Park in two places forming Upper and Lower Myakka Lake. Some residential and agricultural development exists on the upper one-third and lower one-third of the River, further reducing its natural quality. Our field notes indicate that developments have altered 50 percent of the upper third and 10 percent of the lower third of the River.

In view of the information gained from the inventory evaluation, we did not find the Myakka River to be one of the top potential rivers to be studied for inclusion in the National Wild and Scenic River System. This River might possibly be suitable for consideration under Section 2(a) for Secretarial designation following action by the State to assure the River's protection from further development and designation as a State scenic river.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

BOB HERBST,
Assistant Secretary.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., November 10, 1977.

HON. MORRIS K. UDALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department on H.R. 195 and H.R. 6403, bills to amend the Wild and Scenic Rivers Act by designating portions of the Delaware River in New York, Pennsylvania, and New Jersey as a component of the National Wild and Scenic Rivers System.

At this time we recommend, instead of these bills, enactment of the Administration's proposal to designate a portion of the Upper Delaware River as a component of the National Wild and Scenic Rivers System.

On May 23, as part of his Environmental Message, the President transmitted to Congress the Administration's proposal concerning the Upper Delaware River. This proposal would authorize the Secretary of the Interior to include in the National Wild and Scenic Rivers System the segment of the Delaware River from the confluence of its East and West branches at Hancock, New York downstream 75.4 miles to Matamoras, Pennsylvania. The Administration's proposal was developed after a thorough study of the Upper Delaware River, as required by the Wild and Scenic Rivers Act. The proposal would designate as a component of the system the entire portion of the river which Congress directed this Department to study in the National Wild and Scenic Rivers Act.

The Delaware River is a valuable resource which offers significant recreation opportunities in an area of highly concentrated population. We hope Congress will expedite consideration of the Administration's proposal to preserve this resource.

The portion of the Delaware River covered by H.R. 195 is approximately three miles shorter than the segment covered by the Administration's proposal: under H.R. 195, the designated portion would end upstream of Matamoras, Pennsylvania, in Sparrow Bush, New York. The segment covered by H.R. 6403 would include the segments covered by H.R. 195 and the Administration's proposal and would extend, further, to the southern boundary of the Delaware Water Gap National Recreation Area. Because of the protection afforded Wild and Scenic Rivers, H.R. 6403 would have the effect of de-authorizing the proposed Tocks Island Dam.

In addition to the discrepancies in the bills regarding the segments of the river designated for protection, there are substantial differences between the Administration's proposal, on the one hand, and H.R. 195 and H.R. 6403, on the other hand, regarding the approach to be taken by the Secretary of the Interior in managing the river.

We appreciate the offer of the opportunity to make our views known with respect to the preservation of the Delaware River at the field hearing on these bills which is to be held in New Hope, Pennsylvania on November 11. However, we believe that to do so could result in focusing the hearing on that position, polarizing the discussions rather than accomplishing the purpose of the field hearing, which, we feel, is to obtain the views of local citizens and State and local officials with regard to their interests in the preservation of the resource and its management.

With respect to the lower portion of the Delaware River, which is covered by H.R. 6403 but not by either H.R. 195 or the Administration's proposal, the National Park Service is presently preparing a management plan which will be available for Department review shortly.

We are aware of the local concerns caused by pressures for increased use of the Delaware River and by the apparent lack of management of the lands which have been acquired for the proposed Tocks Island Reservoir project and the Delaware Water Gap National Recreation Area. We will have observers present at the field hearing on November 11, 1977, so that we will be aware of the interests expressed by the wit-

nesses who appear and so that we can reflect them in the discussions which will lead to the establishment of our position.

We hope that early in the next session of Congress a hearing will be scheduled on the Administration's proposal concerning the Delaware River as well as on H.R. 195 and H.R. 6403.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

ROBERT HERBST,
Assistant Secretary.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January 25, 1978.

HON. MORRIS K. UDALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to the request of your committee for the views of this Department on H.R. 1771, H.R. 1772, H.R. 4354 and H.R. 7469, identical bills to enlarge the Sequoia National Park in the State of California by adding to such park the Mineral King Valley area, to provide for certain planning respecting the management of such addition, and for other purposes.

We recommend that one of these bills are enacted.

H.R. 1771, H.R. 1772, H.R. 4354 and H.R. 7469 would include the Mineral King Valley area, now officially designated as the Sequoia National Game Refuge, within the Sequoia National Park and direct the Secretary of Agriculture to transfer, without consideration, lands within his jurisdiction to the Secretary of the Interior for management as part of the National Park. Terms for management and acquisition of private property, permits, and leases are provided; continuity of existing private interests is permitted. The bill would repeal those provisions of law which included the refuge in the National Forest.

The Mineral King Valley contains about 16,200 acres, situated at the southern end of Sequoia National Park and bordered by the park on the east, north and west. (About 80 percent of the perimeter of the Mineral King area is bordered by park). The valley is presently administered by the National Forest Service as a part of the Sequoia National Forest. It is highly scenic, with a richly vegetated valley floor surrounded by tall, rugged mountain peaks and scattered with cirques, alpine lakes and streams, forest stands and rock outcroppings.

Mineral King is a superb Sierra mountain valley. Its unique combination of high scenic value, its substantially pristine and undeveloped quality, and its relative accessibility, as well as its close geographical and ecological integration with Sequoia National Park, make it a worthy and logical addition to the park.

The area receives some 25 inches of precipitation annually, mostly in the form of heavy snow, with avalanches a common occurrence. The soils of the valley are quite subject to erosion. The Mineral King basin is the headwaters to the East Fork of the Kaweah River, fed

by tributaries from seven small lakes. Water quality is exceptionally good.

The Forest Service environmental statement for Mineral King states that mineral ores are not of sufficient quantity or quality to justify profitable exploitation.

Vegetation is regarded as typical of Sierra mountain zones, but the area contains two rare species of understory vegetation and record-sized foxtail pines. A noncommercial forest dominates the area, although there are some 4,300 acres of potentially commercial timberland. Under Forest Service multiple use planning, Mineral King is classified as Crest Zone. In this zone, water and recreation are the primary management considerations, rather than commercial timber production.

The wildlife population is diverse and includes a stable herd of mule deer, small mammals and larger furbearers, black bear, and a variety of birds, including raptors, which are of particular concern. There are a total of 21 lakes in Mineral King, of which 16 are stocked with rainbow and eastern brook trout. The biological productivity level of the lakes is naturally low and these fish populations could not sustain themselves without a stocking program. Mineral King is considered potential habitat for rare endangered or threatened wildlife species that have been found there in the past, including southern bald eagle, American peregrine falcon, California condor, wolverine, California bighorn sheep, and the spotted owl.

Current visitor uses of the Mineral King area are primarily recreational pursuits of camping, hiking, horseback riding, cross-country skiing, fishing, hunting for deer and bear, and summer cabin use. The Park Service, in 1977, recorded approximately 9,000 vehicles crossing the park on the only road providing access to Mineral King. We estimate this represents about 31,000 people.

For many users, Mineral King serves as a trailhead for backpackers entering Sequoia National Park. In 1977, the Park Service issued approximately 5,300 wilderness user permits, covering an estimated 20,000 people, for entrance to the Park from Mineral King. The Forest Service regards the use of present recreation facilities in the valley to be at or near capacity levels, and limitations are placed on campground users during the busiest periods.

The Forest Service has contemplated intensive recreational development of Mineral King since the late 1940's. In 1965, the Forest Service issued a bid invitation for construction and operation of a ski resort at Mineral King. The bid of Walt Disney Productions was accepted, and the company received a special-use permit for planning and surveying in preparation for the master plan. On January 21, 1969, the Forest Service approved in concept the Disney master plan.

The plan envisaged a \$35 million complex which would be built on 80 acres of the valley floor under a 30-year special-use permit from the Forest Service (80 is the maximum number of acres which can be committed to a long-term special-use permit) and on an additional 6,000 acres in the valley and on the slopes under revocable year-to-year permits.

Since the original Disney proposal, amended and scaled down proposals have been discussed.

In June 1969, the Sierra Club filed suit against the Secretaries of Agriculture and Interior to block issuance of the permits required for construction of the project and for access through national park lands. After years of litigation and a Supreme Court decision on a issue of standing, an amended lawsuit still awaits trial in a California Federal District Court.

As a result of the proposed recreational development in the valley, Mineral King has become a national issue, a symbolic conflict between resource protection and commercial development of unspoiled natural areas.

The National Park Service completed a feasibility study on the inclusion of the Mineral King Area in the Park in 1976. This study found that the ski resort complex proposed by the Disney interests would have a significant adverse impact on the resources of the valley, on the adjoining national park and the adjacent region. We believe the Department and the Administration have a strong basis for recommending that the Valley be added to the Sequoia National Park.

If the lands were to be transferred from the Forest Service to the National Park Service, it is our intention to gradually phase out existing Forest Service permits and leases. Sixty-seven summer homes are under Forest Service permit; an additional 20 such homes are on private land in the area of Mineral King known as Silver City. most of the summer cabin permits were to terminate on December 31, 1976, a few terminate at the end of 1977 and 1978, and some are annual permits. However, because of the litigation regarding this issue, and thus the uncertainty about the ski resort development, the Forest Service notified the permittees that upon the permittees acceptance, the permits would be extend to an expiration date of no later than December 31, 1978.

The terms of the Forest Service permits provide, among other things, that the permits are not transferable, that they may be terminated at the discretion of the Forest Service, and that upon cancellation of the permit the permittee shall remove structures and improvements unless otherwise agreed upon, or be liable to such removal. The National Park Service would expect to re-issue permits on similar terms.

We recommend that H.R. 1771 be amended as discussed below.

1. The subject bills provide for 15,600 acres of the Mineral King Valley to be added to Sequoia National Park. However, we have recently completed a detailed cost estimate of the lands within the Mineral King Valley and find it to consist of approximately 15,400 acres of Federal land and 741.58 acres of private land for a total of 16,141.58 acres. We, therefore, recommend that the subject bills be amended to reflect an acreage of approximately 16,200 acres. The cost of acquiring the private lands in fee is estimated at about \$5,350,000.

2. The last sentence of section 5 (a) of all the bills implies that authorities applicable to the Fish and Wildlife Service or the Bureau of Land Management might be used to manage this addition to Sequoia National Park. If the Mineral King Valley is added to the park, the existing authorities for administration of the National Park System will be adequate to manage this area; the last sentence of section 5 (a) is unnecessary.

3. There are references to "recreational area" in each bill: the term "recreation area" on page 2, line 23, and page 5, line 1 in H.R. 1771; should be replaced by the term "park" to be consistent with page 2, line 8 in H.R. 1771, to avoid any misunderstanding over the intended category of this area. Each bill should be so amended.

4. There is a technical error in all the bills. The statutory reference on page 6, line 2 of H.R. 1771 should be 26 Stat. 478. Each bill should be changed accordingly.

5. Section 6 of the subject bills calls for preparation and submission of a comprehensive management plan with extensive public participation. However, section 12(b) of the Act of October 7, 1976 (90 Stat. 1943) requires general management plans to be prepared for the development of each unit of the National Park System. We believe that the management plan for the Mineral King Valley should be incorporated as part of a revised Sequoia National Park General Management Plan reflecting the additional resources of the Mineral King Valley and the objectives for managing them. Only in this manner can the intent of the bill be accomplished in taking a truly comprehensive approach in planning for this area. National Park Service planning procedure will be utilized in amending the park's General Management Plan to include the Mineral King Valley. That procedure relies greatly on public discussion and involvement. Accordingly, we believe that section 6 of all the bills is unnecessary.

In conclusion, we support enactment of H.R. 1771 or a similar bill, with amendments recommended above.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

BOB HERBST,
Assistant Secretary.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January 5, 1978.

HON. MORRIS K. UDALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This responds to your request for our views on H.R. 6389, a bill to amend the Wild and Scenic Rivers Act.

H.R. 6389 would add a segment of the Escatawpa River in Alabama and Mississippi to the list of rivers in section 5(a) of the Wild and Scenic Rivers Act designated for study as potential additions to the National Wild and Scenic Rivers System. We estimate this study would take 18 to 24 months at a cost of \$125,000 to \$150,000.

We recommend against enactment of the bill at this time.

The Bureau of Outdoor Recreation of this Department is currently conducting a basic wild and scenic river inventory in an attempt to identify rivers which qualify for inclusion in the Wild and Scenic Rivers System.

Until we finish our basic Wild and Scenic Rivers inventory and have an opportunity to rank the rivers in an order of priority, we believe the Congress should defer action on this proposal.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

BOB HERBST,
Assistant Secretary.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., September 30, 1977.

HON. MORRIS K. UDALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to the request of your committee for the views of this Department on H.R. 6625, a bill to provide for the establishment of a Pine Barrens National Ecological Reserve in the State of New Jersey, and for other purposes.

We recommend that consideration of H.R. 6625 be deferred at this time.

H.R. 6625 directs the Secretary of the Interior to make 75 percent grants to the State of New Jersey to develop a land use plan to preserve the Pine Barrens, a 970,000-acre area in southern New Jersey, provided that within one year the State takes a number of actions to satisfy the Secretary with its planning capability.

The Secretary is directed to establish guidelines for the land use plan requiring it to include provisions for scenic, conservation, and recreational uses. The Secretary is directed to provide technical assistance to a 12-member State Management Commission which would develop and implement the land use plan in consultation with a 13-member Advisory Commission appointed by the Governor of New Jersey. The plan must be developed and submitted to the Secretary within 18 months after the State begins receiving planning grants.

Following approval of the plan the Secretary is authorized to:

- (1) establish the Reserve by publication of notice in the Federal Register;
- (2) acquire up to 50,000 acres of ecologically critical lands within the Reserve and to transfer title to these lands to the State subject to a right of reverter to the U.S.; and
- (3) make 75 percent grants to the State Management Commission for a 10-year period to implement the plan by using the money for, among other things, additional land acquisition.

The bill authorizes the appropriation of \$500,000 to develop the plan, \$25 million for land acquisition by the Secretary, and \$25 million for the plan implementation grants to the State Commission.

In the event the Secretary does not approve the State plan or determines the State Commission is not implementing it, he is authorized to:

- (1) establish a federally managed National Ecological Reserve;
- (2) dispose of the lands which have reverted to the Federal Government; or

(3) manage such lands or any other Federal lands within the Reserve for such purposes as he deems appropriate.

If the Secretary established a federally managed National Ecological Reserve pursuant to H.R. 6625, he would be authorized to acquire lands within the 970,000-acre Reserve, or enter into agreements for lands in local government ownership to be managed by the local jurisdictions to accomplish the purposes of H.R. 6625, or any combination of such acquisition and agreements.

The New Jersey Pine Barrens is the most extensive remaining tract of wild open space wild-land in the Middle Atlantic Seaboard region; consisting of 970,000 acres of land and water in six counties of the Atlantic Coastal Plain in the southeastern part of the State. The Pine Barrens area is located in the southern half of the State of New Jersey between the famous seaside resorts of the South Jersey Shore and the major New York-Philadelphia corridor. In earlier times this vast forest of pine and oak covered 2,000 square miles of Southern New Jersey. Today, the area encompasses only 1,500 square miles due to development trends which have rapidly changed the wilderness character of the area.

Perhaps the most important resource of the Pine Barrens is water, most of which is contained in an enormous natural underground reservoir, equivalent to a lake 2,000 square miles in area and averaging about 37 feet deep. This amounts to about 17.7 trillion gallons, a volume equivalent to the total precipitation in the region over a 10-year period. Because of the loose, sandy and gravelly condition of the soil in this area, this water is highly susceptible to most forms of pollution and contamination, especially since the water table is seldom more than 20 feet beneath the surface. As a result, contaminants and pollutants can readily enter, and move long distances by the ground water reservoir.

The Department recommends that the committee defer action on H.R. 6625 until we have an opportunity to consider the preservation of the Pine Barrens area in the context of the National Heritage Trust program which the Administration will soon announce. There are several programmatic concepts included in the Heritage Trust program which should be fully considered in relationship to the preservation of the Pine Barrens area.

We do not note, however, the grants authorized by H.R. 6625, provide for a 75 percent Federal share whereas the Land and Water Conservation Fund provide for 50 percent Federal share. From an Administrative standpoint, we generally oppose the creation of separate grants which accomplish the purposes for which the Land and Water Conservation Fund was established, but which provide for a different Federal matching share.

The Office of Management and Budget has advised that there is no objection to the presentation of this proposed report from the standpoint of the Administration's program.

Sincerely,

BOB HERBST,
Assistant Secretary.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY
Washington, D.C., May 26, 1977.

HON. THOMAS P. O'NEILL, JR.,
*Speaker of the House of Representatives,
Washington, D.C.*

DEAR MR. SPEAKER: At the direction of the President and as part of his message on the Environment, enclosed is a draft bill to amend the Wild and Scenic Rivers Act by designating certain rivers for study as potential additions to the National Wild and Scenic Rivers System.

We recommend that the bill be referred to the appropriate committee for consideration and that it be enacted.

Section 5(a) of the Wild and Scenic Rivers Act of October 2, 1968, as amended (82 Stat. 910; 16 U.S.C. 1276(a)) designated 27 rivers for study as potential additions to the National Wild and Scenic Rivers System and required that the studies be completed within 10 years. P.L. 93-621, dated January 3, 1975, amended the Act by adding 29 additional rivers to section 5(a) and required that, with one exception, the study of these rivers be completed by October 2, 1979. The exception is that the study of the Dolores River, Colorado must be completed by January 3, 1976. Our present schedules provide for completion of the studies by the established deadlines.

The 20 rivers identified in the draft bill are those which were included in this Department's legislative proposal to the 93rd Congress for study under section 5(a) of the Act, but which were not included in Public Law 93-621. Two rivers submitted in that proposal—the Little Missouri, North Dakota and the Blackfoot River, Montana—are not included in this draft bill. The Little Missouri, North Dakota has been protected by State action, and private actions are underway to protect portions of the Blackfoot River, Montana. Further, the study boundaries of the 20 rivers included in the draft bill have been more specifically defined.

Section 1 of the enclosed draft bill would add these rivers to the existing "study list" in section 5(a) of the Wild and Scenic Rivers Act. Under the terms of the Act, the Secretary of the Interior—and where National Forest lands are involved, the Secretary of Agriculture—would be required to study the rivers and then report to the Congress. Section 1(b) of the draft bill would require that, except for the Green River in Utah, the studies of the identified rivers be completed and reports thereon transmitted to the Congress within 2 full fiscal years after enactment of the bill. Further, it would authorize the appropriation of not to exceed \$2,800,000 for the conduct of the studies.

