

In the Senate of the United States,

May 1, 1996.

Resolved, That the bill from the House of Representatives (H.R. 1296) entitled “An Act to provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***TITLE I—THE PRESIDIO OF SAN***

2 ***FRANCISCO***

3 ***SEC. 101. FINDINGS.***

4 *The Congress finds that—*

5 (1) *the Presidio, located amidst the incomparable*
6 *scenic splendor of the Golden Gate, is one of Ameri-*
7 *ca’s great natural and historic sites;*

8 (2) *the Presidio is the oldest continuously oper-*
9 *ated military post in the Nation dating from 1776,*
10 *and was designated a National Historic Landmark in*
11 *1962;*

1 (3) *preservation of the cultural and historic in-*
2 *tegrity of the Presidio for public use recognizes its sig-*
3 *nificant role in the history of the United States;*

4 (4) *the Presidio, in its entirety, is a part of the*
5 *Golden Gate National Recreation Area, in accordance*
6 *with Public Law 92–589;*

7 (5) *as part of the Golden Gate National Recre-*
8 *ation Area, the Presidio’s significant natural, his-*
9 *toric, scenic, cultural, and recreational resources must*
10 *be managed in a manner which is consistent with*
11 *sound principles of land use planning and manage-*
12 *ment, and which protects the Presidio from develop-*
13 *ment and uses which would destroy the scenic beauty*
14 *and historic and natural character of the area and*
15 *cultural and recreational resources;*

16 (6) *removal and/or replacement of some struc-*
17 *tures within the Presidio must be considered as a*
18 *management option in the administration of the Pre-*
19 *sidio; and*

20 (7) *the Presidio will be managed through an in-*
21 *novative public/private partnership that minimizes*
22 *cost to the United States Treasury and makes efficient*
23 *use of private sector resources.*

1 **SEC. 102. AUTHORITY AND RESPONSIBILITY OF THE SEC-**
2 **RETARY OF THE INTERIOR.**

3 (a) *INTERIM AUTHORITY.*—*The Secretary of the Inte-*
4 *rior (hereinafter in this Act referred to as the “Secretary”)*
5 *is authorized to manage leases in existence on the date of*
6 *this Act for properties under the administrative jurisdiction*
7 *of the Secretary and located at the Presidio. Upon the expi-*
8 *ration of any such lease, the Secretary may extend such*
9 *lease for a period terminating not later than 6 months after*
10 *the first meeting of the Presidio Trust. The Secretary may*
11 *not enter into any new leases for property at the Presidio*
12 *to be transferred to the Presidio Trust under this title, how-*
13 *ever, the Secretary is authorized to enter into agreements*
14 *for use and occupancy of the Presidio properties which are*
15 *assignable to the Trust and are terminable within 30 days*
16 *notice by the Trust. Prior to the transfer of administrative*
17 *jurisdiction over any property to the Presidio Trust, and*
18 *notwithstanding section 1341 of title 31 of the United States*
19 *Code, the proceeds from any such lease shall be retained*
20 *by the Secretary and such proceeds shall be available, with-*
21 *out further appropriation, for the preservation, restoration,*
22 *operation and maintenance, improvement, repair and re-*
23 *lated expenses incurred with respect to Presidio properties.*
24 *The Secretary may adjust the rental charge on any such*
25 *lease for any amounts to be expended by the lessee for pres-*
26 *ervation, maintenance, restoration, improvement, repair*

1 *and related expenses with respect to properties and infra-*
2 *structure within the Presidio.*

3 (b) *PUBLIC INFORMATION AND INTERPRETATION.*—

4 *The Secretary shall be responsible, in cooperation with the*
5 *Presidio Trust, for providing public interpretive services,*
6 *visitor orientation and educational programs on all lands*
7 *within the Presidio.*

8 (c) *OTHER.*—*Those lands and facilities within the Pre-*
9 *sidio that are not transferred to the administrative jurisdic-*
10 *tion of the Presidio Trust shall continue to be managed by*
11 *the Secretary. The Secretary and the Presidio Trust shall*
12 *cooperate to ensure adequate public access to all portions*
13 *of the Presidio. Any infrastructure and building improve-*
14 *ment projects that were funded prior to the enactment of*
15 *this Act shall be completed by the National Park Service.*

16 (d) *PARK SERVICE EMPLOYEES.*—(1) *Any career em-*
17 *ployee of the National Park Service, employed at the Pre-*
18 *sidio at the time of the transfer of lands and facilities to*
19 *the Presidio Trust, shall not be separated from the Service*
20 *by reason of such transfer, unless such employee is employed*
21 *by the Trust, other than on detail. The Trust shall have*
22 *sole discretion over whether to hire any such employee or*
23 *request a detail of such employee.*

24 (2) *Any career employee of the National Park Service*
25 *employed at the Presidio on the date of enactment of this*

1 *title shall be given priority placement for any available po-*
2 *sition within the National Park System notwithstanding*
3 *any priority reemployment lists, directives, rules, regula-*
4 *tions or other orders from the Department of the Interior,*
5 *the Office of Management and Budget, or other Federal*
6 *agencies.*

7 **SEC. 103. ESTABLISHMENT OF THE PRESIDIO TRUST.**

8 *(a) ESTABLISHMENT.—There is established a wholly*
9 *owned government corporation to be known as the Presidio*
10 *Trust (hereinafter in this title referred to as the “Trust”).*

11 *(b) TRANSFER.—(1) Within 60 days after receipt of*
12 *a request from the Trust for the transfer of any parcel with-*
13 *in the area depicted as Area B on the map entitled “Pre-*
14 *sidio Trust Number 1”, dated December 7, 1995, the Sec-*
15 *retary shall transfer such parcel to the administrative juris-*
16 *diction of the Trust. Within one year after the first meeting*
17 *of the Board of Directors of the Trust, the Secretary shall*
18 *transfer to the Trust administrative jurisdiction over all*
19 *remaining parcels within Area B. Such map shall be on*
20 *file and available for public inspection in the offices of the*
21 *Trust and in the offices of the National Park Service, De-*
22 *partment of the Interior. The Trust and the Secretary may*
23 *jointly make technical and clerical revisions in the bound-*
24 *ary depicted on such map. The Secretary shall retain juris-*
25 *diction over those portions of the building identified as*

1 number 102 as the Secretary deems essential for use as a
2 visitor center. The Building shall be named the “William
3 Penn Mott Visitor Center”. Any parcel of land, the jurisdic-
4 tion over which is transferred pursuant to this subsection,
5 shall remain within the boundary of the Golden Gate Na-
6 tional Recreation Area. With the consent of the Secretary,
7 the Trust may at any time transfer to the administrative
8 jurisdiction of the Secretary any other properties within the
9 Presidio which are surplus to the needs of the Trust and
10 which serve essential purposes of the Golden Gate National
11 Recreation Area. The Trust is encouraged to transfer to the
12 administrative jurisdiction of the Secretary open space
13 areas which have high public use potential and are contig-
14 uous to other lands administrated by the Secretary.

15 (2) Within 60 days after the first meeting of the Board
16 of Directors of the Trust, the Trust and the Secretary shall
17 determine cooperatively which records, equipment, and
18 other personal property are deemed to be necessary for the
19 immediate administration of the properties to be trans-
20 ferred, and the Secretary shall immediately transfer such
21 personal property to the Trust. Within one year after the
22 first meeting of the Board of Directors of the Trust, the
23 Trust and the Secretary shall determine cooperatively what,
24 if any, additional records, equipment, and other personal
25 property used by the Secretary in the administration of the

1 *properties to be transferred should be transferred to the*
2 *Trust.*

3 (3) *The Secretary shall transfer, with the transfer of*
4 *administrative jurisdiction over any property, the unobli-*
5 *gated balance of all funds appropriated to the Secretary,*
6 *all leases, concessions, licenses, permits, and other agree-*
7 *ments affecting such property.*

8 (4) *At the request of the Trust, the Secretary shall pro-*
9 *vide funds to the Trust for preparation of such plan, hiring*
10 *of initial staff and other activities deemed by the Trust as*
11 *essential to the establishment of the Trust prior to the trans-*
12 *fer of properties to the Trust.*

13 (c) *BOARD OF DIRECTORS.—*

14 (1) *IN GENERAL.—The powers and management*
15 *of the Trust shall be vested in a Board of Directors*
16 *(hereinafter referred to as the “Board”) consisting of*
17 *the following 7 members:*

18 (A) *the Secretary of the Interior or the Sec-*
19 *retary’s designee; and*

20 (B) *six individuals, who are not employees*
21 *of the Federal Government, appointed by the*
22 *President, who shall possess extensive knowledge*
23 *and experience in one or more of the fields of*
24 *city planning, finance, real estate development,*
25 *and resource conservation. At least one of these*

1 *individuals shall be a veteran of the Armed Serv-*
2 *ices. At least 3 of these individuals shall reside*
3 *in the San Francisco Bay Area. The President*
4 *shall make the appointments referred to in this*
5 *subparagraph within 90 days after the enact-*
6 *ment of this Act and shall ensure that the fields*
7 *of city planning, finance, real estate develop-*
8 *ment, and resource conservation are adequately*
9 *represented. Upon establishment of the Trust, the*
10 *Chairman of the Board of Directors of the Trust*
11 *shall meet with the Chairman of the Energy and*
12 *Natural Resources Committee of the United*
13 *States Senate and the Chairman of the Resources*
14 *Committee of the United States House of Rep-*
15 *resentatives.*

16 (2) *TERMS.—Members of the Board appointed*
17 *under paragraph (1)(B) shall each serve for a term*
18 *of 4 years, except that of the members first appointed,*
19 *3 shall serve for a term of 2 years. Any vacancy in*
20 *the Board shall be filled in the same manner in which*
21 *the original appointment was made, and any member*
22 *appointed to fill a vacancy shall serve for the remain-*
23 *der of the term for which his or her predecessor was*
24 *appointed. No appointed member may serve more*
25 *than 8 years in consecutive terms.*

1 (3) *QUORUM.*—*Four members of the Board shall*
2 *constitute a quorum for the conduct of business by the*
3 *Board.*

4 (4) *ORGANIZATION AND COMPENSATION.*—*The*
5 *Board shall organize itself in such a manner as it*
6 *deems most appropriate to effectively carry out the*
7 *authorized activities of the Trust. Board members*
8 *shall serve without pay, but may be reimbursed for*
9 *the actual and necessary travel and subsistence ex-*
10 *penditures incurred by them in the performance of the du-*
11 *ties of the Trust.*

12 (5) *LIABILITY OF DIRECTORS.*—*Members of the*
13 *Board of Directors shall not be considered Federal*
14 *employees by virtue of their membership on the*
15 *Board, except for purposes of the Federal Tort Claims*
16 *Act and the Ethics in Government Act, and the provi-*
17 *sions of chapter 11 of title 18, United States Code.*

18 (6) *MEETINGS.*—*The Board shall meet at least*
19 *three times per year in San Francisco and at least*
20 *two of those meetings shall be open to the public.*
21 *Upon a majority vote, the Board may close any other*
22 *meetings to the public. The Board shall establish pro-*
23 *cedures for providing public information and oppor-*
24 *tunities for public comment regarding policy, plan-*

1 *ning, and design issues through the Golden Gate Na-*
2 *tional Recreation Area Advisory Commission.*

3 (7) *STAFF.*—*The Trust is authorized to appoint*
4 *and fix the compensation and duties of an executive*
5 *director and such other officers and employees as it*
6 *deems necessary without regard to the provisions of*
7 *title 5, United States Code, governing appointments*
8 *in the competitive service, and may pay them without*
9 *regard to the provisions of chapter 51, and subchapter*
10 *III of chapter 53, title 5, United States Code, relating*
11 *to classification and General Schedule pay rates.*

12 (8) *NECESSARY POWERS.*—*The Trust shall have*
13 *all necessary and proper powers for the exercise of the*
14 *authorities vested in it.*

15 (9) *TAXES.*—*The Trust and all properties ad-*
16 *ministered by the Trust shall be exempt from all taxes*
17 *and special assessments of every kind by the State of*
18 *California, and its political subdivisions, including*
19 *the City and County of San Francisco.*

20 (10) *GOVERNMENT CORPORATION.*—(A) *The*
21 *Trust shall be treated as a wholly owned Government*
22 *corporation subject to chapter 91 of title 31, United*
23 *States Code (commonly referred to as the Government*
24 *Corporation Control Act). Financial statements of the*

1 *Trust shall be audited annually in accordance with*
2 *section 9105 of title 31 of the United States Code.*

3 *(B) At the end of each calendar year, the*
4 *Trust shall submit to the Committee on Energy*
5 *and Natural Resources of the United States Sen-*
6 *ate and the Committee on Resources of the House*
7 *of Representatives a comprehensive and detailed*
8 *report of its operations, activities, and accom-*
9 *plishments for the prior fiscal year. The report*
10 *also shall include a section that describes in gen-*
11 *eral terms the Trust's goals for the current fiscal*
12 *year.*

13 **SEC. 104. DUTIES AND AUTHORITIES OF THE TRUST.**

14 *(a) OVERALL REQUIREMENTS OF THE TRUST.—The*
15 *Trust shall manage the leasing, maintenance, rehabilita-*
16 *tion, repair and improvement of property within the Pre-*
17 *sidio under its administrative jurisdiction using the au-*
18 *thorities provided in this section, which shall be exercised*
19 *in accordance with the purposes set forth in section 1 of*
20 *the Act entitled “An Act to establish the Golden Gate Na-*
21 *tional Recreation Area in the State of California, and for*
22 *other purposes”, approved October 27, 1972 (Public Law*
23 *92–589; 86 Stat. 1299; 16 U.S.C. 460bb), and in accordance*
24 *with the general objectives of the General Management Plan*

1 *(hereinafter referred to as the “management plan”)* ap-
2 *proved for the Presidio.*

3 *(b) The Trust may participate in the development of*
4 *programs and activities at the properties transferred to the*
5 *Trust. The Trust shall have the authority to negotiate and*
6 *enter into such agreements, leases, contracts and other ar-*
7 *rangements with any person, firm, association, organiza-*
8 *tion, corporation or governmental entity, including, with-*
9 *out limitation, entities of Federal, State and local govern-*
10 *ments as are necessary and appropriate to finance and*
11 *carry out its authorized activities. Any such agreement may*
12 *be entered into without regard to section 321 of the Act of*
13 *June 30, 1932 (40 U.S.C. 303b). The Trust shall establish*
14 *procedures for lease agreements and other agreements for*
15 *use and occupancy of Presidio facilities, including a re-*
16 *quirement that in entering into such agreements the Trust*
17 *shall obtain reasonable competition. The Trust may not dis-*
18 *pose of or convey fee title to any real property transferred*
19 *to it under this title. Federal laws and regulations govern-*
20 *ing procurement by Federal agencies shall not apply to the*
21 *Trust. The Trust, in consultation with the Administrator*
22 *of Federal Procurement Policy, shall establish and promul-*
23 *gate procedures applicable to the Trust’s procurement of*
24 *goods and services including, but not limited to, the award*
25 *of contracts on the basis of contractor qualifications, price,*

1 *commercially reasonable buying practices, and reasonable*
2 *competition. Such procedures shall conform to laws and reg-*
3 *ulations related to Federal government contracts governing*
4 *working conditions and wage scales, including the provi-*
5 *sions of sections 276a–276a–6 of title 40, United States*
6 *Code (Davis-Bacon Act).*

7 *(c) The Trust shall develop a comprehensive program*
8 *for management of those lands and facilities within the Pre-*
9 *sidio which are transferred to the administrative jurisdic-*
10 *tion of the Trust. Such program shall be designed to reduce*
11 *expenditures by the National Park Service and increase rev-*
12 *enues to the Federal Government to the maximum extent*
13 *possible. In carrying out this program, the Trust shall be*
14 *treated as a successor in interest to the National Park Serv-*
15 *ice with respect to compliance with the National Environ-*
16 *mental Policy Act and other environmental compliance*
17 *statutes. Such program shall consist of—*

18 *(1) demolition of structures which in the opinion*
19 *of the Trust, cannot be cost-effectively rehabilitated,*
20 *and which are identified in the management plan for*
21 *demolition,*

22 *(2) evaluation for possible demolition or replace-*
23 *ment those buildings identified as categories 2*
24 *through 5 in the Presidio of San Francisco Historic*

1 *Landmark District Historic American Buildings Sur-*
2 *vey Report, dated 1985,*

3 (3) *new construction limited to replacement of*
4 *existing structures of similar size in existing areas of*
5 *development, and*

6 (4) *examination of a full range of reasonable op-*
7 *tions for carrying out routine administrative and fa-*
8 *cility management programs.*

9 *The Trust shall consult with the Secretary in the prepara-*
10 *tion of this program.*

11 (d) *To augment or encourage the use of non-Federal*
12 *funds to finance capital improvements on Presidio prop-*
13 *erties transferred to its jurisdiction, the Trust, in addition*
14 *to its other authorities, shall have the following authorities*
15 *subject to the Federal Credit Reform Act of 1990 (2 U.S.C.*
16 *661 et seq.):*

17 (1) *The authority to guarantee any lender*
18 *against loss of principal or interest on any loan: Pro-*
19 *vided, That—*

20 (A) *the terms of the guarantee are approved*
21 *by the Secretary of the Treasury;*

22 (B) *adequate subsidy budget authority is*
23 *provided in advance in appropriations Acts; and*

24 (C) *such guarantees are structured so as to*
25 *minimize potential cost to the Federal Govern-*

1 *ment. No loan guarantee under this title shall*
2 *cover more than 75 percent of the unpaid bal-*
3 *ance of the loan. The Trust may collect a fee suf-*
4 *ficient to cover its costs in connection with each*
5 *loan guaranteed under this Act. The authority to*
6 *enter into any such loan guarantee agreement*
7 *shall expire at the end of 15 years after the date*
8 *of enactment of this title.*

9 *(2) The authority, subject to appropriations, to*
10 *make loans to the occupants of property managed by*
11 *the Trust for the preservation, restoration, mainte-*
12 *nance, or repair of such property.*

13 *(3) The authority to issue obligations to the Sec-*
14 *retary of the Treasury, but only if the Secretary of the*
15 *Treasury agrees to purchase such obligations after de-*
16 *termining that the projects to be funded from the pro-*
17 *ceeds thereof are credit worthy and that a repayment*
18 *schedule is established and only to the extent author-*
19 *ized in advance in appropriations acts. The Secretary*
20 *of the Treasury is authorized to use as a public debt*
21 *transaction the proceeds from the sale of any securi-*
22 *ties issued under chapter 31 of title 31, United States*
23 *Code, and the purposes for which securities may be is-*
24 *sued under such chapter are extended to include any*
25 *purchase of such notes or obligations acquired by the*

1 *Secretary of the Treasury under this subsection. Obligations issued under this subparagraph shall be in*
2 *such forms and denominations, bearing such maturities, and subject to such terms and conditions, as*
3 *may be prescribed by the Secretary of the Treasury,*
4 *and shall bear interest at a rate determined by the*
5 *Secretary of the Treasury, taking into consideration*
6 *current market yields on outstanding marketable obligations of the United States of comparable maturities.*
7 *No funds appropriated to the Trust may be used for*
8 *repayment of principal or interest on, or redemption*
9 *of, obligations issued under this paragraph.*

10 *(4) The aggregate amount of obligations issued*
11 *under this subsection which are outstanding at any*
12 *one time may not exceed \$50,000,000.*

13 *(e) The Trust may solicit and accept donations of*
14 *funds, property, supplies, or services from individuals,*
15 *foundations, corporations, and other private or public enti-*
16 *ties for the purpose of carrying out its duties. The Trust*
17 *shall maintain a liaison with the Golden Gate National*
18 *Park Association.*

19 *(f) Notwithstanding section 1341 of title 31 of the*
20 *United States Code, all proceeds received by the Trust shall*
21 *be retained by the Trust, and such proceeds shall be avail-*
22 *able, without further appropriation, for the administration,*
23
24
25

1 *preservation, restoration, operation and maintenance, im-*
2 *provement, repair and related expenses incurred with re-*
3 *spect to Presidio properties under its administrative juris-*
4 *isdiction. Upon the Request of the Trust, the Secretary of the*
5 *Treasury shall invest excess moneys of the Trust in public*
6 *debt securities with maturities suitable to the needs of the*
7 *Trust.*