It should be noted that 13 of the rivers listed in the enclosed draft bill were identified by the Secretaries of the Interior and Agriculture as potential national wild, scenic and recreational river areas in 1970 pursuant to section 5(d) of the Wild and Scenic Rivers Act. Notice of such identification was published in the Federal Register of October 29, 1970 (35 F.R. 16693). Since that date, all Federal agencies have been required, in their planning reports concerning these rivers,

to evaluate their wild, scenic or recreational potential as alternative uses of the water and related land resources involved.

The enclosed legislative proposal reflects the recommendations from members of an Interdepartmental Study Group on Wild and Scenic Rivers. This group was established following passage of the 1968 Act for the purpose of coordinating and reviewing required studies, and to identify additional rivers which appear to have outstanding resources sufficient for addition to section 5(a) as rivers to be studied for possible inclusion in the System. This group consists of representatives from the Departments of the Interior, Agriculture and Army, the Tennessee Valley Authority and the Environmental Protection Agency. During the course of its work, this group received numerous recommendations from Federal, State and local agencies and individuals concerning these additional study rivers.

During review of the legislative proposal, the Tennessee Valley Authority (TVA) identified its interest in possible uranium reserves along a portion of the Green River in Utah proposed for study. If the area is authorized for study, section 9(b) of the Wild and Scenic Rivers Act will preclude further uranium exploration and development activity pending completion of the study and action by the Congress on any recommendation for designation. To minimize the impact of designation on TVA's activities, the Department of the Interior has agreed to (1) a 2 full fiscal year study period rather than the 5 full fiscal year period proposed for the other studies, (2) restrict the study designation to the main stem of the river, and (3) consider alternative boundary proposals which would minimize the impact of designation of those sections of the river which might be proposed for a wild river classification. It further points out that the study will be conducted under the Water Resources Council's principles and Standards. Thus, at the time final Congressional action on wild and scenic designation is being considered, all interests can be taken into account and an informed decision made.

This proposal has been developed with full cooperation of the Department of Agriculture due to the mutual interests of the two Departments in the National Wild and Scenic Rivers program. It should be noted that the Department of Agriculture administers a number of land and water resource projects in the vicinity of the rivers proposed for study in the draft bill and that both Departments manage Federal lands in portions of the river areas. The continuation of these projects and management activities are not viewed as conflicting with the protection afforded under section 7(b) of the Wild and Scenic River Act.

The Office of Management and Budget has advised that this legislative proposal is in accord with the program of the President.

Sincerely,

CECIL D. ANDRUS, *Secretary.*

Enclosure.

A BILL To amend the Wild and Scenic Rivers Act by designating certain rivers for study as potential additions to the National Wild and Scenic Rivers System

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

Scenic Rivers Act (82 Stat. 906; 16 U.S.C. 1271), as amended, is further amended at follows:

(a) In section 5(a) after paragraph (58) insert the following new paragraphs:

"(59) Gila, New Mexico: the main stem from the Arizona-New Mexico border but excluding the authorized Hooker Reservoir site or alternative suitable to the requirements of P.L. 90-537; the West Fork to its headwaters; the East Fork to the junction of Taylor and Beaver Creeks; and the Middle Fork from the junction of Galita and Willow Creeks to its confluence with the West Fork.

"(60) Green, Utah: the main stem below Flaming Gorge Reservoir, except for the reach from the town of Jensen, Utah, to the boundary of the Dinosaur National Monument.

"(61) Illinois, Arkansas: the entire river from its source to Arkansas-Oklahoma border.

"(62) Kern (North Fork), California: the main stem from its source to Isabella Reservoir.

"(63) Shenandoah, Virginia and West Virginia: the main stem, the North Fork from Front Royal to Brocks Gap, and the South Fork from Front Royal to Waynesboro.

"(64) Sweetwater, Wyoming: the main stem from its source downstream to Wilson Bar.

"(65) Cacapon, West Virginia: the entire river.

"(66) Columbia, Washington: the main stem from Priest Rapids Dam to McNary Reservoir.

"(67) Guadalupe, Texas: the entire river from its source to New Braunfels but excluding Canyon Reservoir.

"(68) John Day, Oregon: the main stem from Service Creek upstream to its confluence with North Fork; the North Fork upstream to Baldy Creek and Granite Creek upstream to Clear Creek.

"(69) Loxahatchee, Florida: the entire river including its tributary, North Fork.

"(70) Niobrara, Nebraska: the main stem from Antelope Creek to Sparks Gauging Station.

"(71) Tangipahoa, Louisiana and Mississippi: the entire river.

"(72) Yellowstone, Wyoming and Montana: the main stem from Yellowstone Lake to Pompey's Pillar.

"(73) Delta, Alaska: the main stem from its source to Black Rapids.

"(74) Gulkana, Alaska: the entire river including its tributaries, West and Middle Forks.

"(75) Madison, Montana: the main stem from Earthquake Lake to Ennis Lake.

"(76) Ogeechee, Georgia: the entire river.

"(77) Salt, Arizona: the main stem upstream from the Salt River bridge on Arizona Highway 288; and its major tributaries (including the White and Black Rivers).

"(78) Wenatchee, Washington: the main stem including Lake Wenatchee, and its tributaries, the Little Wenatchee, White and Chiwawa Rivers."

(b) In section 5(b) redesignate existing paragraph "(3)" as "(4)" and insert the following new paragraph "(3)":

"(3) Except for the river named in subparagraph (60), the studies of rivers named in subparagraphs (59) through (78) of subsection (a) of this section shall be completed and reports thereon submitted

not later than five full fiscal years after the date of enactment of this paragraph. The study of the river named in subparagraph (60) shall be completed and the report thereon submitted not later than two full fiscal years after the date of enactment of this paragraph. There are authorized to be appropriated for the purpose of conducting the studies of the rivers named in said subparagraphs such sums as may be necessary, but not more than \$2,800,000."

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 26, 1977.

HON. THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: At the direction of the President, enclosed is a draft bill to amend the Wild and Scenic Rivers Act by increasing the appropriation authorizations therein, and for other purposes.

We recommend that the bill be referred to the appropriate Committee for consideration, and that it be enacted.

The enclosed draft bill amends section 5(b) (3) of the 1968 Wild and Scenic Rivers Act, as added by Public Law 93-621 (16 U.S.C. 1276 (b) (3)), by increasing the appropriation ceiling in that section for the study of the rivers listed in paragraphs (22) through (56) of section 5(a) of the Act. The bill would raise the existing \$2,175,000 ceiling established by Public Law 93-621 to \$4,060,000—a \$1,885,000 increase.

As was recognized during the hearings in the 93d Congress on S. 3022, the bill which became Public Law 93-621, the then \$75,000 average cost estimate for each of the 29 river studies authorized by that law was a conservative figure. It was recognized that this figure would escalate rapidly if the Federal agencies conducting the studies were to comply with the Water Resources Council's Principles and Standards for Planning Water and Related Land Resources. One of our most recent wild and scenic river studies cost \$216,000. Another river study has cost in excess of \$156,000 to date. An analysis of the possible cost to complete the 29 river studies authorized by Public Law 93-621 indicates there will be an average cost of \$140,000 per river. This means an increase of \$65,000 in the average cost per river study over that provided in Public Law 93-621 which amounts to the total \$1,885,000 increase requested in the enclosed bill. Of course, if the studies can be completed for less, this amount will not be spent.

The draft bill also amends sections 3(a) (10) and 16(a) of the Wild and Scenic Rivers Act by increasing the appropriation ceilings in these sections for acquisition of land and interests in land along five of the federally administered components of the National Wild and Scenic Rivers System. The enclosed bill would authorize an additional \$22,000,000 to complete acquisitions at these river areas, with the increased cost for each area being as follows:

1. Chattooga, N.C., S.C., and Ga.....	\$3, 200, 000
2. Eleven Point, Mo.....	5, 500, 000
3. Rogue, Oreg.....	2, 700, 000
4. Upper St. Croix, Minn. and Wis.....	10, 000, 000
5. Salmon, Middle Fork, Idaho.....	600, 000
	22, 000, 000

These increased appropriation authorizations are needed because of the extremely rapid escalation in land values within the five components, and because some of the earlier land cost estimates of Federal agencies proved to be too low. The latter was due primarily to court awards in condemnation proceedings being substantially above agency acquisition estimates.

The Office of Management and Budget has advised that this legislative proposal is in accord with the program of the President.

Sincerely,

CECIL D. ANDRUS, *Secretary.*

Enclosure.

A BILL To amend the Wild and Scenic Rivers Act by increasing the appropriation authorizations therein, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Wild and Scenic Rivers Act of October 2, 1968 (82 Stat. 906; 16 U.S.C. 1271 et seq.), as amended, is further amended as follows:

(a) In section 5(b)(3) delete "\$2,175,000" and substitute therefor "\$4,060,000".

(b) In section 3(a)(10) concerning the Chattooga River in North Carolina, South Carolina, and Georgia, delete "\$2,000,000" and substitute therefor "\$5,200,000"; and in section 16(a) delete (1) "Eleven Point, Missouri, \$4,906,500" and substitute therefor "Eleven Point, Missouri, \$10,406,500", and (2) "Rogue, Oregon, \$12,447,200; St. Croix, Minnesota and Wisconsin, \$11,768,550; Salmon, Middle Fork, Idaho, \$1,237,100" and substitute therefor "Rogue, Oregon, \$15,147,200; St. Croix, Minnesota and Wisconsin, \$21,768,550; Salmon, Middle Fork, Idaho, \$1,837,100".

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION,
Washington, D.C., January 9, 1978.

HON. THOMAS P. O'NEILL, JR.,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Transmitted herewith for referral to the appropriate committee is a draft bill prepared by the Pennsylvania Avenue Development Corporation to amend the Pennsylvania Avenue Development Corporation Act of 1972 to authorize appropriations and borrowings from the United States Treasury to further implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House, and for other purposes. The proposed legislation is designed to authorize additional capital funding for the comprehensive plan to revitalize the Avenue and its northern environs between Third Street, Northwest, and the Executive Precinct. The draft bill would also update the Corporation's enabling act through minor technical amendments.

The Pennsylvania Avenue Development Corporation was established as a wholly owned instrumentality of the United States by Act of Congress on October 27, 1972. It is vested with powers both to prepare a development plan, and to carry it out by acquiring and managing property, regulating development, and constructing public improvements. After completing preparation of the "Pennsylvania Avenue Plan—1974", the Corporation submitted it with supporting

documents to Congress for review. The plan was approved effective May 19, 1975, and a number of projects are now under way.

In summary, the draft bill would amend the Pennsylvania Avenue Development Corporation Act of 1972 (Pub. L. 92-578, 86 Stat. 1266, as amended) in the following ways: (1) The provision of section 6 which authorizes borrowings from the United States Treasury would be amended to increase the debt limit from \$50 million to \$100 million and, the period during which the Corporation may borrow would be revised to terminate at the end of fiscal year 1990, rather than 1980; (2) Two new paragraphs would be inserted in Section 6 dealing with the power of the Corporation to facilitate street closings and transfers of public reservations of land in furtherance of the Plan; (3) Section 17, the authorization of appropriations, would be amended to authorize salaries and expenses and funds for public improvements through fiscal year 1980; and, (4) Several minor technical amendments would be made in the PADC Act to reflect organizational changes in the local government under the District of Columbia Home Rule Act of 1973. Specifically: references to the Commissioner of the District of Columbia would be changed to references to the Mayor of the District of Columbia; reference to the Chairman of the District of Columbia Redevelopment Land Agency would be changed to reference to the Director of the District of Columbia Department of Housing and Community Development; and, references to the Redevelopment Land Agency would be deleted.

A comprehensive section-by-section analysis of the enclosed proposed legislation is attached.

The authorizations proposed in this draft bill are necessary to allow continued capital funding of the Pennsylvania Avenue Plan, including the requests made in the President's Budget for Fiscal Year 1979. The proposed legislation will have no budgetary impact on fiscal year 1978.

The Office of Management and Budget has advised that there is no objection, from the standpoint of the Administration's program, to the submission of this legislation and that its enactment would be in accord with the program of the President.

Sincerely,

E. R. QUESADA, *Chairman.*

Enclosures.

SECTION-BY-SECTION ANALYSIS

Section 1

The first section of the bill proposes a number of technical amendments, primarily to conform the language of the Pennsylvania Avenue Development Corporation Act of 1972 (the "Act") to organizational changes made in the District Government by the District of Columbia Home Rule Act of 1973. Specifically, references to the Commissioner of the District of Columbia would be changed to references to the Mayor of the District of Columbia; reference to the Chairman of the District of Columbia Redevelopment Land Agency would be changed to reference to the Director of the District of Columbia Department of Housing and Community Development; references to the Redevelopment Land Agency would be deleted. Additionally, the erroneous citation in section 4(a) of the Act to a provision of Title 5, United States Code would be corrected.

Section 2

This section of the bill would increase from \$50 million to \$100 million the authority of the Corporation to borrow from the United States Treasury to carry out the development plan. The amounts to be borrowed under this clause are to purchase, assemble, and prepare land for ground lease or sale to private developers. The borrowed money and interest thereon, would be secured by the land and repaid by the Corporation from the revenues received from developers. Borrowings used to purchase land to be devoted to public purposes would be repaid from appropriations earmarked for such public purposes in the Corporation's budget. A further change proposed in this section of the bill is to extend the period during which borrowing may take place from June 3 [sic] 1980, to September 30, 1990. Other aspects of the borrowing authority in the initial enabling Act are unaffected. For example, actual borrowings may only be in the amounts included in appropriation acts; the terms of each borrowing are to be set by the Secretary of the Treasury; and, obligations may not exceed 40 years.

Section 3

This part of the bill would add two new paragraphs, "(19)" and "(20)" to section 6 of the Act to facilitate the closing of streets in the development area according to the approved plan, and to permit certain transfers of jurisdiction and ownership over public parcels of land. Specifically, "new" paragraph 19 authorizes the Mayor of the District of Columbia to convey to the Corporation the United States' title to streets closed by the D.C. Council in furtherance of the Plan. Portions of the streets to be closed will be reutilized for public purposes in newly created open areas, and the balance will be included in the assembly of development sites. Although most of the streets to be closed under the plan are titled in the United States, authority is also provided for the Mayor to convey to the Corporation the District's title to streets that are not federally titled. Under existing District of Columbia law certain alleys, upon closing, revert to the owners of abutting property. This section provides that the Corporation will compensate abutting owners for the fair market value of closed alley land which would have reverted, but for the provisions of this paragraph. The Corporation is also required to pay the District of Columbia for the administrative costs of any closing under this paragraph. "New" paragraph (20) allows the Corporation to transfer title, lesser interests, or jurisdiction in its real property which is to be devoted to public purposes, and authorizes Federal agencies, such as the National Park Service or the General Services Administration, and District agencies to accept such transfers. These authorizations will aid the assembly and future maintenance of public spaces, parks, and sidewalks developed under the Plan. The Director of the National Park Service, conversely, is authorized to convey land under his jurisdiction to the Corporation to further facilitate assembly of new public spaces, such as Western Plaza. The last clause in this proposed paragraph is included to assure that the Corporation can utilize portions of land that may be transferred by the Director of National Parks for any public or private development consistent with the Plan, notwithstanding the general prohibition of 40 U.S.C. 68. That law, passed in 1912, prohibits the erection of any

buildings or structures on any public grounds of the United States in the District of Columbia without express Congressional authorization.

A BILL To amend the Pennsylvania Avenue Development Corporation Act of 1972 to authorize appropriations and borrowings from the United States Treasury to further implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Pennsylvania Avenue Development Corporation Act of 1972 (Public Law 92-578; 86 Stat. 1266), as amended, is further amended as follows:

1. By striking:

(a) in paragraph (c) of section 3: "(6) The Commissioner of the District of Columbia;" and by substituting in lieu thereof "(6) The Mayor of the District of Columbia;"; and by inserting "The Mayor" in lieu of "The Commissioner" of the District of Columbia, wherever it occurs in this Act;

(b) in paragraph (c) of section 3; "(7) The Chairman, District of Columbia Council;" and by inserting in lieu thereof "The Chairman, Council of the District of Columbia";

(c) in paragraph (g) of section 3: "(8) The Chairman of the District of Columbia Redevelopment Land Agency." and by inserting in lieu thereof "(8) The Director of the District of Columbia Department of Housing and Community Development.";

(d) in paragraph (a) of section 4: "subchapter 53" and by inserting in lieu thereof "subchapter III of Chapter 53";

(e) in paragraph (f) of section 5: "The District of Columbia government, and the District of Columbia Redevelopment Land Agency." and by inserting in lieu thereof "and the District of Columbia government.";

(f) in paragraph (b) of section 8; "Redevelopment Land Agency" wherever it occurs and by inserting in lieu thereof "government."

2. By striking in paragraph (10) of section 6 the figure "\$50,000,000" and inserting in lieu thereof "\$100,000,000" and, by striking in that paragraph the date "June 3, 1980" and inserting in lieu thereof "September 30, 1990".

3. By redesignating paragraphs "(19)" through "(22)" in section 6 as paragraphs "(21)" through "(24)" and by inserting the following new paragraphs:

"(19) shall request the Council of the District of Columbia, when required for implementation of the development plan, to close any street, road, highway, alley, or any part thereof in the development area. If the title to the street, road, highway or alley so closed is in the United States, the Mayor of the District of Columbia shall convey the title to the land on behalf of the United States to the Corporation, without cost, except that the Corporation shall reimburse the District of Columbia for the administrative expenses of the action. If the title to the street, road, highway or alley so closed is not in the United States, the Mayor shall convey title to the land on behalf of the District of Columbia to the Corporation, without cost, except that the Corporation shall reimburse the District of Columbia for the administrative costs of

the action; *Provided*, that if the land would have reverted to a private abutting property owner under otherwise applicable law of the District of Columbia, the Corporation shall pay such owner the fair market value of the land that would have reverted to him.

"(20) may transfer title to, interests in, or jurisdiction over real property which has been acquired by the Corporation and is to be devoted to public uses under the development plan, to any agency of the United States or the District of Columbia. Agencies of the United States or the District of Columbia may accept such transfers under this paragraph, and shall thereafter administer and maintain the property in accordance with the development plan and the terms of any transfer agreement. The Director of National Park Service may transfer title to or interest in public reservations, roadways, spaces, or parks under his jurisdiction within the development area to the Corporation to facilitate implementation of the development plan; and, notwithstanding any other provision of law, the Corporation may utilize such transferred property for any public or private development consistent with the plan."

4. By striking in subsection 17(a) all after the phrase "through September 30, 1976;" and inserting in lieu thereof "and \$2,000,000 each, for the fiscal years ending September 30, 1979, and September 30, 1980.;" and by striking in subsection 17(b) all before the proviso, and inserting in lieu thereof, "To carry out implementation of the development plan authorized by section 5 of this Act, there is authorized to be appropriated to the Corporation until September 30, 1980 such sums as may be necessary, and any amount so appropriated shall remain available for obligation until September 30, 1990."

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 20, 1978.

HON. THOMAS P. O'NEILL, JR.,
Speaker of the House of Representatives,
Washington D.C.