8 *(g) The Trust may sue and be sued in its own name*
9 *to the same extent as the Federal Government. Litigation*
10 *arising out of the activities of the Trust shall be conducted*
11 *by the Attorney General; except that the Trust may retain*
12 *private attorneys to provide advice and counsel. The Dis-*
13 *trict Court for the Northern District of California shall have*
14 *exclusive jurisdiction over any suit filed against the Trust.*

15 *(h) The Trust shall enter into a Memorandum of*
16 *Agreement with the Secretary, acting through the Chief of*
17 *the United States Park Police, for the conduct of law en-*
18 *forcement activities and services within those portions of*
19 *the Presidio transferred to the administrative jurisdiction*
20 *of the Trust.*

21 *(i) The Trust may adopt, amend, repeal and enforce*
22 *bylaws, rules and regulations governing the manner in*
23 *which its business may be conducted and the powers vested*
24 *in it may be exercised. The Trust is authorized, in consulta-*
25 *tion with the Secretary, to adopt and to enforce those rules*

1 *and regulations that are applicable to the Golden Gate Na-*
2 *tional Recreation Area and that may be necessary and ap-*
3 *propriate to carry out its duties and responsibilities under*
4 *this title. The Trust shall give notice of the adoption of such*
5 *rules and regulations by publication in the Federal Reg-*
6 *ister.*

7 (j) *For the purpose of compliance with applicable laws*
8 *and regulations concerning properties transferred to the*
9 *Trust by the Secretary, the Trust shall negotiate directly*
10 *with regulatory authorities.*

11 (k) *INSURANCE.—The Trust shall require that all*
12 *leaseholders and contractors procure proper insurance*
13 *against any loss in connection with properties under lease*
14 *or contract, or the authorized activities granted in such*
15 *lease or contract, as is reasonable and customary.*

16 (l) *BUILDING CODE COMPLIANCE.—The Trust shall*
17 *bring all properties under its administrative jurisdiction*
18 *into compliance with Federal building codes and regula-*
19 *tions appropriate to use and occupancy within 10 years*
20 *after the enactment of this title to the extent practicable.*

21 (m) *LEASING.—In managing and leasing the prop-*
22 *erties transferred to it, the Trust considers the extent to*
23 *which prospective tenants contribute to the implementation*
24 *of the General Management Plan for the Presidio and to*
25 *the reduction of cost to the Federal Government. The Trust*

1 *shall give priority to the following categories of tenants:*
2 *Tenants that enhance the financial viability of the Presidio*
3 *and tenant that facilitate the cost-effective preservation of*
4 *historic buildings through their reuse of such buildings.*

5 (n) *REVERSION.—If, at the expiration of 15 years, the*
6 *Trust has not accomplished the goals and objectives of the*
7 *plan required in section 105(b) of this title, then all prop-*
8 *erty under the administrative jurisdiction of the Trust pur-*
9 *suant to section 103(b) of this title shall be transferred to*
10 *the Administrator of the General Services Administration*
11 *to be disposed of in accordance with the procedures outlined*
12 *in the Defense Authorization Act of 1990 (104 Stat. 1809),*
13 *and any real property so transferred shall be deleted from*
14 *the boundary of the Golden Gate National Recreation Area.*
15 *In the event of such transfer, the terms and conditions of*
16 *all agreements and loans regarding such lands and facilities*
17 *entered into by the Trust shall be binding on any successor*
18 *in interest.*

19 **SEC. 105. LIMITATIONS ON FUNDING.**

20 (a)(1) *From amounts made available to the Secretary*
21 *for the operation of areas within the Golden Gate National*
22 *Recreation Area, not more than \$25,000,000 shall be avail-*
23 *able to carry out this title in each fiscal year after the enact-*
24 *ment of this title until the plan is submitted under sub-*

1 *section (b). Such sums shall remain available until ex-*
2 *pended.*

3 *(2) After the plan required in subsection (b) is submit-*
4 *ted, and for each of the 14 fiscal years thereafter, there are*
5 *authorized to be appropriated to the Trust not more than*
6 *the amounts specified in such plan. Such sums shall remain*
7 *available until expended. Of such sums, not more than*
8 *\$3,000,000 annually shall be available through the Trust*
9 *for law enforcement activities and services to be provided*
10 *by the United States Park Police at the Presidio in accord-*
11 *ance with section 104(h) of this title.*

12 *(b) Within one year after the first meeting of the Board*
13 *of Directors of the Trust, the Trust shall submit to Congress*
14 *a plan which includes a schedule of annual decreasing fed-*
15 *erally appropriated funding that will achieve, at a mini-*
16 *mum, self-sufficiency for the Trust within 15 complete fiscal*
17 *years after such meeting of the Trust.*

18 *(c) The Administrator of the General Services Admin-*
19 *istration shall provide necessary assistance to the Trust in*
20 *the formulation and submission of the annual budget re-*
21 *quest for the administration, operation, and maintenance*
22 *of the Presidio.*

23 **SEC. 106. GENERAL ACCOUNTING OFFICE STUDY.**

24 *(a) Three years after the first meeting of the Board*
25 *of Directors of the Trust, the General Accounting Office*

1 *shall conduct an interim study of the activities of the Trust*
2 *and shall report the results of the study to the Committee*
3 *on Energy and Natural Resources and the Committee on*
4 *Appropriations of the United States Senate, and the Com-*
5 *mittee on Resources and Committee on Appropriations of*
6 *the House of Representatives. The study shall include, but*
7 *shall not be limited to, details of how the Trust is meeting*
8 *its obligations under this title.*

9 **(b)** *In consultation with the Trust, the General Ac-*
10 *counting Office shall develop an interim schedule and plan*
11 *to reduce and replace the Federal appropriations to the ex-*
12 *tent practicable for interpretive services conducted by the*
13 *National Park Service, and law enforcement activities and*
14 *services, fire and public safety programs conducted by the*
15 *Trust.*

16 **(c)** *Seven years after the first meeting of the Board*
17 *of Directors of the Trust, the General Accounting Office*
18 *shall conduct a comprehensive study of the activities of the*
19 *Trust, including the Trust's progress in meeting its obliga-*
20 *tions under this title, taking into consideration the results*
21 *of the study described in subsection (a) and the implementa-*
22 *tion of plan and schedule required in subsection (b). The*
23 *General Accounting Office shall report the results of the*
24 *study, including any adjustments to the plan and schedule,*
25 *to the Committee on Energy and Natural Resources and*

1 *the Committee on Appropriations of the United States Sen-*
2 *ate, and the Committee on Resources and Committee on Ap-*
3 *propriations of the House of Representatives.*

4 **TITLE II—MINOR BOUNDARY ADJUST-**
5 **MENTS AND MISCELLANEOUS PARK**
6 **AMENDMENTS**

7 **SEC. 201. YUCCA HOUSE NATIONAL MONUMENT BOUNDARY**
8 **ADJUSTMENT.**

9 (a) *IN GENERAL.*—*The boundaries of Yucca House Na-*
10 *tional Monument are revised to include the approximately*
11 *24.27 acres of land generally depicted on the map entitled*
12 *“Boundary—Yucca House National Monument, Colorado”,*
13 *numbered 318/80,001–B, and dated February 1990.*

14 (b) *MAP.*—*The map referred to in subsection (a) shall*
15 *be on file and available for public inspection in appropriate*
16 *offices of the National Park Service of the Department of*
17 *the Interior.*

18 (c) *ACQUISITION.*—

19 (1) *IN GENERAL.*—*Within the lands described in*
20 *subsection (a), the Secretary of the Interior may ac-*
21 *quire lands and interests in lands by donation.*

22 (2) *The Secretary of the Interior may pay ad-*
23 *ministrative costs arising out of any donation de-*
24 *scribed in paragraph (1) with appropriated funds.*

1 **SEC. 202. ZION NATIONAL PARK BOUNDARY ADJUSTMENT.**

2 (a) *ACQUISITION AND BOUNDARY CHANGE.*—*The Sec-*
3 *retary of the Interior is authorized to acquire by exchange*
4 *approximately 5.48 acres located in the SW¹/₄ of Section*
5 *28, Township 41 South, Range 10 West, Salt Lake Base*
6 *and Meridian. In exchange therefor the Secretary is author-*
7 *ized to convey all right, title, and interest of the United*
8 *States in and to approximately 5.51 acres in Lot 2 of Sec-*
9 *tion 5, Township 41 South, Range 11 West, both parcels*
10 *of land being in Washington County, Utah. Upon comple-*
11 *tion of such exchange, the Secretary is authorized to revise*
12 *the boundary of Zion National Park to add the 5.48 acres*
13 *in section 28 to the park and to exclude the 5.51 acres in*
14 *section 5 from the park. Land added to the park shall be*
15 *administered as part of the park in accordance with the*
16 *laws and regulations applicable thereto.*

17 (b) *EXPIRATION.*—*The authority granted by this sec-*
18 *tion shall expire two years after the date of the enactment*
19 *of this title.*

20 **SEC. 203. PICTURED ROCKS NATIONAL LAKESHORE BOUND-**
21 **ARY ADJUSTMENT.**

22 *The boundary of Pictured Rocks National Lakeshore*
23 *is hereby modified as depicted on the map entitled “Area*
24 *Proposed for Addition to Pictured Rocks National Lake-*
25 *shore”, numbered 625–80,043A, and dated July 1992.*

1 **SEC. 204. INDEPENDENCE NATIONAL HISTORICAL PARK**
2 **BOUNDARY ADJUSTMENT.**

3 *The administrative boundary between Independence*
4 *National Historical Park and the United States Customs*
5 *House along the Moravian Street Walkway in Philadelphia,*
6 *Pennsylvania, is hereby modified as generally depicted on*
7 *the drawing entitled “Exhibit 1, Independence National*
8 *Historical Park, Boundary Adjustment”, and dated May*
9 *1987, which shall be on file and available for public inspec-*
10 *tion in the Office of the National Park Service, Department*
11 *of the Interior. The Secretary of the Interior is authorized*
12 *to accept and transfer jurisdiction over property in accord*
13 *with such administrative boundary, as modified by this sec-*
14 *tion.*

15 **SEC. 205. CRATERS OF THE MOON NATIONAL MONUMENT**
16 **BOUNDARY ADJUSTMENT.**

17 (a) *BOUNDARY REVISION.—The boundary of Craters*
18 *of the Moon National Monument, Idaho, is revised to add*
19 *approximately 210 acres and to delete approximately 315*
20 *acres as generally depicted on the map entitled “Craters*
21 *of the Moon National Monument, Idaho, Proposed 1987*
22 *Boundary Adjustment”, numbered 131–80,008, and dated*
23 *October 1987, which map shall be on file and available for*
24 *public inspection in the office of the National Park Service,*
25 *Department of the Interior.*

1 (b) *ADMINISTRATION AND ACQUISITION.*—*Federal*
2 *lands and interests therein deleted from the boundary of the*
3 *national monument by this section shall be administered*
4 *by the Secretary of the Interior through the Bureau of Land*
5 *Management in accordance with the Federal Land Policy*
6 *and Management Act of 1976 (43 U.S.C. 1701 et seq.), and*
7 *Federal lands and interests therein added to the national*
8 *monument by this section shall be administered by the Sec-*
9 *retary as part of the national monument, subject to the laws*
10 *and regulations applicable thereto. The Secretary is author-*
11 *ized to acquire private lands and interests therein within*
12 *the boundary of the national monument by donation, pur-*
13 *chase with donated or appropriated funds, or exchange, and*
14 *when acquired they shall be administered by the Secretary*
15 *as part of the national monument, subject to the laws and*
16 *regulations applicable thereto.*

17 **SEC. 206. HAGERMAN FOSSIL BEDS NATIONAL MONUMENT**
18 **BOUNDARY ADJUSTMENT.**

19 *Section 302 of the Arizona-Idaho Conservation Act of*
20 *1988 (102 Stat. 4576) is amended by adding the following*
21 *new subsection:*

22 “(d) *To further the purposes of the monument, the Sec-*
23 *retary is also authorized to acquire from willing sellers*
24 *only, by donation, purchase with donated or appropriated*
25 *funds, or exchange not to exceed 65 acres outside the bound-*

1 ary depicted on the map referred to in section 301 and de-
2 velop and operate thereon research, information, interpre-
3 tive, and administrative facilities. Lands acquired and fa-
4 cilities developed pursuant to this subsection shall be ad-
5 ministered by the Secretary as part of the monument. The
6 boundary of the monument shall be modified to include the
7 lands added under this subsection as a noncontiguous par-
8 cel.”.

9 **SEC. 207. WUPATKI NATIONAL MONUMENT BOUNDARY AD-**
10 **JUSTMENT.**

11 *The boundary of the Wupatki National Monument, Ar-*
12 *izona, is hereby revised to include the lands and interests*
13 *in lands within the area generally depicted as “Proposed*
14 *Addition 168.89 Acres” on the map entitled “Boundary—*
15 *Wupatki and Sunset Crater National Monuments, Ari-*
16 *zona”, numbered 322–80,021, and dated April 1989. The*
17 *map shall be on file and available for public inspection in*
18 *the Office of the National Park Service, Department of the*
19 *Interior. Subject to valid existing rights, Federal lands and*
20 *interests therein within the area added to the monument*
21 *by this section are hereby transferred without monetary*
22 *consideration or reimbursement to the administrative juris-*
23 *isdiction of the National Park Service, to be administered*
24 *as part of the monument in accordance with the laws and*
25 *regulations applicable thereto.*

1 **SEC. 208. NEW RIVER GORGE NATIONAL RIVER.**

2 *Section 1101 of the National Parks and Recreation Act*
3 *of 1978 (16 U.S.C. 460m-15) is amended by striking out*
4 *“NERI-80,023, dated January 1987” and inserting*
5 *“NERI-80,028, dated January 1993”.*

6 **SEC. 209. GAULEY RIVER NATIONAL RECREATION AREA.**

7 *(a) Section 201(b) of the West Virginia National Inter-*
8 *est River Conservation Act of 1987 (16 U.S.C. 460ww(b))*
9 *is amended by striking out “NRA-GR/20,000A and dated*
10 *July 1987” and inserting “GARI-80,001 and dated Janu-*
11 *ary 1993”.*

12 *(b) Section 205(c) of the West Virginia National Inter-*
13 *est River Conservation Act of 1987 (16 U.S.C. 460ww-4(c))*
14 *is amended by adding the following at the end thereof: “If*
15 *project construction is not commenced within the time re-*
16 *quired in such license, or if such license is surrendered at*
17 *any time, such boundary modification shall cease to have*
18 *any force and effect.”.*

19 **SEC. 210. BLUESTONE NATIONAL SCENIC RIVER.**

20 *Section 3(a)(65) of the Wild and Scenic Rivers Act*
21 *(16 U.S.C. 1274(a)(65)) is amended by striking out “WSR-*
22 *BLU/20,000, and dated January 1987” and inserting*
23 *“BLUE-80,004, and dated January 1993”.*

24 **SEC. 211. ADVISORY COMMISSIONS.**

25 *(a) KALOKO-HONOKOHAU NATIONAL HISTORICAL*
26 *PARK.—(1) This subsection under this title may be cited*

1 *as the “Na Hoa Pili Kaloko-Honokohau Re-establishment*
2 *Act of 1995”.*

3 (2) *Notwithstanding section 505(f)(7) of Public Law*
4 *95–625 (16 U.S.C. 396d(7)), the Na Hoa Pili O Kaloko-*
5 *Honokohau, the Advisory Commission for Kaloko-*
6 *Honokohau National Historical Park, is hereby re-estab-*
7 *lished in accordance with section 505(f), as amended by*
8 *paragraph (3) of this section.*

9 (3) *Section 505(f)(7) of Public Law 95–625 (16 U.S.C.*
10 *396d(7)), is amended by striking “this Act” and inserting*
11 *in lieu thereof, “the Na Hoa Pili Kaloko-Honokohau Re-*
12 *establishment Act of 1995”.*

13 (b) *WOMEN’S RIGHTS NATIONAL HISTORICAL PARK.—*
14 *(1) This subsection under this title may be cited as the*
15 *“Women’s Rights National Historical Park Advisory Com-*
16 *mission Re-establishment Act of 1995”.*

17 (2) *Notwithstanding section 1601(h)(5) of Public Law*
18 *96–607 (16 U.S.C. 4101l(h)(5)), the advisory commission*
19 *for Women’s Rights National Historical Park is hereby re-*
20 *established in accordance with section 1601(h), as amended*
21 *by paragraph (3) of this section.*

22 (3) *Section 1601(h)(5) of Public Law 96–607 (16*
23 *U.S.C. 4101l(h)(5)), is amended by striking “this section”*
24 *and inserting in lieu thereof, “the Women’s Rights National*

1 *Historical Park Advisory Commission Re-establishment Act*
2 *of 1995”.*

3 **SEC. 212. AMENDMENT TO BOSTON NATIONAL HISTORIC**
4 **PARK ACT.**

5 *Section 3(b) of the Boston National Historical Park*
6 *Act of 1974 (16 U.S.C. 410z-1(b)) is amended by inserting*
7 *“(1)” before the first sentence thereof and by adding the fol-*
8 *lowing at the end thereof:*

9 *“(2) The Secretary of the Interior is authorized*
10 *to enter into a cooperative agreement with the Boston*
11 *Public Library to provide for the distribution of in-*
12 *formational and interpretive materials relating to the*
13 *park and to the Freedom Trail.”.*

14 **SEC. 213. CUMBERLAND GAP NATIONAL HISTORICAL PARK.**

15 *(a) REMOVAL OF RESTRICTIONS.—The first section of*
16 *the Act of June 11, 1940, entitled “An Act to provide for*
17 *the establishment of the Cumberland Gap National Histori-*
18 *cal Park in Tennessee, Kentucky, and Virginia: (54 Stat.*
19 *262, 16 U.S.C. 261 et seq.) is amended by striking out ev-*
20 *erything after the words “Cumberland Gap National His-*
21 *torical Park” and inserting a period.*

22 *(b) USE OF APPROPRIATED FUNDS.—Section 3 of such*
23 *Act (16 U.S.C. 263) is amended by inserting “or with funds*
24 *that may be from time to time appropriated for the pur-*
25 *pose”, after “funds”.*

1 **SEC. 214. WILLIAM O. DOUGLAS OUTDOOR CLASSROOM.**

2 (a) *IN GENERAL.*—*The Secretary of the Interior, act-*
3 *ing through the Director of the National Park Service, is*
4 *authorized to enter into cooperative agreements, as specified*
5 *in subsection (b), relating to Santa Monica Mountains Na-*
6 *tional Recreation Area (hereafter in this title referred to*
7 *as “recreation area”) in accordance with this section.*

8 (b) *COOPERATIVE AGREEMENTS.*—*The cooperative*
9 *agreements referred to in subsection (a) are as follows:*

10 (1) *A cooperative agreement with appropriate*
11 *organizations or groups in order to promote edu-*
12 *cation concerning the natural and cultural resources*
13 *of the recreation area and lands adjacent thereto. Any*
14 *agreement entered into pursuant to this paragraph—*

15 (A) *may provide for Federal matching*
16 *grants of not more than 50 percent of the total*
17 *cost of providing a program of such education;*

18 (B) *shall provide for visits by students or*
19 *other beneficiaries to federally owned lands with-*
20 *in the recreation area;*

21 (C) *shall limit the responsibility of the Sec-*
22 *retary to providing interpretation services con-*
23 *cerning the natural and cultural resources of the*
24 *recreation area; and*

25 (D) *shall provide that the non-Federal*
26 *party shall be responsible for any cost of carry-*

1 *ing out the agreement other than the cost of pro-*
2 *viding interpretation services under subpara-*
3 *graph (C).*

4 *(2) A cooperative agreement under which—*

5 *(A) the Secretary agrees to maintain the fa-*
6 *cilities at 2600 Franklin Canyon Drive in Bev-*
7 *erly Hills, California, for a period of 8 fiscal*
8 *years beginning with the first fiscal year for*
9 *which funds are appropriated pursuant to this*
10 *section, and to provide funding for programs of*
11 *the William O. Douglas Outdoor Classroom or*
12 *its successors in interest that utilize those facili-*
13 *ties during such period; and in return; or*

14 *(B) the William O. Douglas Outdoor Class-*
15 *room, for itself and any successors in interest*
16 *with respect to such facilities, agrees that at the*
17 *end of the term of such agreement all right, title,*
18 *and interest in and to such facilities will be do-*
19 *ated to the United States for addition and op-*
20 *eration as part of the recreation area.*

21 *(c) EXPENDITURE OF FUNDS.—Federal funds may be*
22 *expended on non-Federal property located within the recre-*
23 *ation area pursuant to the cooperative agreement described*
24 *in subsection (b)(2).*

1 (d) *LIMITATIONS.*—(1) *The Secretary may not enter*
2 *into the cooperative agreement described in subsection*
3 *(b)(2) unless and until the Secretary determines that acqui-*
4 *sition of the facilities described in such subsection would*
5 *further the purposes of the recreation area.*

6 (2) *This section shall not be construed as authorizing*
7 *an agreement by the Secretary for reimbursement of ex-*
8 *penses incurred by the William O. Douglas Outdoor Class-*
9 *room or any successor in interest that are not directly relat-*
10 *ed to the use of such facilities for environmental education*
11 *and interpretation of the resources and values of the recre-*
12 *ation area and associated lands and resources.*

13 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
14 *authorized to be appropriated for the 8-year period begin-*
15 *ning October 1, 1995, not to exceed \$2,000,000 to carry out*
16 *this section.*

17 **SEC. 215. MISCELLANEOUS PROVISIONS.**

18 (a) *NEW RIVER CONFORMING AMENDMENTS.*—*Title*
19 *XI of the National Parks and Recreation Act of 1978 (16*
20 *U.S.C. 460m–15, et seq.) is amended by adding the follow-*
21 *ing new section at the end thereof:*

22 **“SEC. 1117. APPLICABLE PROVISIONS OF OTHER LAW.**

23 (a) *COOPERATIVE AGREEMENTS.*—*The provisions of*
24 *section 202(e)(1) of the West Virginia National Interest*
25 *River Conservation Act of 1987 (16 U.S.C. 460ww–1(e)(1))*

1 shall apply to the New River Gorge National River in the
2 same manner and to the same extent as such provisions
3 apply to the Gauley River National Recreation Area.

4 (b) *REMNANTS OF LANDS.*—The provisions of the sec-
5 ond sentence of section 203(a) of the West Virginia National
6 Interest River Conservation Act of 1987 (16 U.S.C. 460ww-
7 2(a)) shall apply to tracts of land partially within the
8 boundaries of the New River Gorge National River in the
9 same manner and to the same extent as such provisions
10 apply to the tracts of land only partially within the Gauley
11 River National Recreation Area.”.

12 (b) *BLUESTONE RIVER CONFORMING AMENDMENTS.*—
13 Section 3(a)(65) of the Wild and Scenic Rivers Act (16
14 U.S.C. 1274(a)(65)) is amended by striking “leases” in the
15 fifth sentence and inserting in lieu thereof “the lease” and
16 in the seventh sentence by striking “such management may
17 be continued pursuant to renewal of such lease agreement.
18 If requested to do so by the State of West Virginia, the Sec-
19 retary may not terminate such leases and assume adminis-
20 trative authority over the areas concerned.” and inserting
21 in lieu thereof the following: “if the State of West Virginia
22 so requests, the Secretary shall renew such lease agreement
23 with the same terms and conditions as contained in such
24 lease agreement on the date of enactment of this paragraph
25 under which the State management shall be continued pur-

1 *suant to such renewal. If requested to do so by the State*
2 *or West Virginia, or as provided in such lease agreement,*
3 *the Secretary may terminate or modify the lease and as-*
4 *sume administrative authority over all or part of the areas*
5 *concerned.”.*

6 **SEC. 216. GAULEY ACCESS.**

7 *Section 202(e) of the West Virginia National Interest*
8 *River Conservation Act of 1987 (16 U.S.C. 460ww-1(e)) is*
9 *amended by adding the following new paragraph at the end*
10 *thereof:*

11 *“(4) ACCESS TO THE RIVER.—Within 90 days*
12 *after the date of enactment of this subsection, the Sec-*
13 *retary shall submit a report to the Committee on En-*
14 *ergy and Natural Resources of the Senate setting forth*
15 *a plan to provide river access for non-commercial rec-*
16 *reational users within the Gauley River National*
17 *Recreation Area. The plan shall provide that such ac-*
18 *cess shall utilize existing public roads and rights-of-*
19 *way to the maximum extent feasible and shall be lim-*
20 *ited to providing access for such non-commercial*
21 *users.”.*

22 **SEC. 217. VISITOR CENTER**

23 *The Secretary of the Interior is authorized to construct*
24 *a visitor center and such other related facilities as may be*
25 *deemed necessary to facilitate visitor understanding and en-*

1 *joyment of the New River Gorge National River and the*
2 *Gauley River National Recreation Area in the vicinity of*
3 *the confluence of the New and Gauley Rivers. Such center*
4 *and related facilities are authorized to be constructed at a*
5 *site outside of the boundary of the New River Gorge Na-*
6 *tional River or Gauley River National Recreation Area un-*
7 *less a suitable site is available within the boundaries of ei-*
8 *ther unit.*

9 **SEC. 218. EXTENSION.**

10 *For a 5-year period following the date of enactment*
11 *of this Act, the provisions of the Wild and Scenic Rivers*
12 *Act applicable to river segments designated for study for*
13 *potential addition to the wild and scenic rivers system*
14 *under subsection 5(b) of that Act shall apply to those seg-*
15 *ments of the Bluestone and Meadow Rivers which were*
16 *found eligible in the studies completed by the National Park*
17 *Service in August 1983 but which were not designated by*
18 *the West Virginia National Interest River Conservation Act*
19 *of 1987 as part of the Bluestone National Scenic River or*
20 *as part of the Gauley National Recreation Area, as the case*
21 *may be.*

22 **SEC. 219. BLUESTONE RIVER PUBLIC ACCESS.**

23 *Section 3(a)(65) of the Wild and Scenic Rivers Act*
24 *(16 U.S.C. 1271 and following) is amended by adding the*
25 *following at the end thereof: "In order to provide reasonable*

1 *public access and vehicle parking for public use and enjoy-*
2 *ment of the river designated by this paragraph, consistent*
3 *with the preservation and enhancement of the natural and*
4 *scenic values of such river, the Secretary may, with the con-*
5 *sent of the owner thereof, negotiate a memorandum of un-*
6 *derstanding or cooperative agreement, or acquire lands or*
7 *interests in such lands, or both, as may be necessary to*
8 *allow public access to the Bluestone River and to provide,*
9 *outside the boundary of the scenic river, parking and relat-*
10 *ed facilities in the vicinity of the area known as Eads*
11 *Mill.”.*

12 **SEC. 220. LIMITATION ON PARK BUILDINGS.**

13 *The 10th undesignated paragraph (relating to a limi-*
14 *tation on the expenditure of funds for park buildings) under*
15 *the heading “MISCELLANEOUS OBJECTS, DEPARTMENT OF*
16 *THE INTERIOR”, which appears under the heading “UNDER*
17 *THE DEPARTMENT OF THE INTERIOR”, as contained in the*
18 *first section of the Act of August 24, 1912 (37 Stat. 460),*
19 *as amended (16 U.S.C. 451), is hereby repealed.*

20 **SEC. 221. APPROPRIATIONS FOR TRANSPORTATION OF**
21 **CHILDREN.**

22 *The first section of the Act of August 7, 1946 (16*
23 *U.S.C. 17j-2), is amended by adding at the end the follow-*
24 *ing:*

1 (1) *in paragraph (b) of the first section, by strik-*
2 *ing out “from such donations and bequests of money”;*
3 *and*

4 (2) *by adding at the end thereof the following:*

5 **“SEC. 2. ADDITIONAL FUNCTIONS.**

6 “(a) *In addition to the functions specified in the first*
7 *section of this Act, the Secretary of the Interior may per-*
8 *form the following functions in such manner as he shall*
9 *consider to be in the public interest:*

10 “(1) *Transfer museum objects and museum col-*
11 *lections that the Secretary determines are no longer*
12 *needed for museum purposes to qualified Federal*
13 *agencies that have programs to preserve and interpret*
14 *cultural or natural heritage, and accept the transfer*
15 *of museum objects and museum collections for the*
16 *purposes of this Act from any other Federal agency,*
17 *without reimbursement. The head of any other Fed-*
18 *eral agency may transfer, without reimbursement,*
19 *museum objects and museum collections directly to*
20 *the administrative jurisdiction of the Secretary of the*
21 *Interior for the purpose of this Act.*

22 “(2) *Convey museum objects and museum collec-*
23 *tions that the Secretary determines are no longer*
24 *needed for museum purposes, without monetary con-*
25 *sideration but subject to such terms and conditions as*

1 *the Secretary deems necessary, to private institutions*
2 *exempt from Federal taxation under section 501(c)(3)*
3 *of the Internal Revenue Code of 1986 and to non-Fed-*
4 *eral governmental entities if the Secretary determines*
5 *that the recipient is dedicated to the preservation and*
6 *interpretation of natural or cultural heritage and is*
7 *qualified to manage the property, prior to any con-*
8 *veyance under this subsection.*

9 *“(3) Destroy or cause to be destroyed museum*
10 *objects and museum collections that the Secretary de-*
11 *termines to have no scientific, cultural, historic, edu-*
12 *cational, esthetic, or monetary value.*

13 *“(b) The Secretary shall ensure that museum collec-*
14 *tions are treated in a careful and deliberate manner that*
15 *protects the public interest. Prior to taking any action*
16 *under subsection (a), the Secretary shall establish a system-*
17 *atic review and approval process, including consultation*
18 *with appropriate experts, that meets the highest standards*
19 *of the museum profession for all actions taken under this*
20 *section.”.*

21 *(b) APPLICATION AND DEFINITIONS.—The Act entitled*
22 *“An Act to increase the public benefits from the National*
23 *Park System by facilitating the management of museum*
24 *properties relating thereto, and for other purposes” ap-*

1 *proved July 1, 1955 (16 U.S.C. 18f), as amended by sub-*
2 *section (a), is further amended by adding the following:*

3 **“SEC. 3. APPLICATION AND DEFINITIONS.**

4 “(a) *APPLICATION.*—*Authorities in this Act shall be*
5 *available to the Secretary of the Interior with regard to mu-*
6 *seum objects and museum collections that were under the*
7 *administrative jurisdiction of the Secretary for the purposes*
8 *of the National Park System before the date of enactment*
9 *of this section as well as those museum objects and museum*
10 *collections that may be acquired on or after such date.*

11 “(b) *DEFINITION.*—*For the purposes of this Act, the*
12 *terms ‘museum objects’ and ‘museum collections’ mean ob-*
13 *jects that are eligible to be or are made part of a museum,*
14 *library, or archive collection through a formal procedure,*
15 *such as accessioning. Such objects are usually movable and*
16 *include but are not limited to prehistoric and historic arti-*
17 *facts, works of art, books, documents, photographs, and nat-*
18 *ural history specimens.”.*

19 **SEC. 224. VOLUNTEERS IN PARKS INCREASE.**

20 *Section 4 of the Volunteers in the Parks Act of 1969*
21 *(16 U.S.C. 18j) is amended by striking out “1,000,000” and*
22 *inserting in lieu thereof “\$1,750,000”.*

1 **SEC. 225. COOPERATIVE AGREEMENTS FOR RESEARCH PUR-**
2 **POSES.**

3 *Section 3 of the Act entitled “An Act to improve the*
4 *administration of the National Park System by the Sec-*
5 *retary of the Interior, and to clarify the authorities applica-*
6 *ble to the system, and for other purposes” approved August*
7 *18, 1970 (16 U.S.C. 1a-2), is amended—*

8 *(1) in paragraph (i), by striking the period at*
9 *the end thereof and inserting in lieu thereof “; and”;*
10 *and*

11 *(2) by adding at the end thereof the following:*

12 *“(j) enter into cooperative agreements with public or*
13 *private educational institutions, States, and their political*
14 *subdivisions, or private conservation organizations for the*
15 *purpose of developing adequate, coordinated, cooperative re-*
16 *search and training programs concerning the resources of*
17 *the National Park System, and, pursuant to any such*
18 *agreements, to accept from and make available to the co-*
19 *operator such technical and support staff, financial assist-*
20 *ance for mutually agreed upon research projects, supplies*
21 *and equipment, facilities, and administrative services relat-*
22 *ing to cooperative research units as the Secretary deems ap-*
23 *propriate; except that this paragraph shall not waive any*
24 *requirements for research projects that are subject to the*
25 *Federal procurement regulations.”.*

1 **SEC. 226. CARL GARNER FEDERAL LANDS CLEANUP DAY.**

2 *The Federal Lands Cleanup Act of 1985 (Public Law*
3 *99–402; U.S.C. 169i–169i–1) is amended by striking the*
4 *terms “Federal Lands Cleanup Day” or “Federal Lands*
5 *National Cleanup Day” each place they occur and inserting*
6 *in lieu thereof, “Carl Garner Federal Lands Cleanup Day”.*

7 **SEC. 227. FORT PULASKI NATIONAL MONUMENT, GEORGIA.**

8 *Section 4 of the Act of June 26, 1936 (ch. 844; 49 Stat.*
9 *1979), is amended by striking “: Provided, That” and all*
10 *that follows and inserting a period.*

11 **SEC. 228. LAURA C. HUDSON VISITOR CENTER.**

12 *(a) DESIGNATION.—The visitor center at Jean Lafitte*
13 *National Historical Park, located at 419 Rue Decatur in*
14 *New Orleans, Louisiana, is hereby designated as the “Laura*
15 *C. Hudson Visitor Center”.*

16 *(b) LEGAL REFERENCES.—Any reference in any law,*
17 *regulation, paper, record, map, or any other document of*
18 *the United States to the visitor center referred to in sub-*
19 *section (a) shall be deemed to be a reference to the “Laura*
20 *C. Hudson Visitor Center”.*

21 **SEC. 229. UNITED STATES CIVIL WAR CENTER.**

22 *(a) FINDINGS.—The Congress finds that—*

23 *(1) the sesquicentennial of the beginning of the*
24 *Civil War will occur in the year 2011;*

1 (2) *the sesquicentennial will be the last signifi-*
2 *cant opportunity for most Americans alive in the*
3 *year 2011 to recall and commemorate the Civil War;*

4 (3) *the Civil War Center in Louisiana State*
5 *University in Baton Rouge, Louisiana, has as its*
6 *principal missions to create a comprehensive database*
7 *that contains all Civil War materials and to facilitate*
8 *the study of the Civil War from the perspectives of all*
9 *ethnic cultures and all professions; academic dis-*
10 *ciplines, and occupation;*

11 (4) *the two principal missions of the Civil War*
12 *Center are consistent with commemoration of the ses-*
13 *quicentennial;*

14 (5) *the missions of the Civil War Institute at*
15 *Gettysburg College parallel those of the Civil War*
16 *Center; and*

17 (6) *advance planning to facilitate the four-year*
18 *commemoration of the sesquicentennial is required.*

19 (b) *DESIGNATION.*—*The Civil War Center, located on*
20 *Raphael Semmes Drive at Louisiana State University in*
21 *Baton Rouge, Louisiana (hereinafter in this section referred*
22 *to as the “center”)* shall be known and designated as the
23 *“United States Civil War Center”.*

24 (c) *LEGAL REFERENCES.*—*Any reference in any law,*
25 *regulation, paper, record, map, or any other document of*

1 *the United States to the center referred to in subsection (b)*
2 *shall be deemed to be a reference to the “United States Civil*
3 *War Center”.*

4 (d) *FLAGSHIP INSTITUTIONS.—The center and the*
5 *Civil War Institute of Gettysburg College, located at 233*
6 *North Washington Street in Gettysburg, Pennsylvania,*
7 *shall be the flagship institutions for planning the sesqui-*
8 *centennial commemoration of the Civil War.*

9 **TITLE III—ROBERT J. LAGOMARSINO**

10 **VISITOR CENTER**

11 **SEC. 301. DESIGNATION.**

12 *The visitor center at the Channel Islands National*
13 *Park, California, is designated as the “Robert J. Lago-*
14 *marsino Visitor Center”.*

15 **SEC. 302. LEGAL REFERENCES.**

16 *Any reference in any law, regulation, document,*
17 *record, map, or other paper of the United States to the visi-*
18 *tor center referred to in section 301 is deemed to be a ref-*
19 *erence to the “Robert J. Lagomarsino Visitor Center”.*

20 **TITLE IV—ROCKY MOUNTAIN NATIONAL**

21 **PARK VISITOR CENTER**

22 **SEC. 401. VISITOR CENTER.**

23 *The Secretary of the Interior is authorized to collect*
24 *and expend donated funds and expend appropriated funds*
25 *for the operation and maintenance of a visitor center to*

1 *be constructed for visitors to and administration of Rocky*
2 *Mountain National Park with private funds on lands lo-*
3 *cated outside the boundary of the park.*

4 ***TITLE V—CORINTH, MISSISSIPPI,***
5 ***BATTLEFIELD ACT***

6 ***SEC. 501. FINDINGS AND PURPOSE.***

7 (a) *FINDINGS.—Congress finds that—*

8 (1) *the sites located in the vicinity of Corinth,*
9 *Mississippi, that were designated as a National His-*
10 *toric Landmark by the Secretary of the Interior in*
11 *1991 represent nationally significant events in the*
12 *Siege and Battle of Corinth during the Civil War;*
13 *and*

14 (2) *the landmark sites should be preserved and*
15 *interpreted for the benefit, inspiration, and education*
16 *of the people of the United States.*

17 (b) *PURPOSE.—The purpose of this title is to provide*
18 *for a center for the interpretation of the Siege and Battle*
19 *of Corinth and other Civil War actions in the Region and*
20 *to enhance public understanding of the significance of the*
21 *Corinth Campaign in the Civil War relative to the Western*
22 *theater of operations, in cooperation with State or local gov-*
23 *ernmental entities and private organizations and individ-*
24 *uals.*

1 **SEC. 502. ACQUISITION OF PROPERTY AT CORINTH, MIS-**
2 **SISSIPPI.**

3 (a) *IN GENERAL.*—*The Secretary of the Interior (re-*
4 *ferred to in this title as the “Secretary”) shall acquire by*
5 *donation, purchase with donated or appropriated funds, or*
6 *exchange, such land and interests in land in the vicinity*
7 *of the Corinth Battlefield, in the State of Mississippi, as*
8 *the Secretary determines to be necessary for the construction*
9 *of an interpretive center to commemorate and interpret the*
10 *1862 Civil War Siege and Battle of Corinth.*

11 (b) *PUBLICLY OWNED LAND.*—*Land and interests in*
12 *land owned by the State of Mississippi or a political sub-*
13 *division of the State of Mississippi may be acquired only*
14 *by donation.*

15 **SEC. 503. INTERPRETIVE CENTER AND MARKING.**

16 (a) *INTERPRETIVE CENTER.*—

17 (1) *CONSTRUCTION OF CENTER.*—*The Secretary*
18 *shall construct, operate, and maintain on the prop-*
19 *erty acquired under section 502 a center for the inter-*
20 *pretation of the Siege and Battle of Corinth and asso-*
21 *ciated historical events for the benefit of the public.*

22 (2) *DESCRIPTION.*—*The center shall contain ap-*
23 *proximately 5,300 square feet, and include interpre-*
24 *tive exhibits, an auditorium, a parking area, and*
25 *other features appropriate to public appreciation and*
26 *understanding of the site.*

1 (b) *MARKING.*—*The Secretary may mark sites associ-*
2 *ated with the Siege and Battle of Corinth National Historic*
3 *Landmark, as designated on May 6, 1991, if the sites are*
4 *determined by the Secretary to be protected by State or local*
5 *governmental agencies.*

6 (c) *ADMINISTRATION.*—*The land and interests in land*
7 *acquired, and the facilities constructed and maintained*
8 *pursuant to this title, shall be administered by the Sec-*
9 *retary as a part of Shiloh National Military Park, subject*
10 *to the appropriate laws (including regulations) applicable*
11 *to the Park, the Act entitled “An Act to establish a National*
12 *Park Service, and for other purposes”, approved August 25,*
13 *1916 (16 U.S.C. 1 et seq.), and the Act entitled “An Act*
14 *to provide for the preservation of historic American sites,*
15 *buildings, objects, and antiquities of national significance,*
16 *and for other purposes”, approved August 21, 1935 (16*
17 *U.S.C. 461 et seq.).*