DEAR MR. SPEAKER: Enclosed is a draft bill which amends the Reservoir Salvage Act of June 27, 1960 (74 Stat. 220; 16 U.S.C. 469) as amended on May 24, 1974 by 88 Stat. 174 (16 U.S.C. 469a).

The purpose of this bill is to expand and continue the programs authorized in the 1974 amendment, under the direction of the Secretary of the Interior, for fiscal year 1979 and 1980. The program consists of the scientific recovery, preservation and study of significant archeological or historic materials and data which might be irrevocably lost or destroyed during Federal or federally-related, permitted or licensed construction activities.

The 1960 law required the head of any Federal agency engaged in or licensing dam construction to notify the Secretary of the Interior of any plans for water resource development that might threaten archeological resources. The Secretary was authorized to undertake archeological salvage investigations in such project areas.

In 1974, the inter-agency archeological investigations and salvage program was extended to all Federal, federally assisted, and federally

permitted or licensed projects that might impact adversely on archeological and historic resources. As much as one percent of the total amount authorized to be appropriated for a Federal project could be applied to the recovery of archeological materials and data by the Federal agency responsible for a federal construction project or federally licensed project, activity, or program. These funds are available after the Federal planning process is completed and a decision to proceed with a given project has been made. The 1974 amendment also provided funding to the Secretary of the Interior—for fiscal years 1974 through 1978—for purposes of programs administration and for investigations and salvage with regard to Federal or federally related projects in which the responsible Federal agency has no authority to fund salvage costs itself; has not received the appropriation or reprogramming of the authorized one percent funding; or, requires additional assistance to satisfactorily salvage the resource. The proposed bill extends these funding authorizations for two more years.

The program is administered by the Heritage Conservation and Recreation Service. It has accomplished outstanding results in preventing the irretrievable loss of significant data and artifacts that otherwise would have been destroyed as a result of Federal or federally-related construction activities. The program has also contributed to the expansion of scientific knowledge for the intellectual nourishment of the American people. Educational institutions, scientific organization, and museums have directly contributed to the success of this program and are vitally concerned for its continuation.

The cost of this program is estimated as follows: To continue section 3(b) programs for FY 1979—\$200,000, FY 1980—such sums as may be necessary; and to continue section 4(a) programs for FY 1979—\$2,000,000, FY 1980—such sums as may be necessary; all such appropriations shall remain available until expended.

We strongly recommend that the enclosed bill be enacted to permit the Secretary to continue to respond to the need which Congress has earlier recognized.

The Office of Management and Budget has advised that this proposed legislation is in accord with the program of the President.

Sincerely,

BOB HERBST, *Assistant Secretary.*

Enclosure.

A BILL To amend the Act of June 27, 1960 (74 Stat. 220) as amended by Act of May 24, 1974 (88 Stat. 174, 176; 16 U.S.C. 469) relating to the preservation of historical and archeological data; to authorize appropriations under section 3(b) and 4(a) for fiscal years 1979 and 1980, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 27, 1960 (74 Stat. 220) as amended May 24, 1974 (88 Stat. 174, 176; 16 U.S.C. 469) is amended as follows:

(1) In section 7(b), delete the "and" following "1977;"; change the period at the end of the sentence to a semicolon, and add the following words: "\$300,000 and such additional amounts as may be necessary for increases in salary, pay, retirement, other employee benefits authorized by law, and other nondiscretionary costs, in fiscal year 1979; and such sums as may be necessary in fiscal year 1980."

(2) In section 7(c), delete the "and" following "1977;"; change the period at the end of the sentence to a semicolon, and add the following words: "\$2,000,000 and such additional amounts as may be necessary for increase in salary, pay, retirement, other employee benefits authorized by law, and other discretionary costs, in fiscal year 1979; and such sums as may be necessary in fiscal year 1980."

(3) Add the following new subsection "(d)" to section 7:

"(d) Beginning fiscal year 1979, sums appropriate for purposes of section 7 shall remain available until expended."

CHANGES IN EXISTING LAW MADE BY THE BILL AS REPORTED

In compliance with clause 3 of rule XII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman) :

AGATE FOSSIL BEDS NATIONAL MONUMENT

(16 U.S.C. 431) (79 Stat. 123)

* * * * *

SEC. 4. There are hereby authorized to be appropriated the sums of not more than \$301,150 for acquisition of lands and interests in land and not more than **[\$1,842,000]** *\$2,012,000* for development in connection with the Agate Fossil Beds National Monument under this Act.

ANDERSONVILLE NATIONAL HISTORIC SITE

(16 U.S.C. 461) (84 Stat. 989)

* * * * *

SEC. 4. There are authorized to be appropriated not more than \$363,000 for the acquisition of lands and interests in lands and not more than **[\$1,605,000]** *\$2,205,000* [(March 1969 prices)], (*October 1978 prices*) for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuation in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein.

ANDREW JOHNSON NATIONAL HISTORIC SITE

(16 U.S.C. 450) (77 Stat. 350)

* * * * *

SEC. 3. There are authorized to be appropriated such sums, but not more than **[\$266,000]** *\$286,000* for acquisition, restoration, and development costs, as are necessary to carry out the purposes of this Act.

BISCAYNE NATIONAL MONUMENT

(16 U.S.C. 450qq) (82 Stat. 1188)

* * * * *

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed \$24,575,000 for land acquisition and **[\$2,900,000]** *\$6,565,000* for development.

CANAVERAL NATIONAL SEASHORE

(16 U.S.C. 459j) (88 Stat. 2121)

* * * * *

(b) For the development of essential public facilities there are authorized to be appropriated not more than **[\$500,000]** *\$1,900,000*. Within three years from the date of the enactment of this Act, the Secretary shall develop and transmit to the Committee on Interior and Insular Affairs of the United States Congress a final master plan for the full development of the seashore consistent with the preservation objectives of this Act, indicating:

- (1) the facilities needed to accommodate the health, safety, and recreation needs of the visiting public;
- (2) the location and estimated cost of all facilities; and
- (3) the projected need for any additional facilities within the seashore.

CAPE LOOKOUT NATIONAL SEASHORE

(16 U.S.C. 459g) (88 Stat. 1445)

* * * * *

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed \$7,903,000 for acquisition of lands and interests therein, of which no more than \$1,000,000 may be expended for acquisition of lands owned by Core Banks Club Properties, Incorporated. For development of essential public facilities there are authorized to be appropriated not more than **[\$2,935,000]** *\$4,935,000*. On or before January 1, 1978, the Secretary shall develop and transmit to the Committee on Interior and Insular Affairs of the United States Congress a final master plan for the full development of the seashore consistent with the preservation objectives of this Act, indicating—

- (1) the facilities needed to accommodate the health, safety and recreation needs of the visiting public;
- (2) the location and estimated cost of all facilities; and
- (3) the projected need for any additional facilities within the seashore.

CAPITOL REEF NATIONAL PARK

(16 U.S.C. 273) (85 Stat. 739)

* * * * *

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed, however, \$423,000 for the acquisition of lands and interests in lands and not to exceed **[\$1,052,700]** *\$1,372,700* [(April 1970 prices)]

October 1978 prices for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein. The sums authorized in this section shall be available for acquisition and development undertaken subsequent to the approval of this Act.

CARL SANDBURG HOME NATIONAL HISTORIC SITE

(16 U.S.C. 461) (82 Stat. 1154)

* * * * *

SEC. 3. There are authorized to be appropriated the sums of \$225,000 for the acquisition of lands and interests in lands and interests in lands and ~~[\$952,000]~~ \$1,962,000 for development expenses incurred pursuant to the provisions of this Act.

CHANNEL ISLANDS NATIONAL MONUMENT

(16 U.S.C. 431) (88 Stat. 1445)

* * * * *

SEC. 201. The limitations on appropriations for developing of units of the National Park System contained in the following acts are amended as follows:

(1) Channel Islands National Monument, California: For the purposes of development of the administrative site and visitor facilities authorized by section 401 of this Act, there are authorized to be appropriated ~~[\$5,452,000]~~ \$6,332,000.

COWPENS NATIONAL BATTLEGROUND SITE

(86 Stat. 120)

* * * * *

SEC. 402. For the purposes of the Cowpens National Battleground Site, which is hereby redesignated as the Cowpens National Battlefield, there are authorized to be appropriated not more than \$2,363,000 for the acquisition of lands and interests in lands and not more than ~~[\$3,108,000]~~ \$5,108,000 for development.

DE SOTO NATIONAL MEMORIAL

(62 Stat. 78)

* * * * *

SEC. 3. There is hereby authorized to be appropriated such sums, not to exceed ~~[\$175,000]~~ \$292,000, as may be necessary to carry out the provisions of this Act.

FORT BOWIE NATIONAL HISTORIC SITE

(16 U.S.C. 461) (78 Stat. 68)

* * * * *

SEC. 4. There is hereby authorized to be appropriated a sum not to exceed **[\$550,000 to carry out the purposes of this Act]** *\$85,000 for land acquisition and \$1,043,000 for development.*

FREDERICK DOUGLASS HOME

(76 Stat. 435)

* * * * *

SEC. 4. There are authorized to be appropriated such sums, but not more than **[\$413,000]** *\$1,350,000* as may be needed for the restoration and development of buildings and grounds at Cedar Hill.

GRANT KOHRS RANCH NATIONAL HISTORIC SITE

(16 U.S.C. 461) (86 Stat. 632)

* * * * *

SEC. 4. There are authorized to be appropriated \$350,000 for land acquisition and not to exceed **[\$1,800,000 (July 1971 prices)]** *\$2,075,000 (October 1978 prices)* for development plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuation in construction involved herein.

GUADALUPE MOUNTAINS NATIONAL PARK

(16 U.S.C. 283) (80 Stat. 920)

* * * * *

SEC. 6. There are hereby authorized to be appropriated such sums, but not more than \$1,800,000 in all, as may be necessary for the acquisition of lands and interest in lands, and not more than **[\$10,362,000.]** *\$24,715,000*, as may be necessary for the development of the Guadalupe Mountains National Park.

GULF ISLANDS NATIONAL SEASHORE

(16 U.S.C. 459h) (84 Stat. 1967)

* * * * *

SEC. 11. There are authorized to be appropriated not more than \$3,120,000 for the acquisition of lands and interests in lands and not more than **[\$14,779,000 (1970 prices)]** *\$25,224,000 (October 1978 prices)* for development, plus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by

engineering costs indices applicable to the types of construction involved herein.

HARPER'S FERRY NATIONAL HISTORICAL PARK

(16 U.S.C. 450bb) (58 Stat. 645)

SEC. 42. In addition to such sums as have heretofore been appropriated, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than \$1,300,000 for the acquisition of lands and interests in lands, and not more than ~~[\$8,690,000]~~ \$14,385,000 for development."

HUBBELL TRADING POST NATIONAL HISTORIC SITE

(16 U.S.C. 461) (79 Stat. 584)

* * * * *

SEC. 3. There are hereby authorized to be appropriated not more than ~~[\$952,000]~~ \$977,000 for the acquisition of lands and interests in land and the contents of the Hubbell Trading Post which are of cultural and historical value and for development costs in connection with the national historic site as provided in this Act.

INDIANA DUNES NATIONAL LAKESHORE

(16 U.S.C. 460u) (80 Stat. 1312)

* * * * *

The Secretary may not expend more than \$60,812,100 from the Land and Water Conservation Fund for the acquisition of lands and interests in lands nor more than ~~[\$8,500,000]~~ \$9,440,000 for development. By October 1, 1979, the Secretary shall develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a general management plan detailing the development of the national lakeshore consistent with the preservation objectives of this Act, indicating:

- (1) the facilities needed to accommodate the health, safety, and recreation needs of the visiting public;
- (2) the location and estimated costs of all facilities, together with a review of the consistency of the master plan with State, areawide, and local governmental development plans;
- (3) the projected need for any additional facilities within the national lakeshore; and
- (4) specific opportunities for citizen participation in the planning and development of proposed facilities and in the implementation of the general management plan generally.

JOHN MUIR NATIONAL HISTORIC SITE

(16 U.S.C. 461) (70 Stat. 753)

* * * * *

SEC. 3. There is hereby authorized to be appropriated not more than **[\$300,000 for land acquisition and restoration of the buildings thereon]** *\$224,000 for land acquisition and \$2,185,000 for development.*

TO COMMEMORATE CERTAIN HISTORICAL EVENTS IN THE STATE OF
KANSAS

(79 Stat. 588)

* * * * *

SEC. 4. There are hereby authorized to be appropriated such sums, but not more than **[\$2,000,000]** *\$2,750,000*, as may be necessary for land acquisition, land site rehabilitation and development, and the marketing of historic sites pursuant to the provisions of this Act.

LONGFELLOW NATIONAL HISTORIC SITE

(16 U.S.C. 461) (86 Stat. 791)

* * * * *

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed, however **[\$586,000 (May 1971 prices)]** *\$662,000 (October 1978 prices)* for development of the areas, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved therein.

FOR THE PRESERVATION AND PROTECTION OF CERTAIN LANDS IN
PRINCE GEORGES AND CHARLES COUNTIES

(75 Stat. 783)

* * * * *

Sec. 4 (a) There are hereby authorized to be appropriated such sums, but not more than \$937,600, to carry out the provisions of this Act.

(b) *In addition to such other sums as have been appropriated for such purposes, there is authorized \$2,000,000 for development.*

LONGFELLOW NATIONAL HISTORIC SITE

(16 U.S.C. 461) (86 Stat. 791)

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed, however, **[\$586,600 (May 1971 prices)]** *\$662,000 (October 1978 prices)* for development of the area, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein.

PECOS NATIONAL MONUMENT

(16 U.S.C. 431) (79 Stat. 195)

* * * * *

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than **[\$500,000]** *\$2,375,000*, as are required for construction of facilities and excavation and stabilization of the ruins in the Pecos National Monument under this Act.

PERRY'S VICTORY AND INTERNATIONAL PEACE MEMORIAL

(16 U.S.C. 433a) (86 Stat. 1181)

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than \$370,000 shall be appropriated for the acquisition of lands and interests in lands and not more than **[\$5,177,000]** *\$9,327,000* shall be appropriated for development. The sums authorized in this section shall be available for acquisition and development undertaken subsequent to the approval of this Act.

REDWOOD NATIONAL PARK

(16 U.S.C. 79c-79f) (82 Stat. 934)

* * * * *

SEC. 10. * * * *There are hereby authorized to be appropriated \$5,000,000 for development of the park established under this Act; such amount shall be in addition to other amounts available for such purposes.*

SAN JUAN ISLAND NATIONAL HISTORICAL PARK

(16 U.S.C. 282) (80 Stat. 737)

* * * * *

SEC. 4. There are hereby authorized to be appropriated such sums, but not more than **[\$3,542,000]** *\$5,575,000* for the acquisition of lands and interests therein and for the development of the San Juan National Historical Park.

SITKA NATIONAL MONUMENT

(16 U.S.C. 431) (86 Stat. 904)

* * * * *

SEC. 3. There are hereby authorized to be appropriated not to exceed \$140,000 for land acquisition and **[\$691,000 (June 1971 prices)]** *\$1,571,000 (October 1978 prices)* for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein.

STATUTE OF LIBERTY NATIONAL MONUMENT

(16 U.S.C. 463) (79 Stat. 543)

* * * * *

That there are hereby authorized to be appropriated such funds but not more than **[\$6,000,000,]** *\$34,000,000*, as may be required to develop

Ellis Island as a part of the Statue of Liberty National Monument, but not more than \$3,000,000 shall be appropriated during the first five years following enactment of this Act.

THADDEUS KOSCIUSZKO HOME NATIONAL HISTORIC SITE

(16 U.S.C. 461) (86 Stat. 1046)

* * * * *

SEC. 3. There are hereby authorized to be appropriated not more than **[\$592,000]** *\$742,000* for development of the national memorial.

TUSKEGEE INSTITUTE NATIONAL HISTORIC SITE

(88 Stat. 1463)

* * * * *

SEC. 104. * * *

(e) Tuskegee Institute National Historic Site, \$185,000 for the acquisition of lands and interests in lands and **[\$2,722,000]** *\$2,862,000* for development; and

(f) Martin Van Buren National Historic Site, \$213,000 for acquisition of lands and interests in lands and \$2,737,000 for development.

WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA

(16 U.S.C. 460q) (79 Stat. 1295)

* * * * *

SEC. 10. There are hereby authorized to be appropriated for the acquisition of lands and interests in land pursuant to the provisions of this Act not more than \$21,600,000. There are also authorized to be appropriated not more than **[\$22,700,000]** *\$24,649,000* for the development of recreation facilities pursuant to the provisions of this Act.

WILLIAM HOWARD TAFT NATIONAL HISTORIC SITE

(16 U.S.C. 461) (83 Stat. 273)

* * * * *

SEC. 3. There are hereby authorized to be appropriated not to exceed **[\$318,000]** *\$1,888,000*, to provide for the restoration and development of the William Howard Taft National Historic Site.

WILSON'S CREEK BATTLEFIELD NATIONAL PARK

(16 U.S.C. 430kk-430mm) (84 Stat. 1441)

* * * * *

SEC. 3. For development of the Wilson's Creek National Battlefield, there are authorized to be appropriated not more than **[\$2,285,000 (March 1969 prices)]** *\$5,640,000 (October 1978 prices)* plus or minus

such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein.

APOSTLE ISLANDS NATIONAL LAKESHORE

(16 U.S.C. 460w) (84 Stat. 880)

* * * * *

SEC. 8. There are authorized to be appropriated not more than **[\$4,250,000]** *\$5,750,000* for the acquisition of lands and interests in lands and not more than \$5,000,000 for the development of the Apostle Islands National Lakeshore.

BIG CYPRESS NATIONAL PRESERVE

(88 Stat. 1258)

* * * * *

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed **[\$116,000,000]** *\$156,700,000* for the acquisition of lands and interests in lands and not to exceed \$900,000 for development. Any funds donated to the United States by the State of Florida pursuant to chapter 73-131 of the Florida statutes shall be used solely for the acquisition of lands and interests in land within the preserve.

BUFFALO NATIONAL RIVER

(16 U.S.C. 460m) (86 Stat. 44)

* * * * *

SEC. 7. For the acquisition of lands and interests in lands, there are authorized to be appropriated not more than **[\$30,071,500]** *\$39,948,000* for development of the national river, there are authorized to be appropriated not more than \$283,000 in fiscal year 1974; \$2,923,000 in fiscal year 1975; \$3,643,000 in fiscal year 1976; \$1,262,000 in fiscal year 1977; and \$1,260,000 in fiscal year 1978. The sums appropriated each year shall remain available until expended.