18 **SEC. 504. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) *IN GENERAL.*—*Subject to subsection (b), there are*
20 *authorized to be appropriated such sums as are necessary*
21 *to carry out this title.*

22 (b) *CONSTRUCTION.*—*Of the amounts made available*
23 *to carry out this title, not more than \$6,000,000 may be*
24 *used to carry out section 503(a).*

1 **TITLE VI—WALNUT CANYON NATIONAL**
2 **MONUMENT BOUNDARY MODIFICATION**

3 **SEC. 601. FINDINGS AND PURPOSE.**

4 *(a) FINDINGS.—The Congress finds that:*

5 *(1) Walnut Canyon National Monument was es-*
6 *tablished for the preservation and interpretation of*
7 *certain settlements and land use patterns associated*
8 *with the prehistoric Sinaguan culture of northern Ar-*
9 *izona.*

10 *(2) Major cultural resources associated with the*
11 *purposes of Walnut Canyon National Monument are*
12 *near the boundary and are currently managed under*
13 *multiple-use objectives of the adjacent national forest.*
14 *These concentrations of cultural resources, often re-*
15 *ferred to as “forts”, would be more effectively man-*
16 *aged as part of the National Park System.*

17 *(b) PURPOSE.—The purpose of this title is to modify*
18 *the boundaries of the Walnut Canyon National Monument*
19 *(hereafter in this title referred to as the “national monu-*
20 *ment”)* *to improve management of the national monument*
21 *and associated resources.*

22 **SEC. 602. BOUNDARY MODIFICATION.**

23 *Effective on the date of enactment of this Act, the*
24 *boundaries of the national monument shall be modified as*
25 *depicted on the map entitled “Boundary Proposal—Walnut*

1 *Canyon National Monument, Coconino County, Arizona*”,
2 *numbered 360/80,010, and dated September 1994. Such*
3 *map shall be on file and available for public inspection in*
4 *the offices of the Director of the National Park Service, De-*
5 *partment of the Interior. The Secretary of the Interior, in*
6 *consultation with the Secretary of Agriculture, is authorized*
7 *to make technical and clerical corrections to such map.*

8 **SEC. 603. ACQUISITION AND TRANSFER OF PROPERTY.**

9 *The Secretary of the Interior is authorized to acquire*
10 *lands and interest in lands within the national monument,*
11 *by donation, purchase with donated or appropriated funds,*
12 *or exchange. Federal property within the boundaries of the*
13 *national monument (as modified by this title) is hereby*
14 *transferred to the administrative jurisdiction of the Sec-*
15 *retary of the Interior for management as part of the na-*
16 *tional monument. Federal property excluded from the*
17 *monument pursuant to the boundary modification under*
18 *section 603 is hereby transferred to the administrative ju-*
19 *risdiction of the Secretary of Agriculture to be managed as*
20 *a part of the Coconino National Forest.*

21 **SEC. 604. ADMINISTRATION.**

22 *The Secretary of the Interior, acting through the Direc-*
23 *tor of the National Park Service, shall manage the national*
24 *monument in accordance with this title and the provisions*
25 *of law generally applicable to units of the National Park*

1 *Service, including “An Act to establish a National Park*
2 *Service, and for other purposes” approved August 25, 1916*
3 *(39 Stat. 535; 16 U.S.C. 1, 2–4).*

4 **SEC. 605. AUTHORIZATION OF APPROPRIATIONS.**

5 *There is hereby authorized to be appropriated such*
6 *sums as may be necessary to carry out this title.*

7 **TITLE VII—DELAWARE WATER GAP**

8 **SEC. 701. PROHIBITION OF COMMERCIAL VEHICLES.**

9 *(a) IN GENERAL.—Effective at noon on September 30,*
10 *2005, the use of Highway 209 within Delaware Water Gap*
11 *National Recreation Area by commercial vehicles, when*
12 *such use is not connected with the operation of the recre-*
13 *ation area, is prohibited, except as provided in subsection*
14 *(b).*

15 *(b) LOCAL BUSINESS USE PROTECTED.—Subsection*
16 *(a) does not apply with respect to the use of commercial*
17 *vehicles to serve businesses located within or in the vicinity*
18 *of the recreation area, as determined by the Secretary.*

19 *(c) CONFORMING PROVISIONS.—*

20 *(1) Paragraphs (1) through (3) of the third un-*
21 *designated paragraph under the heading “ADMINIS-*
22 *TRATIVE PROVISIONS” in chapter VII of title I of*
23 *Public Law 98–63 (97 Stat. 329) are repealed, effec-*
24 *tive September 30, 2005.*

1 (2) *Prior to noon on September 30, 2005, the*
2 *Secretary shall collect and utilize a commercial use*
3 *fee from commercial vehicles in accordance with para-*
4 *graphs (1) through (3) of such third undesignated*
5 *paragraph. Such fee shall not exceed \$25 per trip.*

6 **TITLE VIII—TARGHEE NATIONAL FOREST**
7 **LAND EXCHANGE**

8 **SEC. 801. AUTHORIZATION OF EXCHANGE.**

9 (a) *CONVEYANCE.*—*Notwithstanding the requirements*
10 *in the Act entitled “An Act to Consolidate National Forest*
11 *Lands”, approved March 20, 1922 (16 U.S.C. 485), and*
12 *section 206(b) of the Federal Land Policy and Management*
13 *Act of 1976 (43 U.S.C. 1716(b)) that Federal and non-Fed-*
14 *eral lands exchanged for each other must be located within*
15 *the same State, the Secretary of Agriculture may convey*
16 *the Federal lands described in section 802(a) in exchange*
17 *for the non-Federal lands described in section 802(b) in ac-*
18 *cordance with the provisions of this title.*

19 (b) *APPLICABILITY OF OTHER PROVISIONS OF LAW.*—
20 *Except as otherwise provided in this title, the land exchange*
21 *authorized by this section shall be made under the existing*
22 *authorities of the Secretary.*

23 (c) *ACCEPTABILITY OF TITLE AND MANNER OF CON-*
24 *VEYANCE.*—*The Secretary shall not carry out the exchange*
25 *described in subsection (a) unless the title to the non-Fed-*

1 eral lands to be conveyed to the United States, and the form
2 and procedures of conveyance, are acceptable to the Sec-
3 retary.

4 **SEC. 802. DESCRIPTION OF LANDS TO BE EXCHANGED.**

5 (a) *FEDERAL LANDS.*—The Federal lands referred to
6 in this title are located in the Targhee National Forest in
7 Idaho, are generally depicted on the map entitled “Targhee
8 Exchange, Idaho-Wyoming—Proposed, Federal Land”,
9 dated September 1994, and are known as the North Fork
10 Tract.

11 (b) *NON-FEDERAL LANDS.*—The non-Federal lands re-
12 ferred to in this title are located in the Targhee National
13 Forest in Wyoming, are generally depicted on the map enti-
14 tled “Non-Federal land, Targhee Exchange, Idaho-Wyo-
15 ming—Proposed”, dated September 1994, and are known
16 as the Squirrel Meadows Tract.

17 (c) *MAPS.*—The maps referred to in subsections (a)
18 and (b) shall be on file and available for inspection in the
19 office of the Targhee National Forest in Idaho and in the
20 office of the Chief of the Forest Service.

21 **SEC. 803. EQUALIZATION OF VALUES.**

22 Prior to the exchange authorized by section 801, the
23 values of the Federal and non-Federal lands to be so ex-
24 changed shall be established by appraisals of fair market
25 value that shall be subject to approval by the Secretary. The

1 *values either shall be equal or shall be equalized using the*
2 *following methods:*

3 (1) *ADJUSTMENT OF LANDS.—*

4 (A) *PORTION OF FEDERAL LANDS.—If the*
5 *Federal lands are greater in value than the non-*
6 *Federal lands, the Secretary shall reduce the*
7 *acreage of the Federal lands until the values of*
8 *the Federal lands closely approximate the values*
9 *of the non-Federal lands.*

10 (B) *ADDITIONAL FEDERALLY-OWNED*
11 *LANDS.—If the non-Federal lands are greater in*
12 *value than the Federal lands, the Secretary may*
13 *convey additional federally owned lands within*
14 *the Targhee National Forest up to an amount*
15 *necessary to equalize the values of the non-Fed-*
16 *eral lands and the lands to be transferred out of*
17 *Federal ownership. However, such additional*
18 *federally owned lands shall be limited to those*
19 *meeting the criteria for land exchanges specified*
20 *in the Targhee National Forest Land and Re-*
21 *source Management Plan.*

22 (2) *PAYMENT OF MONEY.—The values may be*
23 *equalized by the payment of money as provided in*
24 *section 206(b) of the Federal Land Policy and Man-*
25 *agement Act of 1976 (43 U.S.C. 1716 (b)).*

1 **SEC. 804. DEFINITIONS.**

2 *For purpose of this title:*

3 (1) *The term “Federal lands” means the Federal*
4 *lands described in section 802(a).*

5 (2) *The term “non-Federal lands” means the*
6 *non-Federal lands described in section 802(b).*

7 (3) *The term “Secretary” means the Secretary of*
8 *Agriculture.*

9 **TITLE IX—DAYTON AVIATION**

10 *Section 201(b) of the Dayton Aviation Heritage Pres-*
11 *ervation Act of 1992 (Public Law 102–419, approved Octo-*
12 *ber 16, 1992), is amended as follows:*

13 (1) *In paragraph (2), by striking “from rec-*
14 *ommendations” and inserting “after consideration of*
15 *recommendations”.*

16 (2) *In paragraph (4), by striking “from rec-*
17 *ommendations” and inserting “after consideration of*
18 *recommendations”.*

19 (3) *In paragraph (5), by striking “from rec-*
20 *ommendations” and inserting “after consideration of*
21 *recommendations”.*

22 (4) *In paragraph (6), by striking “from rec-*
23 *ommendations” and inserting “after consideration of*
24 *recommendations”.*

1 (5) *In paragraph (7), by striking “from rec-*
2 *ommendations” and inserting “after consideration of*
3 *recommendations”.*

4 **TITLE X—CACHE LA POUFRE**

5 **SEC. 1001. PURPOSE.**

6 *The purpose of this title is to designate the Cache La*
7 *Poudre River National Water Heritage Area within the*
8 *Cache La Poudre River Basin and to provide for the inter-*
9 *pretation, for the educational and inspirational benefit of*
10 *present and future generations, of the unique and signifi-*
11 *cant contributions to our national heritage of cultural and*
12 *historical lands, waterways, and structures within the Area.*

13 **SEC. 1002. DEFINITIONS.**

14 *As used in this title:*

15 (1) *AREA.*—*The term “Area” means the Cache*
16 *La Poudre River National Water Heritage Area es-*
17 *tablished by section 1003(a).*

18 (2) *COMMISSION.*—*The term “Commission”*
19 *means the Cache La Poudre River National Water*
20 *Heritage Area Commission established by section*
21 *1004(a).*

22 (3) *GOVERNOR.*—*The term “Governor” means*
23 *the Governor of the State of Colorado.*

1 (4) *PLAN.*—*The term “Plan” means the water*
2 *heritage area interpretation plan prepared by the*
3 *Commission pursuant to section 1008(a)*

4 (5) *POLITICAL SUBDIVISION OF THE STATE.*—
5 *The term “political subdivision of the State” means*
6 *a political subdivision of the State of Colorado, any*
7 *part of which is located in or adjacent to the Area,*
8 *including a county, city, town, water conservancy*
9 *district, or special district.*

10 (6) *SECRETARY.*—*The term “Secretary” means*
11 *the Secretary of the Interior.*

12 **SEC. 1003. ESTABLISHMENT OF THE CACHE LA POUFRE**
13 **RIVER NATIONAL WATER HERITAGE AREA.**

14 (a) *ESTABLISHMENT.*—*There is established in the*
15 *State of Colorado the Cache La Poudre River National*
16 *Water Heritage Area.*

17 (b) *BOUNDARIES.*—*The boundaries of this Area shall*
18 *include those lands within the 100-year flood plain of the*
19 *Cache La Poudre River Basin, beginning at a point where*
20 *the Cache La Poudre River flows out of the Roosevelt Na-*
21 *tional Forest and continuing east along said floodplain to*
22 *a point one quarter of one mile west of the confluence of*
23 *the Cache La Poudre River and the South Platte Rivers*
24 *in Weld County, Colorado, comprising less than 35,000*

1 acres, and generally depicted as the 100-year flood bound-
2 ary on the Federal Flood Insurance maps listed below:

3 (1) *FLOOD INSURANCE RATE MAP, LARIMER*
4 *COUNTY, COLORADO.—Community-Panel No. 080101*
5 *0146B, April 2, 1979. United States Department of*
6 *Housing and Urban Development, Federal Insurance*
7 *Administration.*

8 (2) *FLOOD INSURANCE RATE MAP, LARIMER*
9 *COUNTY, COLORADO.—Community-Panel No. 080101*
10 *0147B, April 2, 1979. United States Department of*
11 *Housing and Urban Development, Federal Insurance*
12 *Administration.*

13 (3) *FLOOD INSURANCE RATE MAP, LARIMER*
14 *COUNTY, COLORADO.—Community-Panel No. 080101*
15 *0162B, April 2, 1979. United States Department of*
16 *Housing and Urban Development, Federal Insurance*
17 *Administration.*

18 (4) *FLOOD INSURANCE RATE MAP, LARIMER*
19 *COUNTY, COLORADO.—Community-Panel No. 080101*
20 *0163C, March 18, 1986. Federal Emergency Manage-*
21 *ment Agency, Federal Insurance Administration.*

22 (5) *FLOOD INSURANCE RATE MAP, LARIMER*
23 *COUNTY, COLORADO.—Community-Panel No. 080101*
24 *0178C, March 18, 1986. Federal Emergency Manage-*
25 *ment Agency, Federal Insurance Administration.*

1 (6) *FLOOD INSURANCE RATE MAP, LARIMER*
2 *COUNTY, COLORADO.—Community-Panel No. 080102*
3 *0002B, February 15, 1984. Federal Emergency Man-*
4 *agement Agency, Federal Insurance Administration.*

5 (7) *FLOOD INSURANCE RATE MAP, LARIMER*
6 *COUNTY, COLORADO.—Community-Panel No. 080101*
7 *0179C, March 18, 1986. Federal Emergency Manage-*
8 *ment Agency, Federal Insurance Administration.*

9 (8) *FLOOD INSURANCE RATE MAP, LARIMER*
10 *COUNTY, COLORADO.—Community-Panel No. 080101*
11 *0193D, November 17, 1993. Federal Emergency Man-*
12 *agement Agency, Federal Insurance Administration.*

13 (9) *FLOOD INSURANCE RATE MAP, LARIMER*
14 *COUNTY, COLORADO.—Community-Panel No. 080101*
15 *0194D, November 17, 1993. Federal Emergency Man-*
16 *agement Agency, Federal Insurance Administration.*

17 (10) *FLOOD INSURANCE RATE MAP, LARIMER*
18 *COUNTY, COLORADO.—Community-Panel No. 080101*
19 *0208C, November 17, 1993. Federal Emergency Man-*
20 *agement Agency, Federal Insurance Administration.*

21 (11) *FLOOD INSURANCE RATE MAP, LARIMER*
22 *COUNTY, COLORADO.—Community-Panel No. 080101*
23 *0221C, November 17, 1993. Federal Emergency Man-*
24 *agement Agency, Federal Insurance Administration.*

1 (12) *FLOOD INSURANCE RATE MAP, LARIMER*
2 *COUNTY, COLORADO.—Community-Panel No. 080266*
3 *0605D, September 27, 1991. Federal Emergency Man-*
4 *agement Agency, Federal Insurance Administration.*

5 (13) *FLOOD INSURANCE RATE MAP, LARIMER*
6 *COUNTY, COLORADO.—Community-Panel No. 080264*
7 *0005A, September 27, 1991. Federal Emergency Man-*
8 *agement Agency, Federal Insurance Administration.*

9 (14) *FLOOD INSURANCE RATE MAP, LARIMER*
10 *COUNTY, COLORADO.—Community-Panel No. 080266*
11 *0608D, September 27, 1991. Federal Emergency Man-*
12 *agement Agency, Federal Insurance Administration.*

13 (15) *FLOOD INSURANCE RATE MAP, LARIMER*
14 *COUNTY, COLORADO.—Community-Panel No. 080266*
15 *0609C, September 28, 1982. Federal Emergency Man-*
16 *agement Agency, Federal Insurance Administration.*

17 (16) *FLOOD INSURANCE RATE MAP, LARIMER*
18 *COUNTY, COLORADO.—Community-Panel No. 080266*
19 *0628C, September 28, 1982. Federal Emergency Man-*
20 *agement Agency, Federal Insurance Administration.*

21 (17) *FLOOD INSURANCE RATE MAP, LARIMER*
22 *COUNTY, COLORADO.—Community-Panel No. 080184*
23 *0002B, July 16, 1979. United States Department of*
24 *Housing and Urban Development, Federal Insurance*
25 *Administration.*

1 (18) *FLOOD INSURANCE RATE MAP, LARIMER*
 2 *COUNTY, COLORADO.—Community-Panel No. 080266*
 3 *0636C, September 28, 1982. Federal Emergency Man-*
 4 *agement Agency, Federal Insurance Administration.*

5 (19) *FLOOD INSURANCE RATE MAP, LARIMER*
 6 *COUNTY, COLORADO.—Community-Panel No. 080266*
 7 *0637C, September 28, 1982. Federal Emergency Man-*
 8 *agement Agency, Federal Insurance Administration.*

9 *As soon as practicable after the date of enactment of this*
 10 *title, the Secretary shall publish in the Federal Register a*
 11 *detailed description and map of the boundaries of the Area.*

12 (c) *PUBLIC ACCESS TO MAPS.—The maps shall be on*
 13 *file and available for public inspection in—*

14 (1) *the offices of the Department of the Interior*
 15 *in Washington, District of Columbia, and Denver,*
 16 *Colorado; and*

17 (2) *local offices of the city of Fort Collins,*
 18 *Larimer Country, the city of Greeley, and Weld*
 19 *County.*

20 **SEC. 1004. ESTABLISHMENT OF THE CACHE LA POUFRE**

21 **RIVER NATIONAL WATER HERITAGE AREA**

22 **COMMISSION**

23 (a) *ESTABLISHMENT.—*

1 (1) *IN GENERAL.*—*There is established the Cache*
2 *La Poudre River National Water Heritage Area Com-*
3 *mission.*

4 (2) *FUNCTION.*—*The Commission, in consulta-*
5 *tion with appropriate Federal, State, and local au-*
6 *thorities, shall develop and implement an integrated*
7 *plan to interpret elements of the history of water de-*
8 *velopment within the Area.*

9 (b) *MEMBERSHIP.*—

10 (1) *COMPOSITION.*—*The Commission shall be*
11 *composed of 15 members appointed not later than 6*
12 *months after the date of enactment of this title. Of*
13 *these 15 members—*

14 (A) *1 member shall be a representative of*
15 *the Secretary of the Interior which member shall*
16 *be an ex officio member;*

17 (B) *1 member shall be a representative of*
18 *the Forest Service, appointed by the Secretary of*
19 *Agriculture, which member shall be an ex officio*
20 *member;*

21 (C) *3 members shall be recommended by the*
22 *Governor and appointed by the Secretary, of*
23 *whom—*

24 (i) *1 member shall represent the State;*

1 (ii) 1 member shall represent Colorado
2 State University in Fort Collins; and

3 (iii) 1 member shall represent the
4 Northern Colorado Water Conservancy Dis-
5 trict;

6 (D) 6 members shall be representatives of
7 local governments who are recommended by the
8 Governor and appointed by the Secretary, of
9 whom—

10 (i) 1 member shall represent the city of
11 Fort Collins;

12 (ii) 2 members shall represent Larimer
13 County, 1 of which shall represent agri-
14 culture or irrigated water interests;

15 (iii) 1 member shall represent the city
16 of Greeley;

17 (iv) 2 members shall represent Weld
18 County, 1 of which shall represent agricul-
19 tural or irrigated water interests; and

20 (v) 1 member shall represent the city of
21 Loveland; and

22 (E) 3 members shall be recommended by the
23 Governor and appointed by the Secretary, and
24 shall—

25 (i) represent the general public;

1 (ii) be citizens of the State; and

2 (iii) reside within the Area.

3 (2) *CHAIRPERSON.*—The chairperson of the Com-
4 mission shall be elected by the members of the Com-
5 mission from among members appointed under sub-
6 paragraph (C), (D), or (E) of paragraph (1). The
7 chairperson shall be elected for a 2-year term.

8 (3) *VACANCIES.*—A vacancy on the Commission
9 shall be filled in the same manner in which the origi-
10 nal appointment was made.

11 (c) *TERMS OF SERVICE.*—

12 (1) *IN GENERAL.*—Except as provided in para-
13 graphs (2) and (3), each member of the Commission
14 shall be appointed for a term of 3 years and may be
15 reappointed.

16 (2) *INITIAL MEMBERS.*—The initial members of
17 the Commission first appointed under subsection
18 (b)(1) shall be appointed as follows:

19 (A) *3-YEAR TERMS.*—The following initial
20 members shall serve for a 3-year term:

21 (i) The representative of the Secretary
22 of the Interior.

23 (ii) 1 representative of Weld County.

24 (iii) 1 representative of Larimer Coun-
25 ty.

1 (iv) 1 representative of the city of
2 *Loveland.*

3 (v) 1 representative of the general pub-
4 *lic.*

5 (B) 2-YEAR TERMS.—*The following initial*
6 *members shall serve for a 2-year term:*

7 (i) *The representative of the Forest*
8 *Service.*

9 (ii) *The representative of the State.*

10 (iii) *The representative of Colorado*
11 *State University.*

12 (iv) *The representative of the Northern*
13 *Colorado Water Conservancy District.*

14 (C) 1-YEAR TERMS.—*The following initial*
15 *members shall serve for a 1-year term:*

16 (i) 1 representative of the city of *Fort*
17 *Collins.*

18 (ii) 1 representative of *Larimer Coun-*
19 *ty.*

20 (iii) 1 representative of the city of
21 *Greeley.*

22 (iv) 1 representative of *Weld County.*

23 (v) 1 representative of the general pub-
24 *lic.*

25 (3) *PARTIAL TERMS.—*

1 (A) *FILLING VACANCIES.*—A member of the
2 Commission appointed to fill a vacancy occur-
3 ring before the expiration of the term for which
4 a predecessor was appointed shall be appointed
5 only for the remainder of their term.

6 (B) *EXTENDED SERVICE.*—A member of the
7 Commission may serve after the expiration of
8 that member's term until a successor has taken
9 office.

10 (d) *COMPENSATION.*—Members of the Commission
11 shall receive no compensation for their service on the Com-
12 mission.

13 (e) *TRAVEL EXPENSES.*—While away from their homes
14 or regular places of business in the performance of services
15 for the Commission, members shall be allowed travel ex-
16 penses, including per diem in lieu of subsistence, in the
17 same manner as persons employed intermittently in the
18 Government service are allowed expenses under section 5703
19 of title 5, United States Code.

20 **SEC. 1005. STAFF OF THE COMMISSION.**

21 (a) *STAFF.*—The Commission shall have the power to
22 appoint and fix the compensation of such staff as may be
23 necessary to carry out the duties of the Commission.

24 (1) *APPOINTMENT AND COMPENSATION.*—Staff
25 appointed by the Commission—

1 (A) shall be appointed without regard to the
2 city service laws and regulations; and

3 (B) shall be compensated without regard to
4 the provisions of chapter 51 and subchapter III
5 of chapter 53 of title 5, United States Code, re-
6 lating to classification of positions and General
7 Schedule pay rates.

8 (b) *EXPERTS AND CONSULTANTS.*—Subject to such
9 rules as may be adopted by the Commission, the Commis-
10 sion may procure temporary and intermittent services to
11 the same extent as is authorized by section 3109(b) of title
12 5, United States Code, at rates for individuals that do not
13 exceed the daily equivalent of the annual rate of basic pay
14 prescribed for level V of the Executive Schedule under sec-
15 tion 5316 of such title.

16 (c) *STAFF OF OTHER AGENCIES.*—

17 (1) *FEDERAL.*—Upon request of the Commission,
18 the head of a Federal agency may detail, on a reim-
19 bursement basis, any of the personnel of the agency to
20 the Commission to assist the Commission in carrying
21 out the Commission's duties. The detail shall be with-
22 out interruption or loss of civil service status or
23 privilege.

24 (2) *ADMINISTRATIVE SUPPORT SERVICES.*—The
25 Administrator of the General Services Administration

1 *shall provide to the Commission, on a reimbursable*
2 *basis, such administrative support services as the*
3 *Commission may request.*

4 (3) *STATE.—The Commission may—*

5 (A) *accept the service of personnel detailed*
6 *from the State, State agencies, and political sub-*
7 *divisions of the State; and*

8 (B) *reimburse the State, State agency, or*
9 *political subdivision of the State for such serv-*
10 *ices.*

11 **SEC. 1006. POWERS OF THE COMMISSION.**

12 (a) *HEARINGS.—*

13 (1) *IN GENERAL.—The Commission may hold*
14 *such hearings, sit and act at such times and places,*
15 *take such testimony, and receive such evidence as the*
16 *Commission considers necessary to carry out this*
17 *title.*

18 (2) *SUBPOENAS.—The Commission may not*
19 *issue subpoenas or exercise any subpoena authority.*

20 (b) *MAILS.—The Commission may use the United*
21 *States mails in the same manner and under the same condi-*
22 *tions as other departments and agencies of the Federal Gov-*
23 *ernment.*

24 (c) *MATCHING FUNDS.—The Commission may use its*
25 *funds to obtain money from any source under a program*

1 *or law requiring the recipient of the money to make a con-*
2 *tribution in order to receive the money.*

3 *(d) GIFTS.—*

4 *(1) IN GENERAL.—Except as provided in sub-*
5 *section (e)(3), the Commission may, for the purpose*
6 *of carrying out its duties, seek, accept, and dispose of*
7 *gifts, bequests, or donations of money, personal prop-*
8 *erty, or services received from any source.*

9 *(2) CHARITABLE CONTRIBUTIONS.—For the pur-*
10 *pose of section 170(c) of the Internal Revenue Code of*
11 *1986, a gift to the Commission shall be deemed to be*
12 *a gift to the United States.*

13 *(e) REAL PROPERTY.—*

14 *(1) IN GENERAL.—Except as provided in para-*
15 *graph (2) and except with respect to a leasing of fa-*
16 *cilities under section 6(c)(2), the Commission may*
17 *not acquire real property or an interest in real prop-*
18 *erty.*

19 *(2) EXCEPTION.—Subject to paragraph (3), the*
20 *Commission may acquire real property in the Area,*
21 *and interests in real property in the Area—*

22 *(A) by gift or device;*

23 *(B) by purchase from a willing seller with*
24 *money that was given or bequeathed to the Com-*
25 *mission; or*

1 (C) *by exchange.*

2 (3) *CONVEYANCE TO PUBLIC AGENCIES.—Any*
3 *real property or interest in real property acquired by*
4 *the Commission under paragraph (2) shall be con-*
5 *veyed by the Commission to an appropriate non-Fed-*
6 *eral public agency, as determined by the Commission.*
7 *The conveyance shall be made—*

8 (A) *as soon as practicable after acquisition;*

9 (B) *without consideration; and*

10 (C) *on the condition that the real property*
11 *or interest in real property so conveyed is used*
12 *in furtherance of the purpose for which the Area*
13 *is established.*

14 (f) *COOPERATIVE AGREEMENTS.—For the purpose of*
15 *carrying out the Plan, the Commission may enter into co-*
16 *operative agreements with Federal agencies, State agencies,*
17 *political subdivisions of the State, and persons. Any such*
18 *cooperative agreement shall, at a minimum, establish proce-*
19 *dures for providing notice to the Commission of any action*
20 *that may affect the implementation of the Plan.*

21 (g) *ADVISORY GROUPS.—The Commission may estab-*
22 *lish such advisory groups as it considers necessary to ensure*
23 *open communication with, and assistance from Federal*
24 *agencies, State agencies, political subdivisions of the State,*
25 *and interested persons.*

1 (h) *MODIFICATION OF PLANS.*—

2 (1) *IN GENERAL.*—*The Commission may modify*
3 *the Plan if the Commission determines that such*
4 *modification is necessary to carry out this title.*

5 (2) *NOTICE.*—*No modification shall take effect*
6 *until—*

7 (A) *any Federal agency, State agency, or*
8 *political subdivision of the State that may be af-*
9 *ected by the modification receives adequate no-*
10 *tice of, and an opportunity to comment on, the*
11 *modification;*

12 (B) *if the modification is significant, as de-*
13 *termined by the Commission, the Commission*
14 *has—*

15 (i) *provided adequate notice of the*
16 *modification by publication in the area of*
17 *the Area; and*

18 (ii) *conducted a public hearing with*
19 *respect to the modification; and*

20 (C) *the Governor has approved the modi-*
21 *fication.*

22 **SEC. 1007. DUTIES OF THE COMMISSION.**

23 (a) *PLAN.*—*The Commission shall prepare, obtain ap-*
24 *proval for, implement, and support the Plan in accordance*
25 *with section 1008.*

1 (b) *MEETINGS.*—

2 (1) *TIMING.*—

3 (A) *INITIAL MEETING.*—*The Commission*
4 *shall hold its first meeting not later than 90*
5 *days after the date on which its last initial*
6 *member is appointed.*

7 (B) *SUBSEQUENT MEETINGS.*—*After the*
8 *initial meeting, the Commission shall meet at the*
9 *call of the chairperson or 7 of its members, ex-*
10 *cept that the commission shall meet at least*
11 *quarterly .*

12 (2) *QUORUM.*—*Ten members of the Commission*
13 *shall constitute a quorum, but a lesser number of*
14 *members may hold hearings.*

15 (3) *BUDGET.*—*The affirmative vote of not less*
16 *than 10 members of the Commission shall be required*
17 *to approve the budget of the Commission.*

18 (c) *ANNUAL REPORTS.*—*Not later than May 15 of each*
19 *year, following the year in which the members of the Com-*
20 *mission have been appointed, the Commission shall publish*
21 *and submit to the Secretary and to the Governor, an annual*
22 *report concerning the Commission's activities.*

23 **SEC. 1008. PREPARATION, REVIEW, AND IMPLEMENTATION**
24 **OF THE PLAN.**

25 (a) *PREPARATION OF PLAN.*—

1 (1) *IN GENERAL.*—Not later than 2 years after
2 the Commission conducts its first meeting, the Com-
3 mission shall submit to the Governor a Water Herit-
4 age Area Interpretation Plan.

5 (2) *DEVELOPMENT.*—In developing the Plan, the
6 Commission shall—

7 (A) consult on a regular basis with appro-
8 priate officials of any Federal or State agency,
9 political subdivision of the State, and local gov-
10 ernment that has jurisdiction over or an owner-
11 ship interest in land, water, or water rights
12 within the Area; and

13 (B) conduct public hearings within the Area
14 for the purpose of providing interested persons
15 the opportunity to testify about matters to be ad-
16 dressed by the Plan.

17 (3) *RELATIONSHIP TO EXISTING PLANS.*—The
18 Plan—

19 (A) shall recognize any existing Federal,
20 State, and local plans;

21 (B) shall not interfere with the implementa-
22 tion, administration, or amendment of such
23 plans; and

1 (C) to the extent feasible, shall seek to co-
2 ordinate the plans and present a unified inter-
3 pretation plan for the Area.

4 (b) REVIEW OF PLAN.—

5 (1) IN GENERAL.—The Commission shall submit
6 the Plan to the Governor for his review.

7 (2) GOVERNOR.—The Governor may review the
8 Plan and if he concurs in the Plan, may submit the
9 Plan to the Secretary, together with any recommenda-
10 tions.

11 (3) SECRETARY.—The Secretary shall approve or
12 disapprove the Plan within 90 days. In reviewing the
13 Plan, the Secretary shall consider the adequacy of—

14 (A) public participation; and

15 (B) the Plan in interpreting, for the edu-
16 cational and inspirational benefit of present and
17 future generations, the unique and significant
18 contributions to our national heritage of cultural
19 and historical lands, waterways, and structures
20 within the Area.

21 (c) DISAPPROVAL OF PLAN.—

22 (1) NOTIFICATION BY SECRETARY.—If the Sec-
23 retary disapproves the Plan, the Secretary shall, not
24 later than 60 days after the date of disapproval, ad-
25 vise the Governor and the Commission of the reasons

1 for disapproval, together with recommendations for
2 revision.

3 (2) *REVISION AND RESUBMISSION TO GOV-*
4 *ERNOR.*—Not later than 90 days after receipt of the
5 notice of disapproval, the Commission shall revise
6 and resubmit the Plan to the Governor for review.

7 (3) *RESUBMISSION TO SECRETARY.*—If the Gov-
8 ernor concurs in the revised Plan, he may submit the
9 revised Plan to the Secretary who shall approve or
10 disapprove the revision within 60 days. If the Gov-
11 ernor does not concur in the revised Plan, he may re-
12 submit it to the Commission together with his rec-
13 ommendations for further consideration and modi-
14 fication.

15 (d) *IMPLEMENTATION OF PLAN.*—After approval by the
16 Secretary, the Commission shall implement and support the
17 Plan as follows:

18 (1) *CULTURAL RESOURCES.*—

19 (A) *IN GENERAL.*—The Commission shall
20 assist Federal agencies, State agencies, political
21 subdivisions of the State, and nonprofit organi-
22 zations in the conservation and interpretation of
23 cultural resources within the Area.

24 (B) *EXCEPTION.*—In providing the assist-
25 ance, the Commission shall in no way infringe

1 upon the authorities and policies of a Federal
2 agency, State agency, or political subdivision of
3 the State concerning the administration and
4 management of property, water, or water rights
5 held by such agency, political subdivision, or
6 private persons or entities, or affect the jurisdic-
7 tion of the State of Colorado over any property,
8 water, or water rights within the Area.

9 (2) *PUBLIC AWARENESS.*—*The Commission shall*
10 *assist in the enhancement of public awareness of, and*
11 *appreciation for, the historical, recreational, architec-*
12 *tural, and engineering structures in the Area, and the*
13 *archaeological, geological, and cultural resources and*
14 *sites in the Area—*

15 (A) *by encouraging private owners of iden-*
16 *tified structures, sites, and resources to adopt*
17 *voluntary measures for the preservation of the*
18 *identified structure, site, or resource; and*

19 (B) *by cooperating with Federal agencies,*
20 *State agencies, and political subdivisions of the*
21 *State in acquiring, on a willing seller basis, any*
22 *identified structure, site, or resource which the*
23 *Commission, with the concurrence of the Gov-*
24 *ernor, determines should be acquired and held by*
25 *an agency of the State.*

1 (3) *RESTORATION.*—*The Commission may assist*
2 *Federal agencies, State agencies, political subdivisions*
3 *of the State, and nonprofit organizations in the res-*
4 *toration of any identified structure or site in the Area*
5 *with consent of the owner. The assistance may include*
6 *providing technical assistance for historic preserva-*
7 *tion, revitalization, and enhancement efforts.*

8 (4) *INTERPRETATION.*—*The Commission shall*
9 *assist in the interpretation of the historical, present,*
10 *and future uses of the Area—*

11 (A) *by consulting with the Secretary with*
12 *respect to the implementation of the Secretary's*
13 *duties under section 1010;*

14 (B) *by assisting the State and political sub-*
15 *divisions of the State in establishing and main-*
16 *taining visitor orientation centers and other in-*
17 *terpretive exhibits within the Area;*

18 (C) *by encouraging voluntary cooperation*
19 *and coordination, with respect to ongoing inter-*
20 *pretive services in the Area, among Federal*
21 *agencies, State agencies, political subdivisions of*
22 *the State, nonprofit organizations, and private*
23 *citizens, and*

24 (D) *by encouraging Federal agencies, State*
25 *agencies, political subdivisions of the State, and*

1 *donation, purchase with donated or appropriated funds, or*
2 *exchange. Acquisition authority may only be used if such*
3 *lands cannot be acquired by donation or exchange. No land*
4 *or interest in land may be acquired without the consent*
5 *of the owner.*

6 (b) *TECHNICAL ASSISTANCE.—The Secretary shall,*
7 *upon the request of the Commission, provide technical as-*
8 *sistance to the Commission in the preparation and imple-*
9 *mentation of the Plan pursuant to section 1008.*

10 (c) *DETAIL.—Each fiscal year during the existence of*
11 *the Commission, the Secretary shall detail to the Commis-*
12 *sion, on a nonreimbursable basis, 2 employees of the De-*
13 *partment of the Interior to enable the Commission to carry*
14 *out the Commission’s duties under section 1007.*

15 **SEC. 1011. OTHER FEDERAL ENTITIES.**

16 (a) *DUTIES.—Subject to section 1001, a Federal entity*
17 *conducting or supporting activities directly affecting the*
18 *flow of the Cache La Poudre River through the Area, or*
19 *the natural resources of the Area shall consult with the*
20 *Commission with respect to such activities;*

21 (b) *AUTHORIZATION.—*

22 (1) *IN GENERAL.—The Secretary or Adminis-*
23 *trator of a Federal agency may acquire land in the*
24 *flood plain of the Area by exchange for other lands*
25 *within such agency’s jurisdiction within the State of*

1 *Colorado, based on fair market value: Provided, That*
 2 *such lands have been identified by the Commission for*
 3 *acquisition by a Federal agency and the Governor*
 4 *and the political subdivision of the State or the owner*
 5 *where the lands are located concur in the exchange.*
 6 *Land so acquired shall be used to fulfill the purpose*
 7 *for which the Area is established.*

8 (2) *AUTHORIZATION TO CONVEY PROPERTY.—*
 9 *The first sentence of section 203(k)(3) of the Federal*
 10 *Property and Administrative Services Act of 1949 (40*
 11 *U.S.C. 484(k)(3)) is amended by striking “historic*
 12 *monument, for the benefit of the public” and inserting*
 13 *“historic monument or any such property within the*
 14 *State of Colorado for the Cache La Poudre River Na-*
 15 *tional Water Heritage Area, for the benefit of the pub-*
 16 *lic”.*

17 **SEC. 1012. EFFECT ON ENVIRONMENTAL AND OTHER**
 18 **STANDARDS, RESTRICTIONS, AND SAVINGS**
 19 **PROVISIONS.**

20 (a) *EFFECT ON ENVIRONMENTAL AND OTHER STAND-*
 21 *ARDS.—*

22 (1) *VOLUNTARY COOPERATION.—In carrying out*
 23 *this title, the Commission and Secretary shall empha-*
 24 *size voluntary cooperation.*

1 (2) *RULES, REGULATIONS, STANDARDS, AND*
2 *PERMIT PROCESSES.*—*Nothing in this title shall be*
3 *considered to impose or form the basis for imposition*
4 *of any environmental, occupational, safety, or other*
5 *rule, regulation, standard, or permit process that is*
6 *different from those that would be applicable had the*
7 *Area not been established.*

8 (3) *ENVIRONMENTAL QUALITY STANDARDS.*—
9 *Nothing in this title shall be considered to impose the*
10 *application or administration of any Federal or*
11 *State environmental quality standard that is different*
12 *from those that will be applicable had the Area not*
13 *been established.*

14 (4) *WATER STANDARDS.*—*Nothing in this title*
15 *shall be considered to impose any Federal or State*
16 *water use designation or water quality standard upon*
17 *uses of, or discharges to, waters of the State or waters*
18 *of the United States, within or adjacent to the Area,*
19 *that is more restrictive than those that would be ap-*
20 *plicable had the Area not been established.*

21 (5) *PERMITTING OF FACILITIES.*—*Nothing in the*
22 *establishment of the Area shall abridge, restrict, or*
23 *alter any applicable rule, regulation, standard, or re-*
24 *view procedure for permitting of facilities within or*
25 *adjacent to the Area.*

1 (6) *WATER FACILITIES.*—*Nothing in the estab-*
2 *lishment of the Area shall affect the continuing use*
3 *and operation, repair, rehabilitation, expansion, or*
4 *new construction of water supply facilities, water and*
5 *wastewater treatment facilities, stormwater facilities,*
6 *public utilities, and common carriers.*

7 (7) *WATER AND WATER RIGHTS.*—*Nothing in the*
8 *establishment of the Area shall be considered to au-*
9 *thorize or imply the reservation or appropriation of*
10 *water or water rights for any purpose.*

11 (b) *RESTRICTIONS ON COMMISSION AND SECRETARY.*—
12 *Nothing in this title shall be construed to vest in the Com-*
13 *mission or the Secretary the authority to—*

14 (1) *require a Federal agency, State agency, po-*
15 *litical subdivision of the State, or private person (in-*
16 *cluding an owner of private property) to participate*
17 *in a project or program carried out by the Commis-*
18 *sion or the Secretary under the title;*

19 (2) *intervene as a party in an administrative or*
20 *judicial proceeding concerning the application or en-*
21 *forcement of a regulatory authority of a Federal agen-*
22 *cy, State agency, or political subdivision of the State,*
23 *including, but not limited to, authority relating to—*

24 (A) *land use regulation;*

25 (B) *environmental quality;*

1 (C) licensing;

2 (D) permitting;

3 (E) easements;

4 (F) private land development; or

5 (G) other occupational or access issue;

6 (3) establish or modify a regulatory authority of
7 a Federal agency, State agency, or political subdivi-
8 sion of the State, including authority relating to—

9 (A) land use regulation;

10 (B) environmental quality; or

11 (C) pipeline or utility crossings;

12 (4) modify a policy of a Federal agency, State
13 agency, or political subdivision of the State;

14 (5) attest in any manner the authority and ju-
15 risdiction of the State with respect to the acquisition
16 of lands or water, or interest in lands or water;

17 (6) vest authority to reserve or appropriate
18 water or water rights in any entity for any purpose;

19 (7) deny, condition, or restrict the construction,
20 repair, rehabilitation, or expansion of water facilities,
21 including stormwater, water, and wastewater treat-
22 ment facilities; or

23 (8) deny, condition, or restrict the exercise of
24 water rights in accordance with the substantive and
25 procedural requirements of the laws of the State.