CUMBERLAND ISLAND NATIONAL SEASHORE

(16 U.S.C. 459i) (86 Stat. 1066)

* * * * *

SEC. 10. There are authorized to be appropriated not to exceed **[\$10,500,000]** *\$28,500,000* for the acquisition of lands and interests in lands and not to exceed \$27,840,000 for development of the seashore.

SAWTOOTH NATIONAL RECREATION AREA

(16 U.S.C. 460aa) (86 Stat. 612)

* * * * *

SEC. 13. There are authorized to be appropriated for the purposes of this Act not more than ~~[\$19,802,000]~~ \$47,802,000 for the acquisition of lands and interests in lands and not more than \$26,241,000 for development. Money appropriated from the land and water conservation fund shall be available for the acquisition of lands, waters, and interests therein within the recreation area.

JOHN DAY FOSSIL BEDS NATIONAL MONUMENT

(88 Stat. 1461)

SEC. 101. (a) * * *

(2) for establishment as the John Day Fossil Beds National Monument, Oregon, those lands depicted on the map entitled "Boundary Map, John Day Fossil Beds National Monument", numbered NM-JDFB-20,014-A and dated June 1971: *Provided*, That the national monument shall not be established unless and until the State of Oregon donates or agrees to donate the Thomas Condon-John Day Fossil Beds, Clarno, and Painted Hills State Parks: *Provided further*, That the Secretary shall not acquire a fee title interest to more than one thousand acres of privately owned lands except by donation or exchange: *Provided further*, That the Secretary shall designate the principal visitor center as the "Thomas Condon Visitor Center";

* * * * *

FORT LARAMIE NATIONAL MONUMENT

(16 U.S.C. 461) (74 Stat. 83)

AN ACT To revise the boundaries and change the name of the Fort Laramie National Monument, Wyoming, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [That, in order to preserve the sites of historic buildings and roads associated with Fort Laramie, the boundaries of the Fort Laramie National Monument are hereby revised to include the following area:

[Beginning at the intersection of the section line common to sections 28 and 29, township 26 north, range 64 west, sixth principal meridian, with the northerly right-of-way line of the Fort Laramie Canal;

[Thence southwesterly along said right-of-way line to the intersection of said line with the center of Deer Creek;

[Thence northerly along the center of Deer Creek to the intersection of said center with the north line of the southeast quarter, section 29;

[Thence westerly along said line to a point 1,100 feet east of the southwest corner of the northeast quarter, section 29;

[Thence due north 1,320 feet to the point of intersection with the north line of the southwest quarter northeast quarter, section 29;

[Thence westerly along said north line to a point at the intersection of said line with the easterly right-of-way line of the county road;

[Thence northerly and easterly along said right-of-way line to a point 955 feet east of the section line common to sections 20 and 21;

[Thence due south to the point of intersection with the section line common to sections 21 and 28;

[Thence easterly along said section line to a point 2,090 feet east of the section corner common to sections 20, 21, 28, and 29;

¶Thence due south to the point of intersection with the northerly bank of Laramie River;

¶Thence easterly along said northerly bank to a point 150 feet west of the westerly right-of-way line of the county road, in section 27;

¶Thence northerly on a line paralleling at 150 feet said right-of-way line of county road to a point 660 feet north of section line common to sections 22 and 27;

¶Thence northwesterly in a straight line to a point on the southerly right-of-way line of the State highway relocation a distance of 150 feet east of the section line common to sections 21 and 22;

¶Thence northeasterly along said right-of-way line to the point of intersection with the lot line common to lots 1 and 2, section 22;

¶Thence southerly along said lot line to a point at the intersection of said line as projected with the westerly or right bank of the North Platte River;

¶Thence southerly along said bank to its confluence with the northerly or left bank of the Laramie River in section 27;

¶Thence westerly along said bank of the Laramie River to the westernmost intersection of said bank with the north line of the south half of section 27;

¶Thence westerly along said line and the north line of the south half of section 28 to the point of intersection with the northerly right-of-way line of the Fort Laramie Canal;

¶Thence westerly along said right-of-way line to the point of beginning.] *That in order to preserve the sites of historic buildings and roads associated with Fort Laramie, the boundaries of the Fort Laramie National Historic Site shall hereafter comprise the area generally depicted on the map entitled "Boundary Map, Fort Laramie National Historic Site," numbered 375-90-001, and dated September 1977. The map shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior.*

SEC. 2. In furtherance of the purposes of this Act, the Secretary of the Interior is authorized to procure, in authorized to procure, in such manner and subject to such terms and conditions as he may deem to be in the public interest, lands and interests in lands within the revised boundary *as depicted on the map* described in section 1 hereof.

FORT UNION TRADING POST NATIONAL HISTORIC SITE

(16 U.S.C. 461) (80 Stat. 211)

That, in order to commemorate the significant role played by Fort Union as a fur trading post on the upper Missouri River, the Secretary of the Interior may acquire by donation, purchase with donated or appropriated funds, or otherwise, the historic remains of Fort Union [located in Williams County, North Dakota, and such additional lands and interests in land in Williams County, North Dakota, and Roosevelt County, Montana] *located in the States of North Dakota and Montana*, as he may deem necessary to accomplish the purposes of this Act: *Provided*, That the total area so acquired shall not exceed [400 acres] *570 acres as generally depicted on the map entitled "Fort Union Trading Post, Montana-North Dakota", numbered 436-80,025 and dated February 1977.*

SEC. 4. There are hereby authorized to be appropriated not more than **[\$613,000 for the acquisition of lands and interests in land and for the development]** *\$280,000 for the acquisition of funds and \$4,416,000 for development* of the Fort Union Trading Post National Historic Site, as provided in this Act.

BOSTON NATIONAL HISTORICAL PARK

(16 U.S.C. 410z) (88 Stat. 1184)

SEC. 2. (a) * * *

(6) Old South Meeting House, Milk and Washington Streets, Boston; **[and]**

(7) Charlestown Navy Yard **[.]**; and

(8) *Dorchester Heights Boston.*

* * * * *

SEC. 3. (a) * * *

(3) Thomas Crease House (old Corner Book Store); and

[(4) Dorchester Heights; and]

[(5)] (4) the following burying grounds: King's Chapel, Granary, and Copp's Hill.

SEQUOIA NATIONAL PARK

(88 Stat. 1660)

SEC. 5. Notwithstanding any other provision of law, any federally owned lands incorporated within the boundaries of Sequoia National Park subsequent to the date of enactment of this Act, which entail project works, developments, lands, or facilities which are components of Federal Power Commission Project Numbered 298, shall be subject to all provisions of this Act.

CUYAHOGA VALLEY NATIONAL RECREATION AREA

(16 U.S.C. 460ff) (88 Stat. 1784)

* * * * *

SEC. 2. (a) The recreational area shall comprise the lands and waters generally depicted on the map entitled **["Boundary Map, Cuyahoga Valley National Recreation Area, Ohio"]**, numbered NRA-CUYA-20,000-A, and dated December 1974, *Boundary Map, Cuyahoga Valley National Recreation Area, Ohio, numbered 90,001-A, and dated 1978*, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and in the main public library of Akron, Ohio, and Cleveland, Ohio. After advising the Committee on Interior and Insular Affairs of the United States Congress, in writing, the Secretary may make minor revisions of the boundaries of the recreation area when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(b) Within the boundaries of the recreation area, the Secretary, after consultation with the Governor of the State of Ohio and the Advisory Commission established in section 5 of this Act, may acquire

lands, improvements, waters, or interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer. Any lands or interests owned therein, as well as any lands hereafter acquired, by the State of Ohio or any political subdivision thereof (including any park district or other public entity) may be acquired only by donation. The Secretary shall not acquire privately owned lands which are held and used for public recreation uses unless he determines that such lands are essential to carry out the purposes of this Act. Notwithstanding any other provisions of law, any Federal property located within the boundaries of the recreation area may, with the concurrence of the agency having custody thereof, be transferred without transfer of funds to the administrative jurisdiction of the Secretary for the purposes of the recreation area.

(c) With respect to improved properties, as defined in this Act, the Secretary may acquire scenic easements or such other interests as, in his judgment, are necessary for the purposes of the recreation area. Fee title to such improved properties shall not be acquired unless the Secretary finds that such lands are being used, or are threatened with uses, which are detrimental to the purposes of the recreation area, or unless such acquisition is necessary to fulfill the purposes of this Act.

(d) When any tract of land is only partly within the boundaries of the recreation area, the Secretary may acquire all or any portion of the land outside of such boundaries in order to minimize the payment of severance costs. Land so acquired outside of the boundaries may be exchanged by the Secretary for non-Federal land within the boundaries. Any portion of the land acquired outside the boundaries and not utilized for exchange shall be reported to the General Services Administration for disposal under the Federal Property and Administrative Services Act of 1949, as amended: *Provided*, That no disposal shall be for less than the fair market value of the lands involved.

(e) For the purposes of this Act, the term "improved property" means: (i) a detached single family dwelling, the construction of which was begun before January 1, 1975 (hereafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures necessary to the dwelling which are situated on the land so designated, or (ii) property developed for agricultural uses, together with any structures accessory thereto which were so used on or before January 1, 1975. In determining when and to what extent a property is to be considered an "improved property", the Secretary shall take into consideration the manner of use of such buildings and lands prior to January 1, 1975, and shall designate such lands as are reasonably necessary for the continued enjoyment of the property in the same manner and to the same extent as existed prior to such date. *In applying this subsection with respect to lands and interests therein added to the recreation area by subsection (a) of section 315 of the National Parks and Recreation Act of 1978 the date 'January 1, 1978' shall be substituted for the date 'January 1, 1975, in each place it appears.*

(f) The owner of an improved property, as defined in this Act, on the date of its acquisition, as a condition of such acquisition, may retain

for himself, his heirs and assigns, a right of use and occupancy of the improved property for noncommercial residential or agricultural purposes, as the case may be, for a definite term of not more than twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. 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 the right retained by the owner. A right retained by the owner pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purposes of this Act, 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.

(g) In exercising his authority to acquire property under this Act, the Secretary shall give prompt and careful consideration to any offer made by an individual owning property within the recreation area to sell such property, if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship.

* * * * *

SEC. 4. (a) The Secretary shall administer the recreation area in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535) as amended and supplemented (16 U.S.C. 1, 2-4). In the administration of the recreation area, the Secretary may utilize such statutory authority available to him for the conservation and management of wildlife and natural resources as he deems appropriate to carry out the purposes of this Act.

(b) The Secretary may enter into cooperative agreements with the State of Ohio, or any political subdivision thereof, for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement services and cooperative assistance by nearby law enforcement and fire preventive agencies.

(c) The authority of the Secretary of the Army to undertake or contribute to water resource development, including erosion control and flood control, on land or waters within the recreation area shall be exercised in accordance with plans which are mutually acceptable to the Secretary of the Interior and the Secretary of the Army and which are consistent with both the purposes of this Act and the purposes of existing statutes dealing with water and related land resource development.

(d) The Secretary, in consultation with the Governor of the State of Ohio, shall inventory and evaluate all sites and structures within the recreation area having present and potential historical, cultural, or architectural significance and shall provide for appropriate programs for the preservation, restoration, interpretation, and utilization of them.

(e) Notwithstanding any other provision of law, the Secretary is authorized to accept donations of funds, property, or services from individuals, foundations, corporations, or public entities for the pur-

pose of providing services and facilities which he deems consistent with the purposes of this Act.

(f) The Secretary may, on his own initiative, or at the request of any local government (*or intergovernmental organization*) having jurisdiction over land located within or adjacent to the recreation area, assist and consult with the appropriate officers and employees of such local government (*or intergovernmental organization*) in establishing zoning laws or ordinances which will assist in achieving the purposes of this Act. In providing assistance pursuant to this subsection, the Secretary shall endeavor to obtain provisions in such zoning laws or ordinances which—

(1) have the effect of prohibiting the commercial and industrial use (other than a use for commercial farms and orchards) of all real property adjacent to the recreation area;

(2) aid in preserving the character of the recreation area by appropriate restrictions on the use of real property in the vicinity including, but not limited to, restrictions upon: building and construction of all types; signs and billboards; the burning of cover; cutting of timber (except tracts managed for sustained yield); removal of topsoil, sand, or gravel; dumping, storage, or piling of refuse; or any other use which would detract from the aesthetic character of the recreation area; and
assistance under this subsection may include payments for technical aid.

* * * * *

SEC. 6. (a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than ~~[\$41,100,000]~~ \$70,100,000 for the acquisition of lands and interests in lands.

(b) ~~For the development of essential public facilities there are authorized to be appropriated not more than \$500,000.]~~ *For the development of the recreation area, including improvements of properties to be appropriated not more than \$26,000,000.* Within one year from the date of establishment of the recreation area pursuant to this Act, the Secretary shall, after consulting with the Governor of the State of Ohio, develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a final master plan for the development of the recreation area consistent with the objectives of this Act, indicating:

(1) the facilities needed to accommodate the health, safety, and recreation needs of the visiting public;

(2) the location and estimated cost of all facilities; and

(3) the projected need for any additional facilities within the area.

DELAWARE WATER GAP NATIONAL RECREATION AREA

(16 U.S.C. 460o) (79 Stat. 612)

* * * * *

SEC. 2. (a) The Secretary of the Army is authorized and directed to acquire, by such means as he may deem to be in the public interest, and as a part of his acquisition of properties for the project, lands and

interests therein within the boundaries of the area, as generally depicted on the drawing entitled "Proposed Tocks Island National Recreation Area" dated and numbered September 1962, NRA-TI-7100, which drawing is on file in the Office of the National Park Service, Department of the Interior. In acquiring these lands, the Secretary of the Army may utilize such statutory authorities as are available to him for the acquisition of project lands: *Provided*, That the Secretary of the Army shall acquire no lands or interests in land by exchange for lands or interests in land in Federal ownership unless the latter are in the States of Pennsylvania, New Jersey, or New York. Periodically, and as soon as practicable after such lands and interests within the area are acquired, the Secretary of the Army shall transfer jurisdiction thereover to the Secretary of the Interior for the purposes of this Act.

Beginning on the date of the enactment of the National Parks and Recreation Act of 1978, the Secretary of the Interior is authorized to acquire for purposes of the recreation area established under this Act all lands and interests therein within the exterior boundaries of the area depicted on the drawing referred to in this subsection (including any lands within such exterior boundaries designated for acquisition by the Secretary of the Army in connection with the project referred to in this subsection). In exercising such authority, the Secretary of the Interior may permit the retention of rights of use and occupancy in the same manner as provided in the case of acquisitions by the Secretary of the Army under subsection (d). On the date of enactment of the National Parks and Recreation Act of 1978, the acquisition authorities of the Secretary of the Army contained in this subsection shall terminate and the Secretary of the Army shall transfer to the Secretary of the Interior jurisdiction over all lands and interests therein acquired by him under the authority of this Act, the Flood Control Act of 1962, or under any other authority of law which lands are within the exterior boundaries of the area depicted on the drawing referred to in this subsection. On the date of enactment of the National Parks and Recreation Act of 1978, all unexpended balances available to the Secretary of the Army for acquisition of land within the exterior boundaries referred to in the preceding sentence shall be transferred to the Secretary of the Interior to be used for such purposes. In carrying out his acquisition authority under this section the Secretary shall give priority to the following:

(1) *completion of acquisition of lands for which condemnation proceedings have been started pursuant to the authorization of the project referred to in this subsection;*

(2) *acquisition of lands of beneficial owners, not being a corporation, who in the judgment of the Secretary would suffer hardship if acquisition of their lands were delayed;*

(3) *acquisition of lands on which, in the judgment of the Secretary, there is an imminent danger of development that would be incompatible with the purposes of the recreation area;*

(4) *acquisition of lands of beneficial owners, not being a corporation, who are willing to sell their lands provided they are able to continue to use it for non-commercial residential purposes for a limited period time which will not, in the judgment of the Secretary, unduly interfere with the development of public use facili-*

ties for such national recreation area pursuant to the authorization of such area;

(5) acquisition of scenic easements when, in the judgment of the Secretary, such easements are sufficient to carry out the purposes for which such national recreation area was authorized; and

(6) acquisition of lands necessary to preserve the integrity of the recreation area.

* * * * *

GOLDEN GATE NATIONAL RECREATION AREA

(86 Stat. 1299)

AN ACT To establish the Golden Gate National Recreation Area in the State of California, and for other purposes. (86 Stat. 1299)

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

ESTABLISHMENT

SECTION 1. In order to preserve for public use and enjoyment certain areas of Marin and San Francisco Counties, California, possessing outstanding natural, historic, scenic, and recreational values, and in order to provide for the maintenance of needed recreational open space necessary to urban environment and planning, the Golden Gate National Recreational Area (hereinafter referred to as the "recreation area") is hereby established. In the management of the recreation area, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall utilize the resources in a manner which will provide for recreation and educational opportunities consistent with sound principles of land use planning and management. In carrying out the provisions of this Act, the Secretary shall preserve the recreation area, as far as possible, in its natural setting, and protect it from development and uses which would destroy the scenic beauty and natural character of the area.

COMPOSITION AND BOUNDARIES

SEC. 2. [(a) The recreation area shall comprise the lands, waters, and submerged lands generally depicted on the map entitled "Boundary Map, Golden Gate National Recreation Area", numbered NRA-GG-80, 003A, sheets 1 through 3, and dated July, 1972] (a) *The recreational area shall comprise the lands, waters, and submerged lands generally depicted on the map entitled "Revised Boundary Map, Golden Gate National Recreation Area", numbered NRA-GG-80,003-J and dated May 5, 1978.*

(b) The map referred to in this section shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior, Washington, District of Columbia. After advising the Committees on Interior and Insular Affairs of the United States House of Representatives and the United States Senate (hereinafter referred to as the "committees") in writing, the Secretary may make minor revisions of the boundaries of the recreation area when necessary by publication of a revised drawing or other boundary description in the Federal Register.

SEC. 3. (a) Within the boundaries of the recreation area, the Secretary may acquire land, improvements, waters, or interests therein, by donation, purchase, exchange or transfer. Any lands, or interests therein owned by the State of California or any political subdivision thereof, may be acquired only by donation. When any tract of land is only partly within such boundaries, the Secretary may acquire all or any portion of the land outside of such boundaries in order to minimize the payment or severance costs. Land so acquired outside of the boundaries may be exchanged by the Secretary for non-Federal lands within the boundaries. Any portion of land acquired outside the boundaries and not utilized for exchange shall be reported to the General Services Administration for disposal under the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended: *Provided*, That no disposal shall be for less than fair market value. Except as hereinafter provided, Federal property within the boundaries of the recreation area is hereby transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of this Act, subject to the continuation of such existing uses as may be agreed upon between the Secretary and the head of the agency formerly having jurisdiction over the property. Notwithstanding any other provision of law, the Secretary may develop and administer for the purposes of this Act structures or other improvements and facilities on lands for which he receives a permit of use and occupancy from the Secretary of the Army.