1 (c) *SAVINGS PROVISION.*—*Nothing in this title shall*
2 *diminish, enlarge, or modify a right of a Federal agency,*
3 *State agency, or political subdivision of the State—*

4 (1) *to exercise civil and criminal jurisdiction*
5 *within the Area; or*

6 (2) *to tax persons, corporations, franchises, or*
7 *property, including minerals and other interests in or*
8 *on lands or waters within the urban river corridor*
9 *portions of the Area.*

10 (d) *ACCESS TO PRIVATE PROPERTY.*—*Nothing in this*
11 *title requires an owner of private property to allow access*
12 *to the property by the public.*

13 **SEC. 1013. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) *IN GENERAL.*—*There are authorized to be appro-*
15 *priated not to exceed \$50,000 to the Commission to carry*
16 *out this Act.*

17 (b) *MATCHING FUNDS.*—*Funds may be made available*
18 *pursuant to this section only to the extent they are matched*
19 *by equivalent funds or in-kind contributions of services or*
20 *materials from non-Federal sources.*

21 **TITLE XI—GILPIN COUNTY, COLORADO**

22 **LAND EXCHANGE**

23 **SEC. 1101. FINDINGS AND PURPOSES.**

24 (a) *FINDINGS.*—*Congress finds and declares that—*

1 (1) *certain scattered parcels of Federal land lo-*
2 *cated within Gilpin County, Colorado, are currently*
3 *administered by the Secretary of the Interior as part*
4 *of the Royal Gorge Resource Area, Canon City Dis-*
5 *trict, United States Bureau of Land Management;*

6 (2) *these land parcels, which comprises approxi-*
7 *mately 133 separate tracts of land, and range in size*
8 *from approximately 38 acres to much less than an*
9 *acre have been identified as suitable for disposal by*
10 *the Bureau of Land Management through its resource*
11 *management planning process and are appropriate*
12 *for disposal; and*

13 (3) *even though the Federal land parcels in Gil-*
14 *pin County, Colorado, are scattered and small in size,*
15 *they nevertheless by virtue of their proximity to exist-*
16 *ing communities appear to have a fair market value*
17 *which may be used by the Federal Government to ex-*
18 *change for lands which will better lend themselves to*
19 *Federal management and have higher values for fu-*
20 *ture public access, use and enjoyment, recreation, the*
21 *protection and enhancement of fish and wildlife and*
22 *fish and wildlife habitat, and the protection of ripar-*
23 *ian lands, wetlands, scenic beauty and other public*
24 *values.*

1 **(b) PURPOSE.**—*It is the purpose of this title to author-*
2 *ize, direct, facilitate and expedite the land exchange set*
3 *forth herein in order to further the public interest by dispos-*
4 *ing of Federal lands with limited public utility and acquire*
5 *in exchange therefor lands with important values for per-*
6 *manent public management and protection.*

7 **SEC. 1102. LAND EXCHANGE.**

8 **(a) IN GENERAL.**—*The exchange directed by this title*
9 *shall be consummated if within 90 days after enactment*
10 *of this Act, Lake Gulch, Inc., a Colorado Corporation (as*
11 *defined in section 1104 of this title) offers to transfer to*
12 *the United States pursuant to the provisions of this title*
13 *the offered lands or interests in land described herein.*

14 **(b) CONVEYANCE BY LAKE GULCH.**—*Subject to the*
15 *provisions of section 1103 of this title, Lake Gulch shall*
16 *convey to the Secretary of the Interior all right, title, and*
17 *interest in and to the following offered lands—*

18 **(1)** *certain lands comprising approximately 40*
19 *acres with improvements thereon located in Larimer*
20 *County, Colorado, and lying within the boundaries of*
21 *Rocky Mountain National Park as generally depicted*
22 *on a map entitled “Circle C Church Camp”, dated*
23 *August 1994, which shall upon their acquisition by*
24 *the United States and without further action by the*
25 *Secretary of the Interior be incorporated into Rocky*

1 *Mountain National Park and thereafter be adminis-*
2 *tered in accordance with the laws, rules and regula-*
3 *tions generally applicable to the National Park Sys-*
4 *tem and Rocky Mountain National Park;*

5 *(2) certain lands located within and adjacent to*
6 *the United States Bureau of Land Management San*
7 *Luis Resource Area in Conejos County, Colorado,*
8 *which comprise approximately 3,993 acres and are*
9 *generally depicted on a map entitled “Quinlan*
10 *Ranches Tract”, dated August 1994; and*

11 *(3) certain lands located within the United*
12 *States Bureau of Land Management Royal Gorge Re-*
13 *source Area in Huerfano County, Colorado, which*
14 *comprise approximately 4,700 acres and are generally*
15 *depicted on a map entitled “Bonham Ranch-Cucharas*
16 *Canyon”, dated June 1995: Provided however, That it*
17 *is the intention of Congress that such lands may re-*
18 *main available for the grazing of livestock as deter-*
19 *mined appropriate by the Secretary in accordance*
20 *with applicable laws, rules, and regulations: Provided*
21 *further, That if the Secretary determines that certain*
22 *of the lands acquired adjacent to Cucharas Canyon*
23 *hereunder are not needed for public purposes they*
24 *may be sold in accordance with the provisions of sec-*

1 *tion 203 of the Federal Land Policy and Management*
2 *Act of 1976 and other applicable law.*

3 *(c) SUBSTITUTION OF LANDS.—If one or more of the*
4 *precise offered land parcels identified above is unable to be*
5 *conveyed to the United States due to appraisal or other*
6 *problems, Lake Gulch and the Secretary may mutually*
7 *agree to substitute therefor alternative offered lands accept-*
8 *able to the Secretary.*

9 *(d) COVEYANCE BY THE UNITED STATES.—(1) Upon*
10 *receipt of title to the lands identified in subsection (a) the*
11 *Secretary shall simultaneously convey to Lake Gulch all*
12 *right, title, and interest of the United States, subject to*
13 *valid existing rights, in and to the following selected*
14 *lands—*

15 *(A) certain surveyed lands located in Gilpin*
16 *County, Colorado, Township 3 South, Range 72*
17 *West, Sixth Principal Meridian, Section 18, Lots*
18 *118–220, which comprise approximately 195*
19 *acres and are intended to include all federally*
20 *owned lands in section 18, as generally depicted*
21 *on a map entitled “Lake Gulch Selected Lands”,*
22 *dated July 1994;*

23 *(B) certain surveyed lands located in Gil-*
24 *pin County, Colorado, Township 3 South, Range*
25 *72 West, Sixth Principal Meridian, Section 17,*

1 *Lots 37, 38, 39, 40, 52, 53, and 54, which com-*
2 *prise approximately 96 acres, as generally de-*
3 *scribed on a map entitled "Lake Gulch Selected*
4 *Lands", dated July 1994; and*

5 *(C) certain unsurveyed lands located in Gil-*
6 *pin County, Colorado, Township 3 South, Range*
7 *73 West, Sixth Principal Meridian, Section 13,*
8 *which comprise approximately 11 acres, and are*
9 *generally depicted as parcels 302–304, 306 and*
10 *308–326 on a map entitled "Lake Gulch Selected*
11 *Lands", dated July 1994: Provided however,*
12 *That a parcel or parcels of land in section 13*
13 *shall not be transferred to Lake Gulch if at the*
14 *time of the proposed transfer the parcel or par-*
15 *cel(s) are under formal application for transfer to*
16 *a qualified unit of local government. Due to the*
17 *small and unsurveyed nature of such parcels*
18 *proposed for transfer to Lake Gulch in section*
19 *13, and the high cost of surveying such small*
20 *parcels, the Secretary is authorized to transfer*
21 *such section 13 lands to Lake Gulch without sur-*
22 *vey based on such legal or other description as*
23 *the Secretary determines appropriate to carry*
24 *out the basic intent of the map cited in this sub-*
25 *paragraph.*

1 (2) *If the Secretary and Lake Gulch mutually*
2 *agree, and the Secretary determines it is in the public*
3 *interest, the Secretary may utilize the authority and*
4 *direction of this title to transfer to Lake Gulch lands*
5 *in sections 17 and 13 that are in addition to those*
6 *precise selected lands shown on the map cited herein,*
7 *and which are not under formal application for*
8 *transfer to a qualified unit of local government, upon*
9 *transfer to the Secretary of additional offered lands*
10 *acceptable to the Secretary or upon payment to the*
11 *Secretary by Lake Gulch of cash equalization money*
12 *amounting to the full appraised fair market value of*
13 *any such additional lands. If any such additional*
14 *lands are located in section 13 they may be trans-*
15 *ferred to Lake Gulch without survey based on such*
16 *legal or other description as the Secretary determines*
17 *appropriate as long as the Secretary determines that*
18 *the boundaries of any adjacent lands not owned by*
19 *Lake Gulch can be properly identified so as to avoid*
20 *possible future boundary conflicts or disputes. If the*
21 *Secretary determines surveys are necessary to convey*
22 *any such additional lands to Lake Gulch, the costs of*
23 *such surveys shall be paid by Lake Gulch but shall*
24 *not be eligible for any adjustment in the value of such*
25 *additional lands pursuant to section 206(f)(2) of the*

1 *Federal Land Policy and Management Act of 1976*
2 *(as amended by the Federal Land Exchange Facilita-*
3 *tion Act of 1988) (43 U.S.C. 1716(f)(2)).*

4 (3) *Prior to transferring out of public ownership*
5 *pursuant to this title or other authority of law any*
6 *lands which are contiguous to North Clear Creek*
7 *southeast of the City of Black Hawk, Colorado in the*
8 *County of Gilpin, Colorado, the Secretary shall notify*
9 *and consult with the county and city and afford such*
10 *units of local government an opportunity to acquire*
11 *or reserve pursuant to the Federal Land Policy and*
12 *Management Act of 1976 or other applicable law,*
13 *such easements or rights-of-way parallel to North*
14 *Clear Creek as may be necessary to serve public util-*
15 *ity line or recreation path needs: Provided however,*
16 *That any survey or other costs associated with the ac-*
17 *quisition or reservation of such easements or rights-*
18 *of-way shall be paid for by the unit or units of local*
19 *government concerned.*

20 **SEC. 1103. TERMS AND CONDITIONS OF EXCHANGE.**

21 (a) *EQUALIZATION OF VALUES.—*

22 (1) *The values of the lands to be exchanged pur-*
23 *suant to this title shall be equal as determined by the*
24 *Secretary of the Interior utilizing comparable sales of*
25 *surface and subsurface property and nationally recog-*

1 *nized appraisal standards, including, to the extent*
2 *appropriate, the Uniform Standards for Federal*
3 *Land Acquisition, the Uniform Standards of Profes-*
4 *sional Appraisal Practice, the provisions of section*
5 *206(d) of the Federal Land Policy and Management*
6 *Act of 1976 (43 U.S.C. 1716(d)), and other applicable*
7 *law.*

8 *(2) In the event any cash equalization or land*
9 *sale moneys are received by the United States pursu-*
10 *ant to this Act, any such moneys shall be retained by*
11 *the Secretary of the Interior and may be utilized by*
12 *the Secretary until fully expended to purchase from*
13 *willing sellers land or water rights, or a combination*
14 *thereof, to augment wildlife habitat and protect and*
15 *restore wetlands in the Bureau of Land Management's*
16 *Blanca Wetlands, Alamosa County, Colorado.*

17 *(3) Any water rights acquired by the United*
18 *States pursuant to this section shall be obtained by*
19 *the Secretary of the Interior in accordance with all*
20 *applicable provisions of Colorado law, including the*
21 *requirement to change the time, place, and type of use*
22 *of said water rights through the appropriate State*
23 *legal proceedings and to comply with any terms, con-*
24 *ditions, or other provisions contained in an applica-*
25 *ble decree of the Colorado Water Court. The use of*

1 *any water rights acquired pursuant to this section*
2 *shall be limited to water that can be used or ex-*
3 *changed for water that can be used on the Blanca*
4 *Wetlands. Any requirement or proposal to utilize fa-*
5 *ilities of the San Luis Valley Project, Closed Basin*
6 *Diversion, in order to effectuate the use of any such*
7 *water rights shall be subject to prior approval of the*
8 *Rio Grande Water Conservation District.*

9 *(b) RESTRICTIONS ON SELECTED LANDS.—(1) Con-*
10 *veyance of the selected lands to Lake Gulch pursuant to this*
11 *title shall be contingent upon Lake Gulch executing an*
12 *agreement with the United States prior to such conveyance,*
13 *the terms of which are acceptable to the Secretary of the*
14 *Interior, and which—*

15 *(A) grant the United States a covenant that none*
16 *of the selected lands (which currently lie outside the*
17 *legally approved gaming area) shall ever be used for*
18 *purposes of gaming should the current legal gaming*
19 *area ever be expanded by the State of Colorado; and*

20 *(B) permanently hold the United States harmless*
21 *for liability and indemnify the United States against*
22 *all costs arising from any activities, operations (in-*
23 *cluding the storing, handling, and dumping of haz-*
24 *ardous materials or substances) or other acts con-*
25 *ducted by Lake Gulch or its employees, agents, succes-*

1 sors or assigns on the selected lands after their trans-
2 fer to Lake Gulch: Provided however, That nothing in
3 this title shall be construed as either diminishing or
4 increasing any responsibility or liability of the Unit-
5 ed States based on the condition of the selected lands
6 prior to or on the date of their transfer to Lake
7 Gulch.

8 (2) Conveyance of the selected lands to Lake Gulch
9 pursuant to this title shall be subject to the existing ease-
10 ment for Gilpin County Road 6.

11 (3) The above terms and restrictions of this subsection
12 shall not be considered in determining, or result in any
13 diminution in, the fair market value of the selected land
14 for purposes of the appraisals of the selected land required
15 pursuant to section 1102 of this title.

16 (c) *REVOCATION OF WITHDRAWAL.*—The Public Water
17 Reserve established by Executive order dated April 17, 1926
18 (Public Water Reserve 107), Serial Number Colorado
19 17321, is hereby revoked insofar as it affects the NW¹/₄SW¹/₄
20 of Section 17, Township 3 South, Range 72 West, Sixth
21 Principal Meridian, which covers a portion of the selected
22 lands identified in this title.

23 **SEC. 1104. MISCELLANEOUS PROVISIONS.**

24 (a) *DEFINITIONS.*—As used in this title:

1 (1) *The term “Secretary” means the Secretary of*
2 *the Interior.*

3 (2) *The term “Lake Gulch” means Lake Gulch,*
4 *Inc., a Colorado corporation, or its successors, heirs*
5 *or assigns.*

6 (3) *The term “offered land” means lands to be*
7 *conveyed to the United States pursuant to this title.*

8 (4) *The term “selected land” means lands to be*
9 *transferred to Lake Gulch, Inc., or its successors, heirs*
10 *or assigns pursuant to this title.*

11 (5) *The term “Blanca Wetlands” means an area*
12 *of land comprising approximately 9,290 acres, as*
13 *generally depicted on a map entitled “Blanca Wet-*
14 *lands”, dated August 1994, or such land as the Sec-*
15 *retary may add thereto by purchase from willing sell-*
16 *ers after the date of enactment of this Act utilizing*
17 *funds provided by this title or such other moneys as*
18 *Congress may appropriate.*

19 (b) *TIME REQUIREMENT FOR COMPLETING TRANS-*
20 *FER.—It is the intent of Congress that unless the Secretary*
21 *and Lake Gulch mutually agree otherwise the exchange of*
22 *lands authorized and directed by this title shall be com-*
23 *pleted not later than 6 months after the date of enactment*
24 *of this Act. In the event the exchange cannot be con-*
25 *summated within such 6-month time period, the Secretary,*

1 upon application by Lake Gulch, is directed to sell to Lake
 2 Gulch at appraised fair market value any or all of the par-
 3 cels (comprising a total of approximately 11 acres) identi-
 4 fied in section 1102(d)(1)(C) of this title as long as the par-
 5 cel or parcels applied for are not under formal application
 6 for transfer to a qualified unit of local government.

7 (c) ADMINISTRATION OF LANDS ACQUIRED BY UNITED
 8 STATES.—In accordance with the provisions of section
 9 206(c) of the Federal Land Policy and Management Act of
 10 1976 (43 U.S.C. 1716(c)), all lands acquired by the United
 11 States pursuant to this title shall upon acceptance of title
 12 by the United States and without further action by the Sec-
 13 retary concerned become part of and be managed as part
 14 of the administrative unit or area within which they are
 15 located.

16 **TITLE XII—BUTTE COUNTY, CALIFORNIA**
 17 **LAND CONVEYANCE**

18 **SECTION 1201. FINDINGS AND PURPOSE.**

19 (a) FINDINGS.—The Congress finds and declares
 20 that—

21 (1) certain landowners in Butte County, Califor-
 22 nia who own property adjacent to the Plumas Na-
 23 tional Forest have been adversely affected by certain
 24 erroneous surveys;

1 (2) *these landowners have occupied or improved*
2 *their property in good faith and in reliance on erro-*
3 *neous surveys of their properties that they believed*
4 *were accurate; and*

5 (3) *the 1992 Bureau of Land Management de-*
6 *pendent resurvey of the Plumas National Forest will*
7 *correctly establish accurate boundaries between such*
8 *forest and private lands.*

9 (b) *PURPOSE.—It is the purpose of this title to author-*
10 *ize and direct the Secretary of Agriculture to convey, with-*
11 *out consideration, certain lands in Butte County, Califor-*
12 *nia, to persons claiming to have been deprived of title to*
13 *such lands.*

14 **SEC. 1202. DEFINITIONS.**

15 *For the purpose of this title—*

16 (1) *the term “affected lands” means those Fed-*
17 *eral lands located in the Plumas National Forest in*
18 *Butte County, California, in sections 11, 12, 13, and*
19 *14, township 21 north, range 5 East, Mount Diablo*
20 *Meridian, as described by the dependent resurvey by*
21 *the Bureau of Land Management conducted in 1992,*
22 *and subsequent Forest Service land line location sur-*
23 *veys, including all adjoining parcels where the prop-*
24 *erty line as identified by the 1992 BLM dependent re-*

1 *survey and National Forest boundary lines before*
2 *such dependent resurvey are not coincident;*

3 *(2) the term “claimant” means an owner of real*
4 *property in Butte County, California, whose real*
5 *property adjoins Plumas National Forest lands de-*
6 *scribed in subsection (a), who claims to have been de-*
7 *prived by the United States of title to property as a*
8 *result of previous erroneous surveys; and*

9 *(3) the term “Secretary” means the Secretary of*
10 *Agriculture.*

11 **SEC. 1203. CONVEYANCE OF LANDS.**

12 *Notwithstanding any other provision of law, the Sec-*
13 *retary is authorized and directed to convey, without consid-*
14 *eration, all right, title, and interest of the United States*
15 *in and to affected lands as described in section 1202(1),*
16 *to any claimant or claimants, upon proper application*
17 *from such claimant or claimants, as provided in section*
18 *1204.*

19 **SEC. 1204. TERMS AND CONDITIONS OF CONVEYANCE.**

20 *(a) NOTIFICATION.—Not later than 2 years after the*
21 *date of enactment of this Act, claimants shall notify the*
22 *Secretary, through the Forest Supervisor of the Plumas Na-*
23 *tional Forest, in writing of their claim to affected lands.*
24 *Such claim shall be accompanied by—*

25 *(1) a description of the affected lands claimed;*

1 (2) *information relating to the claim of owner-*
2 *ship of such lands; and*

3 (3) *such other information as the Secretary may*
4 *require.*

5 (b) *ISSUANCE OF DEED.—(1) Upon a determination*
6 *by the Secretary that issuance of a deed for affected lands*
7 *is consistent with the purpose and requirements of this title,*
8 *the Secretary shall issue a quit claim deed to such claimant*
9 *for the parcel to be conveyed.*

10 (2) *Prior to the issuance of any such deed as provided*
11 *in paragraph (1), the Secretary shall ensure that—*

12 (A) *the parcel or parcels to be conveyed have*
13 *been surveyed in accordance with the Memorandum of*
14 *Understanding between the Forest Service and the*
15 *Bureau of Land Management, dated November 11,*
16 *1989;*

17 (B) *all new property lines established by such*
18 *surveys have been monumented and marked; and*

19 (C) *all terms and conditions necessary to protect*
20 *third party and Government Rights-of-Way or other*
21 *interests are included in the deed.*

22 (3) *The Federal Government shall be responsible for*
23 *all surveys and property line markings necessary to imple-*
24 *ment this subsection.*

1 (c) *NOTIFICATION TO BLM.*—*The Secretary shall sub-*
 2 *mit to the Secretary of the Interior an authenticated copy*
 3 *of each deed issued pursuant to this title no later than 30*
 4 *days after the date such deed is issued.*

5 **SEC. 1205. AUTHORIZATION OF APPROPRIATIONS.**

6 *There are authorized to be appropriated such sums as*
 7 *necessary to carry out the purposes of this title.*

8 **TITLE XIII—CARL GARNER FEDERAL**
 9 **LANDS CLEANUP DAY**

10 **SEC. 1301. CARL GARNER FEDERAL LANDS CLEANUP DAY.**

11 *The Federal Lands Cleanup Act of 1985 (36 U.S.C.*
 12 *169i–169i–1) is amended by striking the terms “Federal*
 13 *Lands Cleanup Day” each place it appears and inserting*
 14 *“Carl Garner Federal Lands Cleanup Day”.*

15 **TITLE XIV—ANAKTUVUK PASS LAND**
 16 **EXCHANGE**

17 **SEC. 1401. FINDINGS.**

18 *The Congress makes the following findings:*

19 (1) *The Alaska National Interest Lands Con-*
 20 *servaion Act (94 Stat. 2371), enacted on December 2,*
 21 *1980, established Gates of the Arctic National Park*
 22 *and Preserve and Gates of the Arctic Wilderness. The*
 23 *village of Anaktuvuk Pass, located in the highlands of*
 24 *the central Brooks Range, is virtually surrounded by*
 25 *these national park and wilderness lands and is the*

1 *only Native village located within the boundary of a*
2 *National Park System unit in Alaska.*

3 *(2) Unlike most other Alaskan Native commu-*
4 *nities, the village of Anaktuvuk Pass is not located on*
5 *a major river, lake, or coastline that can be used as*
6 *a means of access. The residents of Anaktuvuk Pass*
7 *have relied increasingly on snow machines in winter*
8 *and all-terrain vehicles in summer as their primary*
9 *means of access to pursue caribou and other subsist-*
10 *ence resources.*

11 *(3) In a 1983 land exchange agreement, linear*
12 *easements were reserved by the Inupiat Eskimo people*
13 *for use of all-terrain vehicles across certain national*
14 *park lands, mostly along stream and river banks.*
15 *These linear easements proved unsatisfactory, because*
16 *they provided inadequate access to subsistence re-*
17 *sources while causing excessive environmental impact*
18 *from concentrated use.*

19 *(4) The National Park Service and the*
20 *Nunamiut Corporation initiated discussions in 1985*
21 *to address concerns over the use of all-terrain vehicles*
22 *on park and wilderness land. These discussions re-*
23 *sulted in an agreement, originally executed in 1992*
24 *and thereafter amended in 1993 and 1994, among the*
25 *National Park Service, Nunamiut Corporation, the*

1 *City of Anaktuvuk Pass, and Arctic Slope Regional*
2 *Corporation. Full effectuation of this agreement, as*
3 *amended, by its terms requires ratification by the*
4 *Congress.*

5 **SEC. 1402. RATIFICATION OF AGREEMENT.**

6 (a) *RATIFICATION.*—

7 (1) *IN GENERAL.*—*The terms, conditions, proce-*
8 *dures, covenants, reservations and other provisions set*
9 *forth in the document entitled “Donation, Exchange*
10 *of Lands and Interests in Lands and Wilderness Re-*
11 *designation Agreement Among Arctic Slope Regional*
12 *Corporation, Nunamiut Corporation, City of*
13 *Anaktuvuk Pass and the United States of America”*
14 *(hereinafter referred to in this title as “the Agree-*
15 *ment”), executed by the parties on December 17, 1992,*
16 *as amended, are hereby incorporated in this title, are*
17 *ratified and confirmed, and set forth the obligations*
18 *and commitments of the United States, Arctic Slope*
19 *Regional Corporation, Nunamiut Corporation and*
20 *the City of Anaktuvuk Pass, as a matter of Federal*
21 *law.*

22 (2) *LAND ACQUISITION.*—*Lands acquired by the*
23 *United States pursuant to the Agreement shall be ad-*
24 *ministered by the Secretary of the Interior (herein-*
25 *after referred to as the “Secretary”) as part of Gates*

1 *of the Arctic National Park and Preserve, subject to*
2 *the laws and regulations applicable thereto.*

3 *(b) MAPS.—The maps set forth as Exhibits C1, C2,*
4 *and D through I to the Agreement depict the lands subject*
5 *to the conveyances, retention of surface access rights, access*
6 *easements and all-terrain vehicle easements. These lands are*
7 *depicted in greater detail on a map entitled “Land Ex-*
8 *change Actions, Proposed Anaktuvuk Pass Land Exchange*
9 *and Wilderness Redesignation, Gates of the Arctic National*
10 *Park and Preserve”, Map No. 185/80,039, dated April 1994,*
11 *and on file at the Alaska Regional Office of the National*
12 *Park Service and the offices of Gates of the Arctic National*
13 *Park and Preserve in Fairbanks, Alaska. Written legal de-*
14 *scriptions of these lands shall be prepared and made avail-*
15 *able in the above offices. In case of any discrepancies, Map*
16 *No. 185/80,039 shall be controlling.*

17 **SEC. 1403. NATIONAL PARK SYSTEM WILDERNESS.**

18 *(a) GATES OF THE ARCTIC WILDERNESS.—*

19 *(1) REDESIGNATION.—Section 701(2) of the*
20 *Alaska National Interest Lands Conservation Act (94*
21 *Stat. 2371, 2417) establishing the Gates of the Arctic*
22 *Wilderness is hereby amended with the addition of*
23 *approximately 56,825 acres as wilderness and the re-*
24 *scission of approximately 73,993 acres as wilderness,*

1 *thus revising the Gates of the Arctic Wilderness to ap-*
2 *proximately 7,034,832 acres.*

3 (2) *MAP.*—*The lands redesignated by paragraph*
4 *(1) are depicted on a map entitled “Wilderness Ac-*
5 *tions, Proposed Anaktuvuk Pass Land Exchange and*
6 *Wilderness Redesignation, Gates of the Arctic Na-*
7 *tional Park and Preserve”, Map No. 185/80,040,*
8 *dated April 1994, and on file at the Alaska Regional*
9 *Office of the National Park Service and the office of*
10 *Gates of the Arctic National Park and Preserve in*
11 *Fairbanks, Alaska.*

12 (2) *NOATAK NATIONAL PRESERVE.*—*Section 201(8)(a)*
13 *of the Alaska National Interest Land Conservation Act (94*
14 *Stat. 2380) is amended by—*

15 (1) *striking “approximately six million four*
16 *hundred and sixty thousand acres” and inserting in*
17 *lieu thereof “approximately 6,477,168 acres”; and*

18 (2) *inserting “and the map entitled “Noatak Na-*
19 *tional Preserve and Noatak Wilderness Addition”*
20 *dated September 1994” after “July 1980”.*

21 (3) *NOATAK WILDERNESS.*—*Section 701(7) of the*
22 *Alaska National Interest Lands Conservation Act (94 Stat.*
23 *2417) is amended by striking “approximately five million*
24 *eight hundred thousand acres” and inserting in lieu thereof*
25 *“approximately 5,817,168 acres”.*

1 **SEC. 1404. CONFORMANCE WITH OTHER LAW.**

2 (a) *ALASKA NATIVE CLAIMS SETTLEMENT ACT.*—All
 3 *of the lands, or interests therein, conveyed to and received*
 4 *by Arctic Slope Regional Corporation or Nunamiut Cor-*
 5 *poration pursuant to the Agreement shall be deemed con-*
 6 *veyed and received pursuant to exchanges under section*
 7 *22(f) of the Alaska Native Claims Settlement Act, as amend-*
 8 *ed (43 U.S.C. 1601, 1621(f)). All of the lands or interests*
 9 *in lands conveyed pursuant to the Agreement shall be con-*
 10 *veyed subject to valid existing rights.*

11 (b) *ALASKA NATIONAL INTEREST LANDS CONSERVA-*
 12 *TION ACT.*—*Except to the extent specifically set forth in this*
 13 *title or the Agreement, nothing in this title or in the Agree-*
 14 *ment shall be construed to enlarge or diminish the rights,*
 15 *privileges, or obligations of any person, including specifi-*
 16 *cally the preference for subsistence uses and access to sub-*
 17 *sistence resources provided under the Alaska National Inter-*
 18 *est Lands Conservation Act (16 U.S.C. 3101 et seq.).*

19 **TITLE XV—ALASKA PENINSULA**
 20 **SUBSURFACE CONSOLIDATION**

21 **SEC. 1501. DEFINITIONS.**

22 *As used in this title:*

23 (1) *AGENCY.*—*The term agency—*

24 (A) *means—*

25 (i) *any instrumentality of the United*
 26 *States; and*

1 (ii) any Government corporation (as
2 defined in section 9101(1) of title 31, Unit-
3 ed States Code); and

4 (B) includes any element of an agency.

5 (2) *ALASKA NATIVE CORPORATION.*—The term
6 “Alaska Native Corporation” has the same meaning
7 as is provided for “Native Corporation” in section
8 3(m) of the Alaska Native Claims Settlement Act (43
9 U.S.C. 1602(m)).

10 (3) *FEDERAL LANDS OR INTEREST THEREIN.*—
11 The term “Federal lands or interests therein” means
12 any lands or properties owned by the United States
13 (i) which are administered by the Secretary, or (ii)
14 which are subject to a lease to third parties, or (iii)
15 which have been made available to the Secretary for
16 exchange under this section through the concurrence of
17 the director of the agency administering such lands or
18 properties: Provided however, That excluded from
19 such lands shall be those lands which are within an
20 existing conservation system unit as defined in sec-
21 tion 102(4) of the Alaska National Interest Lands
22 Conservation Act (16 U.S.C. 3102(4)), and those
23 lands the mineral interest for which are currently
24 under mineral lease.

1 (4) *KONIAG*.—*The term “Koniag” means*
2 *Koniag, Incorporated, which is a regional Corpora-*
3 *tion.*

4 (5) *REGIONAL CORPORATION*.—*The term “Re-*
5 *gional Corporation” has the same meaning as is pro-*
6 *vided in section 3(g) of the Alaska Native Claims Set-*
7 *tlement Act (43 U.S.C. 1602(g)).*

8 (6) *SECRETARY*.—*Except as otherwise provided,*
9 *the term “Secretary” means the Secretary of the Inte-*
10 *rior.*

11 (7) *SELECTION RIGHTS*.—*The term “selection*
12 *rights” means those rights granted to Koniag, pursu-*
13 *ant to subsections (a) and (b) of section 12, and sec-*
14 *tion 14(h)(8), of the Alaska Native Claims Settlement*
15 *Act (43 U.S.C. 1611 and 1613(h)(8)), to receive title*
16 *to the oil and gas rights and other interests in the*
17 *subsurface estate of the approximately 275,000 acres*
18 *of public lands in the State of Alaska identified as*
19 *“Koniag Selections” on the map entitled “Koniag In-*
20 *terest Lands, Alaska Peninsula”, dated May 1989.*

21 **SEC. 1502. VALUATION OF KONIAG SELECTION RIGHTS.**

22 (a) *Pursuant to subsection (b) hereof, the Secretary*
23 *shall value the Selection Rights which Koniag possesses*
24 *within the boundaries of Aniakchak National Monument*

1 *and Preserve, Alaska Peninsula National Wildlife Refuge,*
2 *and Becharof National Wildlife Refuge.*

3 (b) *VALUE.—*

4 (1) *IN GENERAL.—The value of the selection*
5 *rights shall be equal to the fair market value of—*

6 (A) *the oil and gas interests in the lands or*
7 *interests in lands that are the subject of the selec-*
8 *tion rights; and*

9 (B) *in the case of the lands or interests in*
10 *lands for which Koniag is to receive the entire*
11 *subsurface estate, the subsurface estate of the*
12 *lands or interests in lands that are the subject of*
13 *the selection rights.*

14 (2) *APPRAISAL.—*

15 (A) *SELECTION OF APPRAISER.—*

16 (i) *IN GENERAL.—Not later than 90*
17 *days after the date of enactment of this title*
18 *the Secretary and Koniag shall meet to se-*
19 *lect a qualified appraiser to conduct an ap-*
20 *praisal of the selection rights. Subject to*
21 *clause (ii), the appraiser shall be selected by*
22 *the mutual agreement of the Secretary and*
23 *Koniag.*

24 (ii) *FAILURE TO AGREE.—If the Sec-*
25 *retary and Koniag fail to agree on an ap-*

1 *praiser by the date that is 60 days after the*
2 *date of the initial meeting referred to in*
3 *clause (i), the Secretary and Koniag shall,*
4 *by the date that is not later than 90 days*
5 *after the date of the initial meeting, each*
6 *designate an appraiser who is qualified to*
7 *perform the appraisal. The 2 appraisers so*
8 *identified shall select a third qualified ap-*
9 *praiser who shall perform the appraisal.*

10 *(B) STANDARDS AND METHODOLOGY.—The*
11 *appraisal shall be conducted in conformity with*
12 *the standards of the Appraisal Foundation (as*
13 *defined in section 1121(9) of the Financial Insti-*
14 *tutions Reform, Recovery, and Enforcement Act*
15 *of 1989 (12 U.S.C. 3350(9)).*

16 *(C) SUBMISSION OF APPRAISAL REPORT.—*
17 *Not later than 180 days after the selection of an*
18 *appraiser pursuant to subparagraph (A), the ap-*
19 *praiser shall submit to the Secretary and to*
20 *Koniag a written appraisal report specifying the*
21 *value of the selection rights and the methodology*
22 *used to arrive at the value.*

23 *(3) DETERMINATION OF VALUE.—*

24 *(A) DETERMINATION BY THE SECRETARY.—*

25 *Not later than 60 days after the date of the re-*

1 *ceipt of the appraisal report under paragraph*
2 *(2)(c), the Secretary shall determine the value of*
3 *the selection rights and shall notify Koniag of*
4 *the determination.*

5 *(B) ALTERNATIVE DETERMINATION OF*
6 *VALUE.—*

7 *(i) IN GENERAL.—Subject to clause*
8 *(ii), if Koniag does not agree with the value*
9 *determined by the Secretary under subpara-*
10 *graph (A), the procedures specified in sec-*
11 *tion 206(d) of the Federal Land Policy and*
12 *Management Act of 1976 (43 U.S.C. 1716*
13 *(d)) shall be used to establish the value.*

14 *(ii) AVERAGE VALUE LIMITATION.—*
15 *The average value per acre of the selection*
16 *rights shall not be less than the value utiliz-*
17 *ing the risk adjusted discount cash flow*
18 *methodology, but in no event may exceed*
19 *\$300.*

20 **SEC. 1503. KONIAG ACCOUNT.**

21 *(a) IN GENERAL.—*

22 *(1) The Secretary shall enter into negotiations*
23 *for an agreement or agreements to exchange Federal*
24 *lands or interests therein which are in the State of*
25 *Alaska for the Selection Rights.*

1 (2) *If the value of the Federal property to be ex-*
2 *changed is less than the value of the Selection Rights*
3 *established in section 1501, and if such Federal prop-*
4 *erty to be exchanged is not generating receipts to the*
5 *Federal Government in excess of \$1,000,000 per year,*
6 *then the Secretary may exchange the Federal property*
7 *for that portion of the Selection Rights having a value*
8 *equal to that of the Federal property. The remaining*
9 *selection rights shall remain available for additional*
10 *exchanges.*

11 (3) *For the purposes of any exchange to be con-*
12 *summated under this title, if less than all the selec-*
13 *tion rights are being exchanged, then the value of the*
14 *selection rights being exchanged shall be equal to the*
15 *number of acres of selection rights being exchanged*
16 *multiplied by a fraction, the numerator of which is*
17 *the value of all the selection rights as determined pur-*
18 *suant to section 1502 hereof and the denominator of*
19 *which is the total number of acres of selection rights.*

20 (B) *ADDITIONAL EXCHANGES.—If, after ten*
21 *years from the date of the enactment of this title,*
22 *the Secretary was unable to conclude such ex-*
23 *changes as may be required to acquire all of the*
24 *selection rights, he shall conclude exchanges for*
25 *the remaining selection rights for such Federal*

1 *property as may be identified by Koniag, which*
2 *property is available for transfer to the adminis-*
3 *trative jurisdiction of the Secretary under any*
4 *provision of law and which property, at the time*
5 *of the proposed transfer to Koniag is not gener-*
6 *ating receipts to the Federal Government in ex-*
7 *cess of \$1,000,000 per year. The Secretary shall*
8 *keep Koniag advised in a timely manner as to*
9 *which properties may be available for such*
10 *transfer. Upon receipt of such identification by*
11 *Koniag, the Secretary shall request in a timely*
12 *manner the transfer of such identified property*
13 *to the administrative jurisdiction of the Depart-*
14 *ment of the Interior. Such property shall not be*
15 *subject to the geographic limitations of section*
16 *206(b) of the Federal Land Policy and Manage-*
17 *ment Act and may be retained by the Secretary*
18 *solely for purposes of transferring it to Koniag*
19 *to complete the exchange. Should the value of the*
20 *property so identified by Koniag be in excess of*
21 *the value of the remaining selection rights, then*
22 *Koniag shall have the option of (i) declining to*
23 *proceed with the exchange and identifying other*
24 *property or (ii) paying the difference in value*
25 *between the property rights.*

1 (c) *REVENUES.*—Any property received by Koniag in
2 an exchange entered into pursuant to subsection (a) or (b)
3 of this section shall be deemed to be an interest in the sub-
4 surface for purposes of section 7(i) of the Alaska Native
5 Claims Settlement Act (43 U.S.C. 1601 et seq.): Provided
6 however, That should Koniag make a payment to equalize
7 the value in any such exchange, then Koniag will be deemed
8 to hold an undivided interest in the property equal in value
9 to such payment which interest shall not be subject to the
10 provisions of section 9(j).