(b) Fort Cronkhite, Fort Barry, and the westerly one-half of Fort Baker, in Marin County, California, as depicted on the map entitled "Golden Gate Military Properties" numbered NRAGG-20,002 and dated January 1972, which shall be on file and available for public inspection in the offices of the National Park Service, are hereby transferred to the jurisdiction of the Secretary for purposes of this Act, subject to continued use and occupancy by the Secretary of the Army of those lands needed for existing air defense missions, reserve activities and family housing, until he determines that such requirements no longer exist. The Coast Guard Radio Receiver Station, shall remain under the jurisdiction of the Secretary of the Department in which the Coast Guard is operating. When the station is determined to be excess to the needs of the Coast Guard, it shall be transferred to the jurisdiction of the Secretary for purposes of this Act.

(c) The easterly one-half of Fort Baker in Marin County, California, shall remain under the jurisdiction of the Department of the Army. When this property is determined by the Department of Defense to be excess to its needs, it shall be transferred to the jurisdiction of the Secretary for purposes of this Act. The Secretary of the Army shall grant to the Secretary reasonable public access through such property to Horseshoe Bay, together with the right to construct and maintain such public service facilities as are necessary for the purposes of this Act. The precise facilities and location thereof shall be determined between the Secretary and the Secretary of the Army.

(d) Upon enactment, the Secretary of the Army shall grant to the Secretary the irrevocable use and occupancy of one hundred acres of the Baker Beach area of the Presidio of San Francisco, as depicted on the map referred to in subsection (b).

(e) The Secretary of the Army shall grant to the Secretary within a reasonable time, the irrevocable use and occupancy of **[[forty-five]** *one hundred fifteen* acres of the Crissy Army Airfield of the Presidio, as depicted on the map referred to in subsection (b).

(f) When all or any substantial portion of the remainder of the Presidio is determined by the Department of Defense to be excess to its needs, such lands shall be transferred to the jurisdiction of the Secretary for purposes of this Act. The Secretary shall grant a permit for continued use and occupancy for that portion of said Fort Point Coast Guard Station necessary for activities of the Coast Guard.

(g) Point Bonita, Point Diablo, and Line Point shall remain under the jurisdiction of the Secretary of the Department in which the Coast Guard is operating. When this property is determined to be excess to the needs of the Coast Guard, it shall be transferred to the jurisdiction of the Secretary for purposes of this Act. The Coast Guard may continue to maintain and operate existing navigational aids: *Provided*, That access to such navigational aids and the installation of necessary new navigational aids within the recreation area shall be undertaken in accordance with plans which are mutually acceptable to the Secretary and the Secretary of the Department in which the Coast Guard is operating and which are consistent with both the purposes of this Act and the purpose of existing statutes dealing with establishment, maintenance, and operation of navigational aids.

(h) That portion of Fort Miley comprising approximately one and seven-tenths acres of land presently used and required by the Secretary of the Navy for its inshore, underseas warfare installations shall remain under the administrative jurisdiction of the Department of the Navy until such time as all or any portion thereof is determined by the Department of Defense to be excess to its needs, at which time such excess portion shall be transferred to the administrative jurisdiction of the Secretary for purposes of this Act.

[(i) New construction and development within the recreation area on property remaining under the administrative jurisdiction of the Department of the Army and not subject to the provisions of subsection (d) or (e) hereof shall be limited to that which is required to accommodate facilities being relocated from property being transferred under this Act to the administrative jurisdiction of the Secretary or which is directly related to the essential missions of the Sixth United States Army: *Provided, however*, That any construction on presently undeveloped open space may be undertaken only after prior consultation with the Secretary. The foregoing limitation on construction and development shall not apply to expansion of those facilities known as Letterman General Hospital or the Wester Medical Institute of Research.]

(i) New construction and development within the boundaries described in section 2(a) on lands under the administrative jurisdiction of a department other than that of the secretary is prohibited, except that improvements on lands which have not been transferred to his administrative jurisdiction may be reconstructed or demolished. Any such structure which is demolished may be replaced with an improvement of similar size, following consultation with the Secretary or his

designated representative, who shall conduct a public hearing at a location in the general vicinity of the area, notice of which shall be given at least one week prior to the date thereof. The foregoing limitation on construction and development shall not apply to expansion of those facilities known as Letterman General Hospital or the Western Medical Institute of Research.

[(j) The owner of improved property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term of not more than twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partially donated to the United States, the Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus the fair market value on that date of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purpose of this Act, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.]

(j) The owner of improved residential property or of agricultural property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his or her heirs and assigns a right of use and occupancy for a definite term of not more than twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the death of his or her spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partly donated to the United States, The Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus the fair market value on that date of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his or her determination that it is being exercised in a manner inconsistent with the purposes of this Act, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him, or her an amount equal to the fair market value of that portion of the right which remains unexpired. Where appropriate in the discretion of the Secretary, he or she may lease federally owned land (or any interest therein) which has been acquired by the Secretary under this Act, and which was agricultural land prior to its acquisition. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act. Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land or who was a leaseholder thereon immediately before its acquisition by the United States.

(k) The term "improved property", as used in subsection (j), means a detached, noncommercial residential dwelling, the construc-

tion of which was begun before June 1, 1971, or, in the case of areas added by action of the 95th Congress, January 1, 1978, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling, which are situated on the land so designated.

The term "agricultural property", as used in this Act means lands which are in regular use for agricultural, ranching, or dairying purposes as of January 1, 1978, together with residential and other structures related to the above uses of the property as such structures exist on said date.

(1) Whenever an owner of property elects to retain a right of use and occupancy as provided for in the Act, such owner shall be deemed to have waived any benefits or rights accruing under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

(m) Notwithstanding any other provision of law, the Secretary shall have the same authority with respect to contracts for the acquisition of land and interests in land for the purposes of this Act as was given the Secretary of the Treasury for other land acquisitions by section 34 of the Act of May 30, 1908, relating to purchase of sites for public buildings (35 Stat. 545), and the Secretary and the owner of land to be acquired under this Act may agree that the purchase price will be paid in periodic installments over a period that does not exceed ten years, with interest on the unpaid balance thereof at a rate which is not in excess of the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on the installments. Judgments against the United States for amounts in excess of the deposit in court made in condemnation actions shall be subject to the provisions of the Act of July 27, 1956 (70 Stat. 624) and sections 2414 and 2517 of title 28, United States Code.

(n) The Secretary shall accept and shall manage in accordance with this Act, any land and improvements adjacent to the recreation area which are donated by the State of California or its political subdivisions. The boundaries of the recreation area shall be changed to include such donated lands.

(o) In acquiring those lands authorized by the 95th Congress for the purposes of this Act, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding that paid by the Treasury of the United States for borrowing purposes.

ADMINISTRATION

SEC. 4. (a) The Secretary shall administer the lands, waters, and interests therein acquired for the recreation area in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C.

1, 2-4), as amended and supplemented, and the Secretary may utilize such statutory authority available to him for the conservation and management of wildlife and natural resources as he deems appropriate to carry out the purposes of this Act. Notwithstanding their inclusion within the boundaries of the recreation area, the Muir Woods National Monument and Fort Point National Historic Site shall continue to be administered as distinct and identifiable units of the national park system in accordance with the laws applicable to such monument and historic site.

(b) The Secretary may enter into cooperative agreements with any Federal agency, the State of California, or any political subdivision thereof, for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement and fire preventive assistance.

(c) The authority of the Army to undertake or contribute to water resource developments, including shore erosion control, beach protection, and navigation improvements on land and/or waters within the recreation area shall be exercised in accordance with plans which are mutually acceptable to the Secretary and the Secretary of the Army and which are consistent with both the purpose of this Act and the purpose of existing statutes dealing with water and related resource development.

(d) The Secretary, in cooperation with the State of California and affected political subdivisions thereof, local and regional transit agencies, and the Secretaries of Transportation and of the Army, shall make a study for a coordinated public and private transportation system to and within the recreation area and other units of the national park system in Marin and San Francisco Counties.

(e) No fees or admission charges shall be levied for admission of the general public to the recreation area except to portions under lease or permit for a particular and limited purpose authorized by the Secretary. The Secretary may authorize reasonable charges for public transportation and, for a period not exceeding five years from the date of enactment of this legislation, for admission to the sailing vessel Balclutha.

ADVISORY COMMISSION

SEC. 5. (a) There is hereby established the Golden Gate National Recreation Area Advisory Commission (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of fifteen members appointed by the Secretary for terms of three years each.

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

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

(e) The Secretary, or his designee, shall from time to time, but at least annually, meet and consult with the Commission on general policies and specific matters related to planning, administration and development affecting the recreation area and other units of the national park system in Marin and San Francisco Counties.

(f) The Commission shall act and advise by affirmative vote of a majority of the members thereof.

(g) The Commission shall cease to exist ten years after the enactment of this Act.

APPROPRIATION LIMITATIONS

SEC. 6. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than \$61,610,000 shall be appropriated for the acquisition of lands and interests in lands. There are authorized to be appropriated not more than \$58,000,000 (May 1971 prices) for the development of the recreation area, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the type of construction involved herein.

POINT REYES NATIONAL SEASHORE

AN ACT To establish the Point Reyes National Seashore in the State of California and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to save and preserve, for purposes of public recreation, benefit, and inspiration, a portion of the diminishing seashore of the United States that remains undeveloped, the Secretary of the Interior (hereinafter referred to as the "Secretary") is hereby authorized to take appropriate action in the public interest toward the establishment of the national seashore set forth in section 2 of this Act.

§ SEC. 2. (a) The area comprising that portion of the land and waters located on Point Reyes Peninsula, Marin County, California, which shall be known as the Point Reyes National Seashore, is described as follows by reference to that certain boundary map, designated NS-PR-7001, dated June 1, 1960, on file with the Director, National Park Service, Washington, District of Columbia.

¶ Beginning at a point, not monumented, where the boundary line common to Rancho Punta de los Reyes (Sobrante) and Rancho Las Baulines meets the average high tide line of the Pacific Ocean as shown on said boundary map;

¶ Thence southwesterly from said point 1,320 feet offshore on a prolongation of said boundary line common to Rancho Punta de los Reyes (Sobrante) and Rancho Las Baulines;

¶ Thence in a northerly and westerly direction paralleling the average high tide line of the shore of the Pacific Ocean; along Drakes Bay, and around Point Reyes;

¶ Thence generally northerly and around Tomales Point, offshore a distance of 1,320 feet from average high tide line;

¶ Thence southeasterly along a line 1,320 feet offshore and parallel to the average high tide line along the west shore of Bodega Bay and Tomales Bay to the intersection of this line with a prolongation of the most northerly tangent of the boundary of Tomales Bay State Park;

¶ Thence south 54 degrees 32 minutes west 1,320 feet along the prolongation of said tangent of Tomales Bay State Park boundary to the average high tide line on the shore of Tomales Bay;

Thence following the boundary of Tomales Bay State Park in a southerly direction to a point lying 105.4 feet north 41 degrees east of an unimproved road heading westerly and northerly from Pierce Point Road;

Thence south 41 degrees west 105.4 feet to a point on the north right-of-way of said unimproved road;

Thence southeasterly along the north right-of-way of said unimproved road and Pierce Point Road to a point at the southwest corner of Tomales Bay State Park at the junction of the Pierce Point Road and Sir Francis Drake Boulevard;

Thence due south to a point on the south right-of-way of said Sir Francis Drake Boulevard;

Thence southeasterly along said south right-of-way approximately 3,100 feet to a point;

Thence approximately south 19 degrees west approximately 300 feet;

Thence south approximately 400 feet;

Thence southwest to the most northerly corner of the Inverness watershed area;

Thence southerly and easterly along the west property line of the Inverness watershed area approximately 9,040 feet to a point near the intersection of this property line with an unimproved road as shown on said boundary map;

Thence southerly along existing property lines that roughly follow said unimproved road to its intersection with Drakes Summit Road and to a point on the north right-of-way of Drakes Summit Road;

Thence easterly approximately 1,000 feet along the north right-of-way of said Drakes Summit Road to a point which is a property line corner at the intersection with an unimproved road to the south;

Thence southerly and easterly and then northerly, as shown approximately on said boundary map, along existing property lines to a point on the south right-of-way of the Bear Valley Road, approximately 1,500 feet southeast of its intersection with Sir Francis Drake Boulevard;

Thence easterly and southerly along said south right-of-way of Bear Valley Road to a point on a property line approximately 1,000 feet west of the intersection of Bear Valley Road and Sir Francis Drake Boulevard in the village of Olema;

Thence south approximately 1,700 feet to the northwest corner of property now owned by Helen U. and Mary S. Shafter;

Thence southwest and southeast along the west boundary of said Shafter property to the southwest corner of said Shafter property;

Thence approximately south 30 degrees east on a course approximately 1,700 feet to a point;

Thence approximately south 10 degrees east on a course to the centerline of Olema Creek;

Thence generally southeasterly up the centerline of Olema Creek to a point on the west right-of-way line of State Route Numbered 1;

Thence southeasterly along westerly right-of-way line to State Highway Numbered 1 to a point where a prolongation of the boundary line common to Rancho Punta de los Reyes (Sobrante) and Rancho

Las Baulines would intersect right-of-way line of State Highway Numbered 1;

¶Thence southwesterly to and along said south boundary line of Rancho Punta de los Reyes (Sobrante) approximately 2,900 feet to a property corner;

¶Thence approximately south 38 degrees east approximately 1,500 feet to the centerline of Pine Gulch Creek;

¶Thence down the centerline of Pine Gulch Creek approximately 400 feet to the intersection with a side creek flowing from the west;

¶Thence up said side creek to its intersection with said south boundary line of Rancho Punta de los Reyes (Sobrante);

¶Thence southwest along said south boundary line of Rancho Punta de los Reyes to the point of the beginning, containing approximately 53,000 acres. Notwithstanding the foregoing description, the Secretary is authorized to include within the Point Reyes National Seashore the entire tract of land owned by the Vedanta Society of Northern California west of the centerline of Olema Creek, in order to avoid a severance of said tract.】

Sec. 2 (a). The Point Reyes National Seashore shall consist of the lands, waters, and submerged lands generally depicted on the map entitled "Boundary Map, Point Reyes National Seashore", numbered 612-80,008-E and dated May 1978.

The map referred to in this section shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior, Washington, District of Columbia. After advising 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 in writing, the Secretary may make minor revisions of the boundaries of the Point Reyes National Seashore when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(b) The area referred to in subsection (a) shall also include a right-of-way to the aforesaid tract in the general vicinity of the northwesterly portion of the property known as "Bear Valley Ranch", to be selected by the Secretary, of not more than four hundred feet in width, together with such adjoining lands as would be deprived of access by reason of the acquisition of such right-of-way.

SEC. 3 (a) The Secretary is authorized to acquire, and it is the intent of Congress that he shall acquire as rapidly as appropriated funds become available for this purpose or as such acquisition can be accomplished by donation or with donated funds or by transfer, exchange, or otherwise the lands, waters, and other property, and improvements thereon and any interest therein, within the areas described in section 2 of this Act or which lie within the boundaries of the seashore as established under section 5 of this Act (hereinafter referred to as "such area"). Any property, or interest therein, owned by a State or political subdivision thereof may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying

out the provisions of this Act. In exercising his authority to acquire property in accordance with the provisions of this subsection, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized by section 8 of this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

(b) The Secretary is authorized to pay for any acquisitions which he makes by purchase under this Act their fair market value, as determined by the Secretary, who may in his discretion base his determination on an independent appraisal obtained by him.

(c) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property located within such area and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary within California and adjacent States, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value, provided that the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

SEC. 4. (a) As soon as practicable after the date of enactment of this Act and following the acquisition by the Secretary of an acreage in the area described in section 2 of this Act, that is in the opinion of the Secretary efficiently administrable to carry out the purposes of this Act, the Secretary shall establish Point Reyes National Seashore by the publication of notice thereof in the Federal Register.

(b) Such notice referred to in subsection (a) of this section shall contain a detailed description of the boundaries of the seashore which shall encompass an area as nearly as practicable identical to the area described in section 2 of this Act. The Secretary shall forthwith after the date of publication of such notice in the Federal Register (1) send a copy of such notice, together with a map showing such boundaries, by registered or certified mail to the Governor of the State and to the governing body of each of the political subdivisions involved; (2) cause a copy of such notice and map to be published in one or more newspapers which circulate in each of the localities; and (3) cause a certified copy of such notice, a copy of such map, and a copy of this Act to be recorded at the registry of deeds for the county involved.

SEC. 5. (a) Any owner or owners (hereinafter in this subsection referred to as "owner") of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term of fifty years. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.]

Sec. 5 (a) The owner of improved property or of agricultural property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his or her heirs and assigns a right of use and occupancy for a definite term of not more than twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the death of his or her spouse, whichever

is later. The owner shall elect the term to be reserved. Unless the property is wholly or partly donated to the United States, the Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus the fair market value on that date of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his or her determination that it is being exercised in a manner inconsistent with the purposes of this Act, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him or her an amount equal to the fair market value of that portion of the right which remains unexpired. Where appropriate in the discretion of the Secretary, he or she may lease federally owned land (or any interest therein) which has been acquired by the Secretary under this Act, and which was agricultural land prior to its acquisition. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act. Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land or was leaseholder thereon immediately before its acquisition by the United States.

(b) As used in this Act, the term "improved property" shall mean a private noncommercial dwelling, including the land on which it is situated, whose construction was begun before September 1, 1959, or, in the case of areas added by action of the 95th Congress, May 1, 1978, and structures accessory thereto (hereinafter in this subsection referred to as "dwelling"), together with such amount and locus of the property adjoining and in the same ownership as such dwelling as the Secretary designates to be reasonably necessary for the enjoyment of such dwelling for the sole purpose of noncommercial residential use and occupancy. In making such designation the Secretary shall take into account the manner of noncommercial residential use and occupancy in which the dwelling and such adjoining property has usually been enjoyed by its owner or occupant.

The term "agricultural property" as used in this Act means lands which were in regular use for, or were being converted to agricultural, ranching, or dairying purposes as of May 1, 1978, together with residential and other structures related to the above uses of the property.

(c) *In acquiring those lands authorized by the 95th Congress for the purposes of this Act, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding that paid by the Treasury of the United States for borrowing purposes.*

SEC. 6. (a) Except as otherwise provided in this Act, the property acquired by the Secretary under this Act shall be administered by the Secretary, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and in accordance with other laws of general application relating to the national park system as defined by the Act of August 8, 1953 (67 Stat. 496), except that authority otherwise available to the Secretary for the conservation and management of natural resources may be

utilized to the extent he finds such authority will further the purposes of this Act.

(b) The Secretary may permit hunting and fishing on lands and waters under his jurisdiction within the seashore in such areas and under such regulations as he may prescribe during open seasons prescribed by applicable local, State, and Federal law. The Secretary shall consult with officials of the State of California and any political subdivision thereof who have jurisdiction of hunting and fishing prior to the issuance of any such regulations, and the Secretary is authorized to enter into cooperative agreements with such officials regarding such hunting and fishing as he may deem desirable.

SEC. 7. The Secretary shall designate the principal environmental education center within the seashore as "The Clem Miller Environmental Education Center", in commemoration of the vision and leadership which the later Representative Clem Miller gave to the creation and protection of Point Reyes National Seashore.

SEC. 8. *The Secretary shall cooperate with the Bolinas Public Utilities District to protect and enhance the watershed values within the seashore. The Secretary may, at his or her discretion, permit the use and occupancy of lands within the seashore by the utilities district for water supply purposes, subject to such terms and conditions as the Secretary deems are consistent with the purposes of this Act.*

SEC. [8] 9. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, except that no more than \$57,500,000 shall be appropriated for the acquisition of land and waters and improvements thereon, and interests therein, and incidental costs relating thereto, in accordance with the provisions of this Act: *Provided*, That no freehold, leasehold, or lesser interest in any lands hereafter acquired within the boundaries of the Point Reyes National Seashore shall be conveyed for residential or commercial purposes except for public accommodations, facilities, and services provided pursuant to the Act of October 9, 1965 (Public Law 89-249; 79 Stat. 969).

CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK

(16 U.S.C. 431) (84 Stat. 1978)

* * * * *

SEC. 8. (a) Any funds that may be available for purposes of administration of the Chesapeake and Ohio Canal property may hereafter be used by the Secretary for the purposes of the park.

(b) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed **[\$20,400,000]** *\$28,400,000* for land acquisition and not to exceed **[\$17,000,000 (1970 prices)]** *\$22,000,000 (October 1978 prices)* for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein.

VIRGIN ISLANDS NATIONAL PARK

(76 Stat. 746)

AN ACT To revise the boundaries of the Virgin Islands National Park, Saint John, Virgin Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the purposes of the Act of August 2, 1956 (70 Stat. 940), as amended, providing for the establishment of the Virgin Islands National Park, and in order to preserve for the benefit of the public significant coral gardens, marine life, and seascapes in the vicinity thereof, the boundaries of such park, subject to valid existing rights, are hereby revised to include the adjoining lands, submerged lands, and waters, and Hassel Island located in Saint Thomas Harbor and adjoining lands, submerged lands and waters described as follows:

* * * * *

Thence running generally eastward along the present southerly park boundary as it follows the southerly shore of the island of Saint John as depicted on the said drawing numbered NP-VI-7000 to point L, the point of beginning.

The area described contains approximately 1,550 acres.

HASSEL ISLAND

The area known as Hassel Island in Saint Thomas Harbor consisting of approximately one hundred and thirty-five acres, together with such adjoining lands, submerged lands, and waters as the Secretary of the Interior deems appropriate, but the boundaries shall not, in any event, extend beyond one hundred yards from the mean high water mark of the island.

Lands, submerged lands, and waters added to the Virgin Islands National Park pursuant to this Act shall be subject to administration by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), as amended and supplemented.

SEC. 2. (a) Within the boundaries of Virgin Islands National Park as established and adjusted pursuant to the Act of August 2, 1956 (70 Stat. 940), and as revised by this Act, the Secretary of the Interior is authorized to acquire lands, waters, and interests therein by purchase, exchange or donation or with donated funds. *In acquiring such lands, up to 6.6 acres, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding the current prevailing commercial rate.*

(b) *The Secretary is authorized and directed to the maximum extent feasible to employ and train residents of the Virgin Islands to develop, maintain, and administer the Virgin Islands National Park.*

(c) Subject to continued protection and use of Hassel Island for park and recreation purposes and such other conditions as the Secretary may deem appropriate, the Territory of the Virgin Islands may, within but not after five years after the date of the enactment of this subsection, by duly enacted legislation acquire all interests of the United States in Hassel Island by reimbursing the United States in an amount equal to the amount actually expended by the United States for the acquisition of lands and interests in lands and for the costs of construction of permanent improvements, if any.

(d) (1) Except for property deemed necessary by the Secretary of the Interior for visitor facilities or administration of the park, any owner or owners of improved property on Hassel Island on the date of its acquisition, may retain for themselves a nontransferable right of use and occupancy of the property for noncommercial residential purposes, for twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the owner's spouse, whichever is later. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner. The authority of the Secretary to acquire the property commonly known as the Royal Mail (hotel) by condemnation shall be suspended for ten years from the date of enactment and the Secretary shall acquire such property only with the consent of the owner or owners thereof, if such owner or owners agree, in writing, within ninety days after the enactment of this subsection to grant to the United States the right of first refusal to purchase such property at a purchase price not exceeding the fixed value of said property on July 1, 1978.

(2) As used in subsection (d) (1), "improved residential property" means a single-family dwelling, the construction of which began January 1, 1977, together with such lands as are in the same ownership and appurtenant buildings located thereon.

(3) The Secretary may terminate a right of use and occupancy retained pursuant to subsection (d) (1) upon his determination that such use and occupancy is being, or may be, exercised in a manner inconsistent with the purposes for which they were included within the park and upon tender to the holder of such right of the amount equal to the value of that portion of the right which remains unexpired on the date of termination.

SEC. 3. (a) Nothing in this Act shall be construed as authorizing any limitation on customary uses of or access to the areas specified in section 1 for bathing and fishing (including setting out of fishpots and landing boats), subject to such regulations as the Secretary of the Interior may find reasonable and necessary for protection of natural conditions and prevention of damage to marine life and formations.

(b) (1) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed on any permanent resident of the Virgin Islands for entrance or admission into the Virgin Islands National Park.

(2) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed on any United States military personnel or dependents of such personnel for entrance or admission into the Virgin Islands National Park.

[SEC. 4. There are hereby authorized to be appropriated such sums, but not more than \$1,250,000, as are necessary to acquire lands pursuant to section 2 of this Act.]

Sec. 4. Effective October 1, 1978, there are authorized to be appropriated such sums as may be necessary for the acquisition of lands and interests in lands within the Virgin Islands National Park. For purposes of this section, acquisitions of land on Hassel Island shall be deemed to be acquisitions qualifying for payment under the provisions of paragraph (2) of the Act of June 10, 1977 (Public Law 95-42; 91 Stat. 210). In addition to such sums as may have heretofore been appropriated for development of public facilities within the Virgin Islands National Park, effective October 1, 1978, there are authorized to be appropriated not more than \$1,000,000 for restoration and rehabilitation of historic structures and for development of public facilities on Hassel Island: Provided, That not more than \$500,000 of such amount may be paid to the Territory of the Virgin Islands for its use in furthering projects undertaken pursuant to the Land and Water Conservation Fund Act, the Historic Preservation Act, or other comparable programs upon the transfer of title to the United States of all properties held by the Territory on Hassel Island.

(70 Stat. 940)

AN ACT To authorize the establishment of the Virgin Islands National Park, and for other purposes.

* * * * *

SEC. 2. * * *

* * * * *

(c) The Secretary, on behalf of the United States, is authorized to accept donations of real and personal property within the areas selected for the park until such time as the aforesaid total of nine thousand five hundred acres shall have been acquired for the park by the United States, and he may also accept donations of funds for the purposes of this Act; *Notwithstanding the acreage limitations and boundary designations contained in this section, the Secretary may, for administration as part of the park, also acquire, with the consent of the owner or by donation, real and personal property which is not within the defined boundaries of the park.*

ALIBATES FLINT QUARRIES AND TEXAS PANHANDLE PUEBLO CULTURE
NATIONAL MONUMENT

(79 Stat. 587)

That the Secretary of the Interior may designate, acquire and administer as a national monument lands and interests in lands comprising the Alibates Flint Quarries and the Texas Panhandle Pueblo Culture sites, together with any structures and improvements thereon, located in and around Potter County, Texas. *The national monument shall comprise the area generally depicted on the map entitled "Boundary Map, Alibates Flint Quarries", numbered 432-80,021, and dated*

November 1976. Minor boundary adjustments may be made from time to time by the Secretary.

* * * * *

SEC. 3. There is hereby authorized to be appropriated not to exceed \$3,000 for the acquisition of land and not to exceed [\$260,000] \$2,250,000 for the development of the area.

FIRE ISLAND NATIONAL SEASHORE

(78 Stat. 928)

That (a) for the purpose of conserving and preserving for the use of future generations certain relatively unspoiled and undeveloped beaches, dunes, and other natural features within Suffolk County, New York, which possess high values to the Nation as examples of unspoiled areas of great natural beauty in close proximity to large concentrations of urban population, the Secretary of the Interior is authorized to establish an area to be known as the "Fire Island National Seashore".

[(b) The boundaries of the national seashore shall extend from the easterly boundary of Robert Moses State Park eastward to Moriches Inlet and shall include not only Fire Island proper, but also such islands and marshlands in the Great South Bay, Bellport Bay, and Moriches Bay adjacent to Fire Island as Sexton Island, West Island, Hollins Island, Ridge Island, Pelican Island, Pattersquash Island, and Reeves Island and such other small and adjacent islands, marshlands, and wet lands as would lend themselves to contiguity and reasonable administration within the national seashore and, in addition, the waters surrounding said area to distances of one thousand feet in the Atlantic Ocean and up to four thousand feet in Great South Bay and Moriches Bay, all as delineated on a map identified as "Fire Island National Seashore No. OGP-0002", dated June 1964. The Secretary shall file said map with the Federal Register, and it may also be examined in the offices of the Department of the Interior.]

(b) The boundaries of the national seashore shall extend from the easterly boundary of the main unit of Robert Moses State Park eastward to Moriches Inlet and shall include not only Fire Island proper, but also such islands and marshlands in the Great South Bay, Bellport Bay, and Moriches Bay adjacent to Fire Island as Sexton Island, West Island, Hollins Island, Ridge Island, Pelican Island, Pattersquash Island, and Reeves Island and such other small and adjacent islands, marshlands, and wetlands as would lend themselves to contiguity and reasonable administration within the distances of one thousand feet in the Atlantic Ocean and up to four thousand feet in Great South Bay and Moriches Bay and, in addition, mainland terminal and headquarters sites, not to exceed a total of twelve acres, on the Patchogue River within Suffolk County, New York, all as delineated on a map identified as "Fire Island National Seashore #OGP-0004", dated May 1978. The Secretary shall publish said map in the Federal Register, and it may also be examined in the offices of the Department of the Interior.

SEC. 2. (a) The Secretary is authorized to acquire, and it is the intent of Congress that he shall acquire as appropriated funds become available for the purpose or as such acquisition can be accomplished

by donation or with donated funds or by transfer, exchange, or otherwise, the lands, waters, and other property, and improvements thereon and any interest therein, within the boundaries of the seashore as established under section 1 of this Act. Any property or interest therein owned by the State of New York, by Suffolk County, or by any other political subdivision of said State may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act. In exercising his authority to acquire property in accordance with the provisions of this subsection, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized by this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

(b) When the Secretary determines that lands and waters or interests therein have been acquired by the United States in sufficient quantity to provide an administrative unit, he shall declare the establishment of the Fire Island National Seashore by publication of notice in the Federal Register.

(c) The Secretary shall pay not more than the fair market value, as determined by him, for any land or interest therein acquired by purchase.

(d) When acquiring land by exchange the Secretary may accept title to any nonfederally owned land located within the boundaries of the national seashore and convey to the grantor any federally owned land under the jurisdiction of the Secretary. The lands so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the lands exchanged.

(e) [With one exception the] *The* Secretary shall not acquire any privately owned improved property or interests therein within the boundaries of the seashore or any property or interests therein within the communities delineated on the boundary map mentioned in section 1, except beach or waters and adjoining land within such communities which the Secretary determines are needed for public access to the beach, without the consent of the owners so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that is satisfactory to the Secretary. [The sole exception.] *An exception* to this limitation on the power of the Secretary to condemn improved property where appropriate zoning ordinances exist shall be in the approximately eight-mile area from the easterly boundary of the Brookhaven town park at Davis Park, in the town of Brookhaven, to the westerly boundary of the Smith Point County Park. In this area only, when the Secretary deems it advisable for carrying out the purposes of this Act or to improve the contiguity of the park land and ease its administration, the Secretary may acquire any land or improvements therein by condemnation. In every case in which the Secretary exercises this right of condemnation of improved property the beneficial owner or owners (not

being a corporation) of any improved property so condemned, provided he, she, or they held the same or a greater estate in the property on July 1, 1963, may elect as a condition of such acquisition by the Secretary any one of the following three alternatives:

(1) that the Secretary shall take the said property in fee simple absolute and pay the fair market value thereof as of the date of such taking;

(2) that the owner or owners shall retain a life estate in said property, measured on the life of the sole owner or on the life of any one person among multiple owners (notice of the person so designated to be filed in writing with the Secretary within six months after the taking) or on the life of the survivor in title of any estate held on July 1, 1963, as a tenancy by the entirety. The price in such case shall be diminished by the actuarial fair market value of the life estate retained, determined on the basis of standard actuarial methods;

(3) that the owner or owners shall retain an estate for twenty-five years. The price in this case shall likewise be diminished by the value of the estate retained.

(f) The term "improved property" as used in this Act shall mean any building, the construction of which was begun before July 1, 1963, and such amount of land, not in excess of two acres in the case of a residence or ten acres in the case of a commercial or industrial use, on which the building is situated as the Secretary considers reasonably necessary to the use of the building: *Provided*, That the Secretary may exclude from improved properties any beach or waters, together with so much of the land adjoining such beach or waters as he deems necessary for public access thereto.

(g) *Notwithstanding the limitations of subsection (e):*

(1) *the authority of the Secretary to condemn undeveloped tracts within the Dune District as depicted on map entitled "Fire Island National Seashore # OGP-0004" dated May 1978, is suspended so long as the owner or owners of the undeveloped property therein maintain the property in its natural state. The Secretary is authorized to acquire developed properties within the Dune District when there is storm damage to improvements on the property in excess of fifty percent of the fair market value of such improvements or when the owner or owners of such property undertake exterior improvements which are other than routine maintenance activities; and*

(2) *in the event of catastrophic storm damage within any of the delineated communities, the Secretary is authorized to condemn improved and unimproved properties when ninety percent or more of all structures within a community are destroyed and damage to each structure to be acquired is in excess of fifty percent of its fair market value. Structures damaged less than 50 percent of fair market value remain as inholdings exempt from condemnation.*

GLACIER NATIONAL PARK

(36 Stat. 354)

That the tract of land in the State of Montana particularly described by metes and bounds as follows, to wit: Commencing at a point on the

international boundary between the United States and the Dominion of Canada at the middle of the Flathead River; thence following southerly along and with the middle of the Flathead River to its confluence with the Middle Fork of the Flathead River; thence following the north bank of said Middle Fork of the Flathead River to where it is crossed by the north boundary of the right of way of the Great Northern Railroad; thence following the said right of way to where it intersects the west boundary of the Blackfeet Indian Reservation; thence northerly along said west boundary to its intersection with the international boundary; thence along said international boundary to the place of beginning, is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States, and dedicated and set apart as a public park or pleasure ground for the benefit and enjoyment of the people of the United States under the name of "The Glacier National Park;" and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as hereinafter provided, shall be considered trespassers and removed therefrom: *Provided*, That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States or the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land: [*Provided further*, That rights of way through the valleys of the North and Middle forks of the Flathead River for steam or electric railways may be acquired within said Glacier National Park under filings or proceedings heretofore or hereafter made or instituted under the laws applicable to the acquisition of such rights over or upon the unappropriated public domain of the United States, and that the United States Reclamation Service may enter upon and utilize for flowage or other purposes any area within said park which may be necessary for the development and maintenance of a government reclamation project:] *And provided further*, That no lands within the limits of said park hereby created belonging to or claimed by any railroad or other corporation now having or claiming the right of indemnity selection by virtue of any law or contract whatsoever shall be used as a basis for indemnity selection in any State or Territory whatsoever for any loss sustained by reason of the creation of said park.

GUAM

(77 Stat. 302)

* * * * *

SEC. 3. The Secretary of the Treasury shall withhold from sums collected pursuant to section 30 of the Organic Act of Guam (48 U.S.C. 1421h), before such sums are transferred to the Government of Guam, such amounts as the Secretary of the Interior estimates will reimburse the United States[, with interest as set forth below.] over a period of thirty years beginning June 30, 1968, for

- (a) 100 per centum of such moneys as are paid under section 2 hereof for water projects, power projects, or telephone projects;
- (b) 100 per centum of such moneys as are paid under section 2 hereof for use by the Government of Guam to permit Guam to qualify for participation in Federal programs; and

(c) 50 per centum of all other moneys as are paid under section 2 hereof.

【The foregoing amounts, until reimbursed to the United States, shall bear interest beginning July 1, 1968, at a rate determined by the Secretary of the Treasury, which rate shall be determined by the Secretary of the Treasury, taking into consideration the average yield on outstanding marketable obligations of the United States of comparable maturities as of the last day of the month preceding the advance, adjusted to the nearest one-eighth of 1 per centum. All sums so withheld shall be deposited in the Treasury of the United States as miscellaneous receipts.】

All amounts heretofore withheld from sums collected pursuant to section 30 of the said Organic Act as interest on the amounts made available to the Government of Guam pursuant to this Act shall be credited as reimbursement payments by Guam on the principal amount advanced by the United States under this Act.

NATIONAL TRAILS SYSTEM

(16 U.S.C. 1241) (82 Stat. 919)

SEC. 5 (a) * * *

* * * * *

(3) The Secretary of the Interior shall establish an advisory council for the Appalachian National Scenic Trail, and the Secretary of Agriculture shall establish an advisory council for the Pacific Crest National Scenic Trail. The appropriate Secretary shall consult with such council from time to time with respect to matters relating to the trail, including the selection of rights-of-way, standards of the erection and maintenance of markers along the trail, and the administration of the trail. The members of each advisory council, which shall not exceed thirty-five in number, shall serve without compensation or expense to the Federal Government for a term of five years and shall be appointed by the appropriate Secretary as follows:

(i) A member appointed to represent each Federal department or independent agency administering lands through which the trail route passes and each appointee shall be the person designated by the head of such department or agency;

(ii) A member appointed to represent each State through which the trail passes and such appointments shall be made from recommendations of the Governors of such States;

(iii) One or more members appointed to represent private organizations, including landowners and land users, that, in the opinion of the Secretary have an established and recognized interest in the trail and such appointments shall be made from recommendations of the heads of such organizations: *Provided*, That the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the Appalachian Trail passes; and

(iv) The Secretary shall designate one member to be chairman and shall fill vacancies in the same manner as the original appointment.

(4) *The Mormon Pioneer National Historic Trail, a route of approximately one thousand three hundred miles extending from Nauvoo, Illinois, to Salt Lake City, Utah, following the primary historical route of the Mormon Trail as generally depicted on a map, identified as, 'Mormon Trail Vicinity Map, figure 2' in the Department of the Interior Mormon Trail study report dated March 1977, and which shall be on file and available for public inspection in the Office of the Director of the National Park Service. The Trail shall be administered by the Secretary of the Interior.*

"(5) *The Continental Divide National Scenic Trail, a trail of approximately thirty-one hundred miles, extending from the Montana-Canada border to the New Mexico border, following the approximate route depicted on the map, identified as 'Proposed Continental Divide National Scenic Trail' in the Department of the Interior Continental Divide Trail Study Report dated March 1977. The Continental Divide National Scenic Trails shall be administered by the Secretary of Agriculture in consultation with the Secretary of the Interior. Notwithstanding the provisions of section 7(c), the use of motorized vehicles on roads which will be designated segments of the Continental Divide National Scenic Trail shall be permitted in accordance with regulations prescribed by the appropriate Secretary.*

"(6) *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 file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The trail shall be administered by the Secretary of the Interior."*

* * * * *

(23) *Overmountain Men Victory Trail extending from the vicinity of Elizabethton, Tennessee, to Kings Mountain National Military Park, South Carolina.*

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

(86 Stat. 1266)

* * * * *

"SEC. 17. (a) In addition to the sums heretofore appropriated, there are authorized to be appropriated for operating and administrative expenses of the Corporation sums not to exceed \$1,300,000 for the fiscal year ending June 30, 1976; \$325,000 for the period July 1 through September 30, 1976; [and] \$1,500,000 each, for the fiscal years ending September 30, 1977, and September 30, 1978; and \$2,000,000 for the fiscal year ending September 30, 1979.

PRESERVATION OF HISTORICAL AND ARCHAEOLOGICAL DATA

(16 U.S.C. 469a) (74 Stat. 220)

SEC. 7. * * * (b) For the purposes of section 3 (b) of this Act, there are authorized to be appropriated such sums as may be necessary, but not more than \$500,000 in fiscal year 1974; \$1,000,000 in fiscal year 1975; \$1,500,000 in fiscal year 1976; \$1,500,000 in fiscal year 1977; [and] \$1,500,000 in fiscal year 1978; \$500,000 in fiscal year 1979; \$1,000,000 in fiscal year 1980; \$1,500,000 in fiscal year 1981; \$1,500,000 in fiscal year 1982; and \$1,500,000 in fiscal year 1983.

(c) For the purposes of section 4 (a) of this Act, there are authorized to be appropriated not more than \$2,000,000 in fiscal year 1974; \$2,000,000 in fiscal year 1975; \$3,000,000 in fiscal year 1976; \$3,000,000 in fiscal year 1977; [and] \$3,000,000 in fiscal year 1978; \$3,000,000 in fiscal year 1979; \$3,000,000 in fiscal year 1980; \$3,500,000 in fiscal year 1981; \$3,500,000 in fiscal year 1982; and \$4,000,000 in fiscal year 1983.

(d) Beginning with fiscal year 1979, sums appropriated as provided in this section shall remain available until expended.

PARK SYSTEM ADMINISTRATION

(84 Stat. 825)

SEC. 8. The Secretary of the Interior is directed to investigate, study, and continually monitor the welfare of areas whose resources exhibit qualities of national significance and which may have potential for inclusion in the National Park System. At the beginning of each fiscal year, the Secretary shall transmit to the Speaker of the House of Representatives and to the President of the Senate, comprehensive reports on each of those areas upon which studies have been completed. On this same date, and accompanying such reports, the Secretary shall transmit a listing, in generally descending order of importance or merit, of not less than twelve such areas which appear to be of national significance and which may have potential for inclusion in the National Park System. Threats to resource values, and cost escalation factors shall be considered in listing the order of importance or merit. Such listing may be comprised of any area heretofore submitted under terms of this section, and which at the time of listing are not included in the National Park System. The Secretary is also directed to transmit annually to the Speaker of the House of Representatives and to the President of the Senate, at the beginning of each fiscal year, a complete and current list of all areas included on the Registry of Natural Landmarks and those areas of national significance listed on the National Register of Historic places which areas exhibit known or anticipated damage or threats to the integrity of their resources, along with notations as to the nature and severity of such damage or threats. Each report and annual listing shall be printed as a House document. *For the purposes of carrying out the studies for potential new Park System units and for monitoring the welfare of those resources, there are authorized to be appropriated annually not to exceed \$3,000,000. For the purposes of monitoring the welfare and in-*

tegrity of the national landmarks, there are authorized to be appropriated annually not to exceed \$1,500,000.

* * * * *

[(b) General management plans for the development of each unit of the National Park System, including the areas within the national capital region, shall be prepared by the Director of the National Park Service and transmitted to the Committee on Interior and Insular Affairs. Such plans shall include:

["(1) the facilities which the Director finds necessary to accommodate the health, safety, and recreation needs of the visiting public, including such facilities as he may deem appropriate to provide in accordance with the provisions of the Act of October 9, 1965 (79 Stat. 969);

["(2) the location and estimated cost of all such facilities; and

["(3) the projected need for any additional facilities required for such unit.]

(b) General management plans for the preservation and use of each unit of the National Park System, including areas within the national capital area, shall be prepared and revised in a timely manner by the Director of the National Park Service. On January 1 of each year, the Secretary shall submit to the Congress a list indicating the current status of completion or revision of general management plans for each unit of the National Park System. General management plans for each unit shall include, but not be limited to:

(1) measures for the preservation of the area's resources;

(2) indications of types and general intensities of development (including visitor circulation and transportation patterns, systems and modes) associated with public enjoyment and use of the area, including general locations, timing of implementation, and anticipated costs;

(3) identification of and implementation commitments for visitor carrying capacities for all areas of the unit; and

(4) indications of potential modifications to the external boundaries of the unit, and the reasons therefor.

(c) The Secretary of the Interior shall hereafter transmit to the Committees on Interior and Insular Affairs all proposed awards of concession leases and contracts involving a gross annual business of \$100,000 or more, [or exceeding five years] or of five years or more in duration (including renewals thereof), and all proposed rules and regulations relating thereto, sixty days before such awards are made or such rules and regulations are promulgated. The Act of July 14, 1956 (70 Stat. 543) is hereby repealed."

LAND AND WATER CONSERVATION FUND ACCOMPLISHMENTS
REPORTING DATE

(78 Stat. 897)

SEC. 6. * * *

* * * * *

(f) * * *

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(7) Each State shall evaluate its grant programs annually under guidelines set forth by the Secretary and shall transmit, *so as to be received by the Secretary no later than December 1*, such evaluation to the Secretary, together with a list of all projects funded during that fiscal year, including, but not limited to, a description of each project, the amount of Federal funds employed in such project, the source of other funds, and the estimated cost of completion of the project. Such evaluation and the publication of same shall be eligible for funding on a 50-50 matching basis. The results of the evaluation shall be annually reported on a fiscal year basis to the Bureau of Outdoor Recreation, which agency shall forward a summary of such reports to the Committees on Interior and Insular Affairs of the United States Congress *by no later than February 15 of each year*. Such report to the committees shall also include an analysis of the accomplishments of the fund for the period reported, and may also include recommendations as to future improvements for the operation of the Land and Water Conservation Fund program.

HELLS CANYON NATIONAL RECREATION AREA

* * * * *

Public Law 94-199

That (a) to assure that the natural beauty, and historical and archeological values of the Hells Canyon area and the seventy-one-mile segment of the Snake River between Hells Canyon Dam and the Oregon-Washington border, together with portions of certain of its tributaries and adjacent lands, are preserved for this and future generations, and that the recreational and ecologic values and public enjoyment of the area are thereby enhanced, there is hereby established the Hells Canyon National Recreation Area.

(b) The Hells Canyon National Recreation Area (hereinafter referred to as the "recreation area"), which includes the Hells Canyon Wilderness (hereinafter referred to as the "wilderness"), the components of the Wild and Scenic Rivers System designated in section 3 of this Act, and the wilderness study areas designated in subsections 8(d) of this Act, shall comprise the land and waters generally depicted on the map entitled "Hells Canyon National Recreation Area" dated **[September 1975]** *May 1978* which shall be on file and available for public inspection in the office of the Chief, Forest Service, United States Department of Agriculture. The Secretary of Agriculture (hereinafter referred to as "the Secretary"), shall, as soon as practicable, but no later than eighteen months after the date of enactment of this Act, publish a detailed boundary description of the recreation area, the wilderness study areas designated in subsection 8(d) of this Act, and the wilderness established in section 2 of this Act in the Federal Register.

THEODORE ROOSEVELT INAUGURAL NATIONAL HISTORIC SITE

(Public Law 89-708)

* * * * *

That, notwithstanding any other provision of law, the Secretary of the Interior shall, subject to the provisions of section 2 of this Act, 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. The Secretary shall provide, in accordance with section 2 of this Act, for the operation and maintenance, [at no expense to the United States] *at no expense to the Secretary of the Interior* of such property as a national historic site for the inspiration and benefit of the people of the United States.

WILD AND SCENIC RIVERS ACT

(82 Stat. 906; 16 U.S.C. 1271 and following)

* * * * *

SEC. 2. (a) The national wild and scenic rivers system shall comprise rivers (i) that are authorized for inclusion therein by Act of Congress, or (ii) that are designated as wild, scenic or recreational rivers by or pursuant to an act of the legislature of the State or States through which they flow, that are to be permanently administered as wild, scenic or recreational rivers by an agency or political subdivision of the State or States concerned [without expense to the United States], that are found by the Secretary of the Interior, upon application of the Governor of the State or the Governors of the States concerned, or a person or persons thereunto duly appointed by him or them, to meet the criteria established in this Act and such criteria supplementary thereto as he may prescribe, and that are approved by him for inclusion in the system, including, upon application of the Governor of the State concerned, the Allagash Wilderness Waterway, Maine; that segment of the Wolf River, Wisconsin, which flows through Langlade County and that segment of the New River in North Carolina extending from its confluence with Dog Creek downstream approximately 26.5 miles to the Virginia State line. *Upon receipt of an application under clause (ii) of this subsection, the Secretary shall notify the Federal Energy Regulatory Commission and publish such application in the Federal Register. Each river designated under clause (ii) shall be administered by the agency or political subdivision thereof without expense to the United States other than for administration and management of federally owned lands. For purposes of the preceding sentence amounts made available to any State or political subdivision under the Land and Water Conservation Act of 1965 or any other provision of law shall not be treated as an expense to the United States. Nothing in this subsection shall be construed to provide for the transfer to, or administration by, a State or local authority of any federally owned lands which are within the boundaries of any river included within the system under clause (ii).*

* * * * *

SEC. 3 (a) The following rivers and the land adjacent thereto are hereby designated as components of the national wild and scenic rivers system:

(1) * * *

* * * * *

(10) CHATTOOGA, NORTH CAROLINA, SOUTH CAROLINA, GEORGIA.—The Segment from 0.8 mile below Cashiers Lake in North Carolina to Tugaloo Reservoir, and the West Fork Chattooga River from its junction with Chattooga upstream 7.3 miles, as generally depicted on the boundary map entitled "Proposed Wild and Scenic Chattooga River and Corridor Boundary", dated August 1973; to be administered by the Secretary of Agriculture: *Provided*, That the Secretary of Agriculture shall take such action as is provided for under subsection (b) of this section within one year from the date of enactment of this paragraph (10): *Provided further*, That for the purposes of this river, there are authorized to be appropriated not more than **[\$2,000,000]** \$5,200,000 for the acquisition of lands and interests in lands and not more than \$809,000 for development.

* * * * *

(16) PERE MARQUETTE, MICHIGAN.—*The segment downstream from the junction of the Middle and Little South Branches to its junction with United States Highway 31 as generally depicted on the boundary map entitled "Proposed Boundary Location, Pere Marquette Wild and Scenic River,"; to be administered by the Secretary of Agriculture. After consultation with State and local governments and the interested public, the Secretary shall take such action as is provided for under subsection (b) with respect to the segment referred to in this paragraph within one year from the date of enactment of this paragraph. For the purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not more than \$8,125,000 for the acquisition of lands or interests in lands and \$402,000 for development.*

(17) RIO GRANDE, TEXAS.—*The segment on the United States side of the river from river mile 842.3 above Mariscal Canyon downstream to river mile 651.1 at the Terrell-Val Verde County line; to be administered by the Secretary of the Interior. The Secretary shall, within two years after the date of enactment of this paragraph, take such action with respect to the segment referred to in this paragraph as is provided for under subsection (b). The action required by such subsection (b) shall be undertaken by the Secretary, after consultation with the United States Commissioner, International Boundary and Water Commission, United States and Mexico, and appropriate officials of the State of Texas and its political subdivisions. The development plan required by subsection (b) shall be construed to be a general management plan only for the United States side of the River and such plan shall include, but not be limited to, the establishment of a detailed boundary which shall include an average of not more than 160 acres per mile. Nothing in this Act shall be construed to be in conflict with—*

(A) *the commitments or agreements of the United States made by or in pursuance of the treaty between the United States and Mexico regarding the utilization of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington, February 1944 (59 Stat. 1219), or*

(B) *the treaty between the United States and Mexico regarding maintenance of the Rio Grande and Colorado River as the*

international boundary between the United States and Mexico, signed November 23, 1970.

For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated such sums as may be necessary, but not more than \$1,650,000 for the acquisition of lands and interests in lands and not more than \$1,800,000 for development.

(18) *SKAGIT, WASHINGTON.—The segment from the pipeline crossing at Sedro-Woolley upstream to and including the mouth of Bacon Creek; the Cascade River from its mouth to the junction of its North and South Forks; the South Fork to the boundary of the Glacier Peak Wilderness Area; the Suiattle River from its mouth to the boundary of the Glacier Peak Wilderness Area at Milk Creek; the Sauk River from its mouth to its junction with Elliot Creek; the North Fork of the Sauk River from its junction with the South Fork of the Sauk to the boundary of the Glacier Peak Wilderness Area; as generally depicted on the boundary map entitled "Skagit River—River Area Boundary"; all segments to be administered by the Secretary of Agriculture. Rip-rapping related to natural channels with natural rock along the shorelines of the Skagit segment to preserve and protect agricultural land shall not be considered inconsistent with the values for which such segment is designated. After consultation with affected Federal agencies, State and local government and the interested public, the Secretary shall take such action as is provided for under subsection (b) with respect to the segments referred to in this paragraph within one year from the date of enactment of this paragraph; as part of such action, the Secretary of Agriculture shall investigate that portion of the North Fork of the Cascade River from its confluence with the South Fork to the boundary of the North Cascades National Park and if such portion is found to qualify for inclusion, it shall be treated as a component of the Wild and Scenic River System designated under this section upon publication by the Secretary of notification to that effect in the Federal Register. Upon a showing by the U.S. Army Corps of Engineers that a dry dam on the Sauk River provides greater flood control protection on a cost-benefit ratio than other measures, and is not unduly deleterious to the anadromous fishery, the Sauk River from its mouth to the National Forest boundary and the segment of the Suiattle River affected by impounded waters shall be withdrawn from Wild and Scenic River status. The Chief of the U.S. Army Corps of Engineers shall report to the Congress as soon as funds are appropriated by the Congress and appropriately matched at the local level. Within 60 legislative days of such report, Congress may act and the aforementioned segments of the Sauk and Suiattle Rivers shall be withdrawn from Wild and Scenic River status and construction of said dam may proceed. For the purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph there are authorized to be appropriated not more than \$11,734,000 for the acquisition of lands or interest in lands and not more than \$332,000 for development.*

(19) *UPPER MISSISSIPPI, MINNESOTA.—The upper ten segments of those segments of the river qualifying for designation between the northwestern corporate boundary of Anoka and the outlet of Lake*

Itasca, as generally depicted and classified on the drawing designated as "figure 1-qualifying segments" contained in the Secretary's report entitled "Upper Mississippi—A Wild and Scenic River Study", dated April 1977. The Secretary may designate lands owned by the Chippewa Indian Tribe as part of the Upper Mississippi component only with the consent of the tribal governing body. The Secretary, in consultation with the Secretary of Agriculture and appropriate officials of the State of Minnesota and its political subdivisions, shall take such action as is provided for under subsection (b) of this section with respect to the segments designated under this paragraph within two years after the date of enactment of this paragraph. In applying section 6(g) (3), January 1, 1977 shall be substituted for January 1, 1967. The development plan required by subsection (b) shall be construed to be a comprehensive master plan which shall include, but not be limited to, the delineation of detailed boundaries for the Upper Mississippi component, and specific plans for its acquisition, development, and management, including provision for continued administration by the Secretary of Agriculture of lands within the Chippewa National Forest. For the purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not more than \$16,500,000 for the acquisition of lands and interests in lands and not more than \$3,300,000 for development.

(20) *UPPER DELAWARE RIVER, NEW YORK AND PENNSYLVANIA.—The segment of the Upper Delaware River from the confluence of the East and West branches below Hancock, New York, to the existing railroad bridge immediately downstream of Cherry Island in the vicinity of Sparrow Bush, New York, as depicted on the boundary map entitled "The Upper Delaware Scenic and Recreational River", dated April 1978; to be administered by the Secretary of the Interior. Subsection (b) of this section shall not apply, and the boundaries and classifications of the river shall be as specified on the map referred to in the preceding sentence, except to the extent that such boundaries or classifications are modified pursuant to section 705(c) of the National Parks and Recreation Act of 1978. Such boundaries and classifications shall be published in the Federal Register and shall not become effective until ninety days after they have been forwarded 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. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph there are authorized to be appropriated such sums as may be necessary.*

(21) *DELAWARE, NEW YORK, PENNSYLVANIA, AND NEW JERSEY.—The segment from the point where the river crosses the northern boundary of the Delaware Water Gap National Recreation Area to the point where the river crosses the southern boundary of such recreation area; to be administered by the Secretary of the Interior. For purposes of carrying out this Act with respect to the river designated by this paragraph, there are authorized to be appropriated such sums as may be necessary. Action required to be taken under subsection (b) of this section with respect to such segment shall be taken within one year*

from the date of enactment of this paragraph, except that, with respect to such segment, in lieu of the boundaries provided for in such subsection (b), the boundaries shall be the banks of the river. Any visitors facilities established for purposes of use and enjoyment of the river under the authority of the Act establishing the Delaware Water Gap National Recreation Area shall be compatible with the purposes of this Act and shall be located at an appropriate distance from the river.

(22) AMERICAN, CALIFORNIA.—The North Fork from a point 0.3 miles above Heath Springs downstream to a point approximately 1,000 feet upstream of the Colfax-Iowa Hill Bridge, including the Gold Run Addition Area, as generally depicted on the map entitled "Proposed Boundary Maps" contained in Appendix I of the document dated January 1978 and entitled "A Proposal: North Fork American Wild and Scenic River" published by the United States Forest Service, Department of Agriculture; to be designated as a wild river and to be administered by agencies of the Departments of Interior and Agriculture as agreed upon by the Secretaries of such Departments or as directed by the President. Action required to be taken under subsection (b) shall be taken within one year after the date of the enactment of this paragraph; in applying such subsection (b) in the case of the Gold Run Addition Area, the acreage limitation specified therein shall not apply and in applying section 6 (g) (3), January 1 of the calendar year preceding the calendar year in which this paragraph is enacted shall, be substituted for January 1, 1967. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not more than \$850,000 for the acquisition of lands and interests in land and not more than \$765,000 for development.

(23) MISSOURI RIVER, NEBRASKA, SOUTH DAKOTA.—The segment from Gavins Point Dam, South Dakota, fifty-nine miles downstream to Ponca State Park, Nebraska, as generally depicted in the document entitled "Review Report for Water Resources Development, South Dakota, Nebraska, North Dakota, Montana", prepared by the Division Engineer, Missouri River Division, Corps of Engineers, dated August 1977 (hereinafter in this paragraph referred to as the "August 1977 Report"). Such segment shall be administered as a recreational river by the Secretary. The Secretary shall enter into a written cooperative agreement with the Secretary of the Army (acting through the Chief of Engineers) for construction and maintenance of bank stabilization work and appropriate recreational development. After public notice and consultation with the State and local governments, other interested organizations and associations, and the interested public, the Secretary shall take such action as is required pursuant to subsection (b) within one year from the date of enactment of this section. In administering such river, the Secretary shall, to the extent, and in a manner, consistent with this section—

(A) provide (i) for the construction by the United States of such recreation river features and streambank stabilization structures as the Secretary of the Army (acting through the Chief of Engineers) deems necessary and advisable in connection with the segment designated by this paragraph, and (ii) for the operation

and maintenance of all streambank stabilization structures constructed in connection with such segment (including both structures constructed before the date of enactment of this paragraph and structures constructed after such date, and including both structures constructed under the authority of this section and structures constructed under the authority of any other Act); and

(B) permit access for such pumping and associated pipelines as may be necessary to assure an adequate supply of water for owners of land adjacent to such segment and for fish, wildlife, and recreational uses outside the river corridor established pursuant to this paragraph.

The streambank structures to be constructed and maintained under subparagraph (A) shall include, but not be limited to, structures at such sites as are specified with respect to such segment on pages 62 and 63 of the August 1977 Report, except that sites for such structures may be relocated to the extent deemed necessary by the Secretary of the Army (acting through the Chief of Engineers) by reason of physical changes in the river or river area. The Secretary of the Army (acting through the Chief of Engineers) shall condition the construction or maintenance of any streambank stabilization structure or of any recreational river feature at any site under subparagraph (A) (i) upon the availability to the United States of such land and interests in land in such ownership as he deems necessary to carry out such construction or maintenance and to protect and enhance the river in accordance with the purposes of this Act. Administration of the river segment designated by this paragraph shall be in coordination with, and pursuant to the advice of, a Recreational River Advisory Group which may be established by the Secretary. Such Group may include in its membership, representatives of the affected States and political subdivisions thereof, affected Federal agencies, and such organized private groups as the Secretary deems desirable. Notwithstanding the authority to the contrary contained in subsection 6 (a) of this Act, no land or interests in land may be acquired without the consent of the owner: Provided, That not to exceed five per centum of the acreage within the designated river boundaries may be acquired in less than fee title without the consent of the owner, in such instance of the Secretary's determination that activities are occurring, or threatening to occur, thereon which constitute serious damage or threat to the integrity of the river corridor, in accordance with the values for which this river was designated. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not to exceed \$21,000,000, for acquisition of lands and interests in lands and for development.

(b) The agency charged with the administration of each component of the national wild and scenic rivers system designated by subsection (a) of this section shall, within one year from the date of this Act (except where a different date is provided in subsection (a)), establish detailed boundaries therefor (which boundaries shall include an average of not more than three hundred and twenty acres per mile on both sides of the river); determine which of the classes outlined in section 2, subsection (b), of this Act best fit the river or its various segments; and prepare a plan for necessary developments in connection

with its administration in accordance with such classification. Said boundaries, classification, and development plans shall be published in the Federal Register and shall not become effective until ninety days after they have been forwarded to the President of the Senate and the Speaker of the House of Representatives.

SEC. 4. (a) * * *

(b) Before submitting any such report to the President and the Congress, copies of the proposed report shall, unless it was prepared jointly by the Secretary of the Interior and the Secretary of Agriculture, be submitted by the Secretary of the Interior to the Secretary of Agriculture or by the Secretary of Agriculture to the Secretary of the Interior, as the case may be, and to the Secretary of the Army, *the Secretary of the department in which the Coast Guard is operating*, the Chairman of the Federal Power Commission, the head of any other affected Federal department or agency and, unless the lands proposed to be included in the area are already owned by the United States or have already been authorized for acquisition by Act of Congress, the Governor of the State or States in which they are located or an officer designated by the Governor to receive the same. Any recommendations or comments on the proposal which the said officials furnish the Secretary or Secretaries who prepared the report within ninety days of the date on which the report is submitted to them, together with the Secretary's or Secretaries' comments thereon, shall be included with the transmittal to the President and the Congress.

* * * * *

SEC. 5. (a) The following rivers are hereby designated for potential addition to the national wild and scenic rivers system:

(1) * * *

* * * * *

(59) *GILA, NEW MEXICO.*—*The main stem from the Arizona-New Mexico border, but excluding the authorized Hooker Reservoir site or any alternative suitable to the requirements of the Colorado River Basin Project Act (Public Law 90-537); the West Fork to its headwaters; the East Fork to the junction of Taylor and Beaver Creeks; and the Middle Fork from the junction of Galita and Willow Creeks to its confluence with the West Fork.*

(60) *KERN, CALIFORNIA.*—*The main stem of the North Fork from its source to Isabella Reservoir excluding its tributaries.*

(61) *SHENANDOAH, VIRGINIA AND WEST VIRGINIA.*—*The main stem, the North Fork from Front Royal to Brocks Gap; and the South Fork from Front Royal to Waynesboro.*

(62) *LOXAHATCHEE, FLORIDA.*—*The entire river including its tributary, North Fork.*

(63) *OGEECHEE, GEORGIA.*—*The entire river.*

(64) *SALT, ARIZONA.*—*The main stem from the confluence of the White and Black Rivers to Arizona Highway 288.*

(65) *GILA, ARIZONA.*—*The main stem from U.S. Highway 666 to head of Safford Valley.*

(b) (1) The studies of rivers named in subparagraphs (28) through (55) of subsection (a) of this section shall be completed and reports thereon submitted by not later than October 2, 1979: *Provided, That*

with respect to the rivers named in subparagraphs (33), (50), and (51), the Secretaries shall not commence any studies until (i) the State legislature has acted with respect to such rivers or (ii) one year from the date of enactment of this Act, whichever is earlier.

(2) The study of the river named in subparagraph (56) of subsection (a) of this section shall be completed and the report thereon submitted by not later than January 3, 1976.

(3) *The studies of the rivers named in paragraphs (59) through (77) of subsection (a) shall be completed and reports submitted thereon not later than five full fiscal years after the date of the enactment of this paragraph. The study of rivers named in paragraphs (64) through (67) of subsection (a) shall be completed and the report thereon submitted by not later than April 1981.*

[(3)] (4) There are authorized to be appropriated for the purpose of conducting the studies of the rivers named in subparagraphs (28) through (56) such sums as may be necessary, but not more than [\$2,175,000] \$4,060,000. There are authorized to be appropriated for the purpose of conducting the studies of the rivers named in subparagraphs (59) through (75) such sums as may be necessary.

* * * * *

(e) (1) *Not later than one year after the date of the enactment of this subsection, the Secretary of the Interior and the Secretary of Agriculture shall jointly promulgate guidelines for the conduct of studies under this subsection by each such Secretary and by each department or agency of the United States having primary authority for the management of federally owned lands.*

(2) *Each such Secretary and the head of each such department or agency shall expeditiously carry out studies (pursuant to the guidelines established under paragraph (1)) and shall submit to the President (pursuant to a schedule established by such Secretary or department or agency head, as the case may be) reports on the suitability or nonsuitability for inclusion in the national wild and scenic rivers systems of all rivers (or sections thereof) which are within (or substantially within) the exterior boundaries of any area managed by such Secretary or other department or agency head.*

(3) *The President shall promptly upon his receipt of each report under paragraph (2) report to the Congress his recommendations and proposals within respect to the inclusion of each such river or section in such system.*

(66) VERDE, ARIZONA.—*The main stem from the Prescott National Forest boundary near Paulden to the vicinity of Table Mountain, approximately 14 miles above Horseshoe Reservoir, except for the segment not included in the National Forest between Clarkdale and Camp Verde, North segment.*

(67) SAN FRANCISCO, ARIZONA.—*The main stem from confluence with the Gila upstream to the Arizona-New Mexico border, except for the segment between Clifton and the Apache National Forest.*

(68) FISH CREEK, NEW YORK.—*The entire East Branch.*

(69) BLACK CREEK, MISSISSIPPI.—*The segment from Big Creek Landing in Forrest County downstream to Old Alexander Bridge Landing in Stone County.*

(70) *SHEEPSCOTT, MAINE.*—The main stem from and including its headwaters to the village of Sheepscott including the West Branch.

(71) *CACAPON, WEST VIRGINIA.*—The entire river.

(72) *MADISON, MONTANA.*—The main stem from Earthquake Lake to Ennis Lake.

(73) *ESCATAWPA, ALABAMA AND MISSISSIPPI.*—The segment upstream from a point approximately one mile downstream from the confluence of the Escatawpa River and Jackson Creek to a point where the Escatawpa River is joined by the Yellowhouse Branch in Washington, County, Alabama, near the town of Dee Park, Alabama; and the segment of Brushy Creek upstream from its confluence with the Escatawpa to its confluence with Scarsborough Creek.

(74) *MYAKKA, FLORIDA.*—The entire river.

(75) *SOLDIER CREEK, ALABAMA.*—The segment beginning at the point where Soldier Creek intersects the south line of section 31, township 7 south, range 6 east, downstream to a point on the south line of section 6, township 8 south, range 6 east, which point is 1,322 feet west of the south line of section 5, township 8 south, range 6 east in the County of Baldwin, State of Alabama.”

(76) *BRAZOS RIVER, TEXAS.*—The segment beginning at the point where Fram Road $\frac{1}{4}$ crosses the Brazos River downstream to the Parker County line.”

(4) Each river (or section thereof) recommended by the President for inclusion in the national wild and scenic rivers system under this section shall be included in such system, pursuant to the terms of such recommendation, and treated for purposes of this Act and other applicable law as a river listed in section 3 (a) unless within 120 days from the date such recommendation is submitted to Congress, such recommendation is disapproved by a joint resolution.

SEC. 6. (a) The Secretary of the Interior and the Secretary of Agriculture are each authorized to acquire lands and interests in land within the authorized boundaries of any component of the national wild and scenic rivers system designated in section 3 of this Act, or hereafter designated for inclusion in the system by Act of Congress, which is administered by him, but he shall not acquire fee title to an average of more than 100 acres per mile on both sides of the river. Lands owned by a State may be acquired only by donation or exchange, and lands owned by an Indian tribe or a political subdivision of a State may not be acquired without the consent of the appropriate governing body thereof as long as the Indian tribe or political subdivision is following a plan for management and protection of the lands which the Secretary finds protects the land and assures its use for purposes consistent with this Act. Money appropriated for Federal purposes from the land and water conservation fund shall, without prejudice to the use of appropriations from other sources, be available to Federal departments and agencies for the acquisition of property for the purposes of this Act.

(b) If 50 per centum or more of the entire acreage within a federally administered wild, scenic or recreational river area is owned by the United States, by the State or States within which it lies, or by political subdivisions of those States, neither Secretary shall acquire fee title to any lands by condemnation under authority of this Act. Nothing con-

tained in this section, however, shall preclude the use of condemnation when necessary to clear title or to acquire scenic easements or such other easements as are reasonably necessary to give the public access to the river and to permit its members to traverse the length of the area or of selected segments thereof. *This subsection shall not apply in the case of the Saint Croix River in Minnesota and Wisconsin.*

(g) (1) * * *

(3) The term "improved property", as used in this Act, means a detached, one-family dwelling (hereinafter referred to as "dwelling"), the construction of which was begun before January 1, 1967, (*except where a different date is specifically provided by law with respect to any particular river*) together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the appropriate Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 10. (a) * * *

(f) *Any management, administration, and regulation concerning boating and other activities, on or relating to, waters located within areas of the National Wild and Scenic Rivers System, including waters subject to the jurisdiction of the United States, shall be complementary to, and not in derogation of, the authority of the Coast Guard relating to waters subject to the jurisdiction of the United States. No structure or facility shall be installed by the Coast Guard in these areas without coordination with the Secretary of the Interior or the Secretary of Agriculture, as may be appropriate.*

SEC. 12. (a) [The Secretary of the Interior, the Secretary of Agriculture, and heads of other Federal agencies shall review administrative and management policies, regulations, contracts, and plans affecting lands under their respective jurisdictions which include, border upon, or are adjacent to the rivers listed in subsection (a) of section 5 of this Act in order to determine what actions should be taken to protect such rivers during the period they are being considered for potential addition to the national wild and scenic rivers system.] *The Secretary of the Interior, the Secretary of Agriculture, and the head of any other Federal department or agency having jurisdiction over any lands which include, border upon, or are adjacent to, any river included within the national wild and scenic rivers systems or under consideration for such inclusion, in accordance with section 2(a)(ii), 3(a), or 5(a), shall take such action respecting management policies, regulations, contracts, plans, permits, Federal assistance and other Federal actions affecting such lands as may be necessary to protect such rivers in accordance with the purposes of this Act. Such Secretary or other department or agency head shall, where appropriate,*

enter into written cooperative agreements with the appropriate State or local official for the planning, administration, and management of Federal lands which are within the boundaries of any rivers for which approval has been granted under section 2(a)(ii). Particular attention shall be given to scheduled timber harvesting, road construction, and similar activities which might be contrary to the purposes of this Act.

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

SEC. 14A. (a) Where appropriate in the discretion of the Secretary, he may lease federally owned land (or any interest therein) which is within the boundaries of any component of the national wild and scenic rivers system and which has been acquired by the Secretary under this Act. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act.

(b) Any Federal land leased by the Secretary under subsection (a) shall not be treated as—

(1) acquired land for purposes of the 100 acre per mile limitation contained in paragraph (1) of section 6(a), or

(2) as land owned by the United States for purposes of the 50 per centum limitation contained in section 6(b).

(c) Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land immediately before its acquisition by the United States.

* * * * *

SEC. 16. (a) There are hereby authorized to be appropriated, including such sums as have heretofore been appropriated, the following amounts for land acquisition for each of the rivers described in section 3(a) of this Act:

Clearwater, Middle Fork, Idaho, \$2,909,800;

Eleven Point, Missouri, ~~[\$4,906,500]~~ \$10,407,000;

Feather, Middle Fork, California, \$3,935,700;

Rio Grande, New Mexico, \$253,000;

Rogue, Oregon, ~~[\$12,447,200]~~ \$15,147,000;

St. Croix, Minnesota and Wisconsin, ~~[\$11,768,550]~~ \$12,769,000;

Salmon, Middle Fork, Idaho, ~~[\$1,237,100]~~ \$1,837,000; and

Wolf, Wisconsin, \$142,150.

(b) The authority to make the appropriations authorized in this section shall expire on September 30, 1979, except in the case of the Saint Croix River in Minnesota and Wisconsin.

SUPPLEMENTAL VIEWS—CONGRESSMAN BRUCE F. VENTO

No one disputes the qualities of the Upper Mississippi River. It is easily one of the most beautiful rivers in our country and is relatively unspoiled by man or his developments. The home of many species of fish and wildlife, the Upper Mississippi can offer ample outdoor recreation opportunities for local residents and visitors alike. These characteristics well qualify the Upper Mississippi for designation as a Wild and Scenic River.

Amongst the groups extremely interested in protecting the Upper Mississippi in its present state are the local land owners. They recognize the qualities of this area and want to protect these characteristics. However, this group has a fear that the designation of the Upper Mississippi could negatively affect the river and could drastically change their lifestyles. I have been working to resolve their fears and have tried to reassure them that it is not the intent of Congress to change the river or take away their land.

It is not the intent of this Act to allow excessive condemnation of private lands. The Environmental Impact Statement stresses that scenic easements are to be the primary means of protection for the river and the shoreline. I have been reassured by the Administration that the public lands ownership for the Upper Mississippi already exceeds 50 per cent and that therefore the Park Service will be precluded from condemning any more land, except in those cases where some use threatens the very quality of the river.

In the development of the Master Plan, it will be important to allow the local residents a large and active role. These people are familiar with the river and are concerned about its future. Their input is essential in maintaining the river at its present state. I am encouraged by the Administration's willingness to listen to the affected citizens and to involve them in the development of the master plan in a meaningful manner.

The Upper Mississippi is a fragile ecosystem. In the development of a master plan, all parties must be aware of the purpose of the Wild and Scenic Rivers Act: to maintain the river at its current state. To try to revert developed land from scenic designation to wild through wholesale condemnations is just as wrong as allowing the development of industries that would pollute the river. A particular concern in the maintenance of the river is the development of recreational opportunities along the river. All parties must be aware that man's very presence along the river will affect it. Too extensive use of the river can result in the same destruction as the worst possible pollution. Any master plan must balance the development of recreational opportunities with the protection of the river. I believe that the local residents are acutely aware of the threat of overuse and abuse of the river and urge that they

play a significant role in the considerations on the recreational use of the Upper Mississippi.

The Upper Mississippi is still untouched by significant pollution; it is enjoyed by man and animals alike; and is one of the most beautiful rivers in our country. I believe that this bill and a management plan developed through federal, state, and local citizens participation are the best means possible to insure that these qualities remain.

While I recognize the extenuating circumstances surrounding the proposal to lift the 50 percent public ownership cap for condemnation authority along the St. Croix River, I have serious reservations over the inclusion of Section 753 in H.R. 12536. Although it is the intent of Congress to limit the condemnation to the approximately 1,200 acres designated in the Master Plan, the potential for bureaucratic abuse does exist and other alternatives may be possible.

It is my hope that before the Park Service implements this greater condemnation authority, the Secretary will review the following questions.

Why is the Park Service seeking \$10,000,000 to acquire only approximately 1,200 acres? The appropriation seems inordinately high and bears no relationship to the actual property values of the St. Croix region.

What would it cost and what would be the project management and public use implications if the Park Service acquired most land through scenic easements and acquired fee title through donation or condemnation for only those areas that are absolutely critical for public use and maintaining river integrity?

What would it cost and what would be the project management and public use implications if the Park Service acquired only scenic easements over the remaining lands within the federal boundary?

BRUCE F. VENTO.