11 **SEC. 1504. CERTAIN CONVEYANCES.**

12 (a) *INTERESTS IN LAND.*—For the purposes of section
13 21(c) of the Alaska Native Claims Settlement Act (43 U.S.C.
14 1620(e)), the receipt of consideration, including, but not
15 limited to, lands, cash or other property, by a Native Cor-
16 poration for the relinquishment to the United States of land
17 selection rights granted to any Native Corporation under
18 such Act shall be deemed to be an interest in land.

19 (b) *AUTHORITY TO APPOINT AND REMOVE TRUST-*
20 *EE.*—In establishing a Settlement Trust under section 39
21 of such Act (43 U.S.C. 1629c), Koniag may delegate, in
22 whole or in part, the authority granted to Koniag under
23 subsection (b)(2) of such section to any entity that Koniag
24 may select without affecting the status of the trust as a Set-
25 tlement Trust under such section.

1 **TITLE XVI—TAOS PUEBLO LAND**
2 **TRANSFER**

3 **SEC. 1601. LAND TRANSFER.**

4 (a) *TRANSFER.*—*The parcel of land described in sub-*
5 *section (b) is hereby transferred without consideration to*
6 *the Secretary of the Interior to be held in trust for the Pueb-*
7 *lo de Taos. Such parcel shall be a part of the Pueblo de*
8 *Taos Reservation and shall be managed in accordance with*
9 *section 4 of the Act of May 31, 1933 (48 Stat. 108) (as*
10 *amended, including as amended by Public Law 91–550 (84*
11 *Stat. 1437)).*

12 (b) *LAND DESCRIPTION.*—*The parcel of land referred*
13 *to in subsection (a) is the land that is generally depicted*
14 *on the map entitled “Lands transferred to the Pueblo of*
15 *Taos—proposed” and dated September 1994, comprises*
16 *764.33 acres, and is situated within sections 25, 26, 35,*
17 *and 36, Township 27 North, Range 14 East, New Mexico*
18 *Principal Meridian, within the Wheeler Peak Wilderness,*
19 *Carson National Forest, Taos County, New Mexico.*

20 (c) *CONFORMING BOUNDARY ADJUSTMENTS.*—*The*
21 *boundaries of the Carson National Forest and the Wheeler*
22 *Peak Wilderness are hereby adjusted to reflect the transfer*
23 *made by subsection (a).*

24 (d) *RESOLUTION OF OUTSTANDING CLAIMS.*—*The*
25 *Congress finds and declares that, as a result of the enact-*

1 *ment of this Act, the Taos Pueblo has no unresolved equi-*
2 *table or legal claims against the United States on the lands*
3 *to be held in trust and to become part of the Pueblo de Taos*
4 *Reservation under this title.*

5 **TITLE XVII—SKI FEES**

6 **SEC. 1701. SKI AREA PERMIT RENTAL CHARGE.**

7 *(a) The Secretary of Agriculture shall charge a rental*
8 *charge for all ski area permits issued pursuant to section*
9 *3 of the National Forest Ski Area Permit Act of 1986 (16*
10 *U.S.C. 497b), the Act of March 4, 1915 (38 Stat. 1101,*
11 *chapter 144; 16 U.S.C. 497), or the 9th through 20th para-*
12 *graphs under the heading “SURVEYING THE PUBLIC*
13 *LANDS” under the heading “UNDER THE DEPART-*
14 *MENT OF THE INTERIOR” in the Act of June 4, 1897*
15 *(30 Stat. 34, chapter 2), on National Forest System lands.*
16 *Permit rental charges for permits issued pursuant to the*
17 *National Forest Ski Area Permit Act of 1986 shall be cal-*
18 *culated as set forth in subsection (b). Permit rental charges*
19 *for existing ski area permits issued pursuant to the Act of*
20 *March 4, 1915, and the Act of June 4, 1897, shall be cal-*
21 *culated in accordance with those existing permits: Provided,*
22 *That a permittee may, at the permittee’s option, use the*
23 *calculation method set forth in subsection (b).*

24 *(b)(1) The ski area permit rental charge (SAPRC)*
25 *shall be calculated by adding the permittee’s gross revenues*

1 *from lift ticket/year-round ski area use pass sales plus reve-*
2 *nue from ski school operations (LT+SS) and multiplying*
3 *such total by the slope transport feet percentage (STFP) on*
4 *National Forest System land. That amount shall be in-*
5 *creased by the gross year-round revenue from ancillary fa-*
6 *cilities (GRAF) physically located on national forest land,*
7 *including all permittee or subpermittee lodging, food serv-*
8 *ice, rental shops, parking and other ancillary operations,*
9 *to determine the adjusted gross revenue (AGR) subject to*
10 *the permit rental charge. The final rental charge shall be*
11 *calculated by multiplying the AGR by the following per-*
12 *centages for each revenue bracket and adding the total for*
13 *each revenue bracket:*

14 (A) 1.5 percent of all adjusted gross revenue
15 below \$3,000,000;

16 (B) 2.5 percent for adjusted gross revenue be-
17 tween \$3,000,000 and \$15,000,000;

18 (C) 2.75 percent for adjusted gross revenue be-
19 tween \$15,000,000 and \$50,000,000; and

20 (D) 4.0 percent for the amount of adjusted gross
21 revenue that exceeds \$50,000,000.

22 Utilizing the abbreviations indicated in this subsection
23 *the ski area permit fee (SAPF) formula can be simply illus-*
24 *trated as:*

$SAPF = ((LT + SS) \times STFP) + GRAF = AGR; AGR \times \% \text{ BRACKETS}$

1 (2) *In cases where ski areas are only partially located*
2 *on national forest lands, the slope transport feet percentage*
3 *on national forest land referred to in subsection (b) shall*
4 *be calculated as generally described in the Forest Service*
5 *Manual in effect as of January 1, 1992. Revenues from Nor-*
6 *dic ski operations shall be included or excluded from the*
7 *rental charge calculation according to the percentage of*
8 *trails physically located on national forest land.*

9 (3) *In order to ensure that the rental charge remains*
10 *fair and equitable to both the United States and the ski*
11 *area permittees, the adjusted gross revenue figures for each*
12 *revenue bracket in paragraph (1) shall be adjusted annually*
13 *by the percent increase or decrease in the national*
14 *Consumer Price Index for the preceding calendar year. No*
15 *later than 5 years after the date of enactment of this Act*
16 *and every 10 years thereafter the Secretary shall submit to*
17 *the Committee on Energy and Natural Resources of the*
18 *United States Senate and the Committee on Resources of*
19 *the United States House of Representatives a report analyz-*
20 *ing whether the ski area permit rental charge legislated by*
21 *this Act is returning a fair market value rental to the Unit-*
22 *ed States together with any recommendations the Secretary*
23 *may have for modifications of the system.*

24 (c) *The rental charge set forth in subsection (b) shall*
25 *be due on June 1 of each year and shall be paid or pre-*

1 *paid by the permittee on a monthly, quarterly, annual or*
2 *other schedule as determined appropriate by the Secretary*
3 *in consultation with the permittee. Unless mutually agreed*
4 *otherwise by the Secretary and the permittee, the payment*
5 *or prepayment schedule shall conform to the permittee's*
6 *schedule in effect prior to enactment of this Act. To reduce*
7 *costs to the permittee and the Forest Service, the Secretary*
8 *shall each year provide the permittee with a standardized*
9 *form and worksheets (including annual rental charge cal-*
10 *culatation brackets and rates) to be used for rental charge*
11 *calculation and submitted with the rental charge payment.*
12 *Information provided on such forms shall be compiled by*
13 *the Secretary annually and kept in the Office of the Chief,*
14 *United States Forest Service.*

15 *(d) The ski area permit rental charge set forth in this*
16 *section shall become effective on June 1, 1996 and cover re-*
17 *ceipts retroactive to June 1, 1995: Provided however, That*
18 *if a permittee has paid rental charges for the period June*
19 *1, 1995, to June 1, 1996, under the graduated rate rental*
20 *charge system formula in effect prior to the date of enact-*
21 *ment of this Act, such rental charges shall be credited to-*
22 *ward the new rental charge due on June 1, 1996. In order*
23 *to ensure increasing rental charge receipt levels to the Unit-*
24 *ed States during transition from the graduated rate rental*

1 *charge system formula to the formula of this Act, the rental*
2 *charge paid by any individual permittee shall be—*

3 (1) *for the 1995–1996 permit year, either the*
4 *rental charge paid for the preceding 1994–1995 base*
5 *year or the rental charge calculated pursuant to this*
6 *Act, whichever is higher;*

7 (2) *for the 1996–1997 permit year, either the*
8 *rental charge paid for the 1994–1995 base year or the*
9 *rental charge calculated pursuant to this Act, which-*
10 *ever is higher;*

11 (3) *for the 1997–1998 permit year, either the*
12 *rental charge for the 1994–1995 base year or the rent-*
13 *al charge calculated pursuant to this Act, whichever*
14 *is higher.*

15 *If an individual permittee's adjusted gross revenue for the*
16 *1995–1996, 1996–1997, or 1997–1998 permit years falls*
17 *more than 10 percent below the 1994–1995 base year, the*
18 *rental charge paid shall be the rental charge calculated pur-*
19 *suant to this Act.*

20 (e) *Under no circumstances shall revenue, or sub-*
21 *permittee revenue (other than lift ticket, area use pass, or*
22 *ski school sales) obtained from operations physically located*
23 *on non-national forest land be included in the ski area per-*
24 *mit rental charge calculation.*

1 (f) To reduce administrative costs of ski area permit-
2 tees and the Forest Service the terms “revenue” and “sales”,
3 as used in this section, shall mean actual income from sales
4 and shall not include sales of operating equipment, refunds,
5 rent paid to the permittee by sublessees, sponsor contribu-
6 tions to special events or any amounts attributable to em-
7 ployee gratuities or employee lift tickets, discounts, or other
8 goods or services (except for bartered goods and complimen-
9 tary lift tickets) for which the permittee does not receive
10 money.

11 (g) In cases where an area of national forest land is
12 under a ski area permit but the permittee does not have
13 revenue or sales qualifying for rental charge payment pur-
14 suant to subsection (a), the permittee shall pay an annual
15 minimum rental charge of \$2 for each national forest acre
16 under permit or a percentage of appraised land value, as
17 determined appropriate by the Secretary.

18 (h) Where the new rental charge provided for in sub-
19 section (b)(1) results in an increase in permit rental charge
20 greater than one half of one percent of the permittee’s ad-
21 justed gross revenue as determined under subsection (b)(1),
22 the new rental charge shall be phased in over a five year
23 period in a manner providing for increases of approxi-
24 mately equal increments.

1 (i) *To reduce Federal costs in administering the provi-*
2 *sions of this Act, the reissuance of a ski area permit to pro-*
3 *vide activities similar in nature and amount to the activi-*
4 *ties provided under the previous permit shall not constitute*
5 *a major Federal action for the purposes of the National En-*
6 *vironmental Policy Act of 1969 (42 U.S.C. 4331 et seq.).*

7 **SEC. 1702. WITHDRAWALS.**

8 *Subject to valid existing rights, all lands located with-*
9 *in the boundaries of ski area permits issued prior to, on*
10 *or after the date of enactment of this Act pursuant to au-*
11 *thority of the Act of March 4, 1915 (38 Stat. 1101, chapter*
12 *144; 16 U.S.C. 497), and the Act of June 4, 1897, or the*
13 *National Forest Ski Area Permit Act of 1986 (16 U.S.C.*
14 *497b) are hereby and henceforth automatically withdrawn*
15 *from all forms of appropriation under the mining laws and*
16 *from disposition under all laws pertaining to mineral and*
17 *geothermal leasing and all amendments thereto. Such with-*
18 *drawal shall continue for the full term of the permit and*
19 *any modification, reissuance, or renewal thereof. Unless the*
20 *Secretary requests otherwise of the Secretary of the Interior,*
21 *such withdrawal shall be canceled automatically upon expi-*
22 *ration or other termination of the permit and the land auto-*
23 *matically restored to all appropriation not otherwise re-*
24 *stricted under the public land laws.*

1 **TITLE XVIII—THE SELMA TO MONTGOM-**
2 **ERY NATIONAL HISTORIC TRAIL**

3 **SEC. 1801. SELMA TO MONTGOMERY NATIONAL HISTORIC**
4 **TRAIL.**

5 *Section 5(a) of the National Trails System Act (16*
6 *U.S.C. 1244(a)) is amended by adding at the end thereof*
7 *the following new paragraph:*

8 *“(20) The Selma to Montgomery National His-*
9 *toric Trail, consisting of 54 miles of city streets and*
10 *United States Highway 80 from Brown Chapel*
11 *A.M.E. Church in Selma to the State Capitol Build-*
12 *ing in Montgomery, Alabama, traveled by voting*
13 *rights advocates during March 1965 to dramatize the*
14 *need for voting rights legislation, as generally de-*
15 *scribed in the report of the Secretary of the Interior*
16 *prepared pursuant to subsection (b) of this section en-*
17 *titled “Selma to Montgomery” and dated April 1993.*
18 *Maps depicting the route shall be on file and avail-*
19 *able for public inspection in the Office of the National*
20 *Park Service, Department of the Interior. The trail*
21 *shall be administered in accordance with this Act, in-*
22 *cluding section 7(h). The Secretary of the Interior,*
23 *acting through the National Park Service, which shall*
24 *be the lead Federal agency, shall cooperate with other*
25 *Federal, State and local authorities to preserve his-*

1 *toric sites along the route, including (but not limited*
2 *to) the Edmund Pettus Bridge and the Brown Chapel*
3 *A.M.E. Church.”.*

4 **TITLE XIX—FORT CARSON—PINON**

5 **CANYON MILITARY LANDS WITHDRAWAL**

6 **SEC. 1901. WITHDRAWAL AND RESERVATION OF LANDS AT**

7 **FORT CARSON MILITARY RESERVATION.**

8 (a) *WITHDRAWAL.*—*Subject to valid existing rights*
9 *and except as otherwise provided in this title, the lands at*
10 *the Fort Carson Military Reservation that are described in*
11 *subsection (c) are hereby withdrawn from all forms of ap-*
12 *propriations under the public land laws, including the min-*
13 *ing laws, the mineral and geothermal leasing laws, and the*
14 *mineral materials disposal laws.*

15 (b) *RESERVATION.*—*The lands withdrawn under sub-*
16 *section (a) are reserved for use by the Secretary of the*
17 *Army—*

18 (1) *for military maneuvering, training, and*
19 *weapons firing; and*

20 (2) *for other defense related purposes consistent*
21 *with the uses specified in paragraph (1).*

22 (c) *LAND DESCRIPTION.*—*The lands referred to in sub-*
23 *section (a) comprise approximately 3,133.02 acres of public*
24 *land and approximately 11,415.16 acres of federally-owned*
25 *minerals in El Paso, Pueblo, and Fremont Counties, Colo-*

1 *rado, as generally depicted on the map entitled “Fort Car-*
2 *son Proposed Withdrawal—Fort Carson Base”, dated*
3 *March 2, 1992, and filed in accordance with section 1903.*

4 **SEC. 1902. WITHDRAWAL AND RESERVATION OF LANDS AT**
5 **PINON CANYON MANEUVER SITE.**

6 (a) *WITHDRAWAL.*—Subject to valid existing rights
7 and except as otherwise provided in this title, the lands at
8 the Pinon Canyon Maneuver Site that are described in sub-
9 section (c) are hereby withdrawn from all forms of appro-
10 priation under the public land laws, including the mining
11 laws, the mineral and geothermal leasing laws, and the
12 mineral materials disposal laws.

13 (b) *RESERVATION.*—The lands withdrawn under sub-
14 section (a) are reserved for use by the Secretary of the
15 Army—

16 (1) *for military maneuvering and training; and*

17 (2) *for other defense related purposes consistent*
18 *with the uses specified in paragraph (1).*

19 (c) *LAND DESCRIPTION.*—The lands referred to in sub-
20 section (a) comprise approximately 2,517.12 acres of public
21 lands and approximately 130,139 acres of federally-owned
22 minerals in Los Animas County, Colorado, as generally de-
23 picted on the map entitled “Fort Carson Proposed With-
24 drawal—Fort Carson Maneuver Area—Pinon Canyon

1 *Site*”, dated March 2, 1992, and filed in accordance with
2 *section 1903.*

3 **SEC. 1903. MAPS AND LEGAL DESCRIPTIONS.**

4 (a) *PREPARATION.*—As soon as practicable after the
5 *date of enactment of this title, the Secretary of the Interior*
6 *shall publish in the Federal Register a notice containing*
7 *the legal description of the lands withdrawn and reserved*
8 *by this Act.*

9 (b) *LEGAL EFFECT.*—Such maps and legal descrip-
10 *tions shall have the same force and effect as if they were*
11 *included in this title, except that the Secretary of the Inte-*
12 *rior may correct clerical and typographical errors in such*
13 *maps and legal descriptions.*

14 (c) *LOCATION OF MAPS.*—Copies of such maps and
15 *legal descriptions shall be available for public inspection*
16 *in the offices of the Colorado State Director and the Canon*
17 *City District Manager of the Bureau of Land Management,*
18 *and the Commander, Fort Carson, Colorado.*

19 (d) *COSTS.*—The Secretary of the Army shall reim-
20 *burse the Secretary of the Interior for the costs of imple-*
21 *menting this section.*

22 **SEC. 1904. MANAGEMENT OF WITHDRAWN LANDS.**

23 (a) *MANAGEMENT GUIDELINES.*—(1) *Except as pro-*
24 *vided in section 1905, during the period of withdrawal the*
25 *Secretary of the Army shall manage for military purposes*

1 *the lands covered by this title and may authorize use of*
2 *such lands covered by the other military departments and*
3 *agencies of the Department of Defense, and the National*
4 *Guard, as appropriate.*

5 (2) *When military operations, public safety, or na-*
6 *tional security, as determined by the Secretary of the Army,*
7 *require the closure of roads or trails on the lands withdrawn*
8 *by this title commonly in public use, the Secretary of the*
9 *Army is authorized to take such action, except that such*
10 *closures shall be limited to the minimum areas and periods*
11 *required for the purposes specified in this subsection. Ap-*
12 *propriate warning notices shall be kept posted during clo-*
13 *sures.*

14 (3) *The Secretary of the Army shall take necessary pre-*
15 *cautions to prevent and suppress brush and range fires oc-*
16 *curring within and outside the lands as a result of military*
17 *activities and may seek assistance from the Bureau of Land*
18 *Management in suppressing such fires. The memorandum*
19 *of understanding required by this subsection (c) shall pro-*
20 *vide for Bureau of Land Management assistance in the sup-*
21 *pression of such fires, and for the transfer of funds from*
22 *the Department of the Army to the Bureau of Land Man-*
23 *agement as compensation for such assistance.*

24 (b) *MANAGEMENT PLAN.*—*Not later than 5 years after*
25 *the date of enactment of this Act, the Secretary of the Army,*

1 *with the concurrence of the Secretary of the Interior, shall*
2 *develop a plan for the management of acquired lands and*
3 *lands withdrawn under sections 1901 and 1902 of this title*
4 *for the period of the withdrawal. Such plan shall—*

5 (1) *be consistent with applicable law;*

6 (2) *include such provisions as may be necessary*
7 *for proper resource management and protection of the*
8 *natural, cultural, and other resources and values of*
9 *such lands; and*

10 (3) *identify those withdrawn and acquired lands,*
11 *if any, which are to be open to mining, or mineral*
12 *or geothermal leasing, including mineral materials*
13 *disposal.*

14 (c) *IMPLEMENTATION OF MANAGEMENT PLAN.—(1)*
15 *The Secretary of the Army and the Secretary of the Interior*
16 *shall enter into a memorandum of understanding to imple-*
17 *ment the management plan described in subsection (b).*

18 (2) *The duration of any such memorandum of under-*
19 *standing shall be the same as the period of withdrawal*
20 *under section 1907.*

21 (3) *The memorandum of understanding may be*
22 *amended by agreement of both Secretaries.*

23 (d) *USE OF CERTAIN RESOURCES.—Subject to valid*
24 *existing rights, the Secretary of the Army is authorized to*
25 *utilize sand, gravel, or similar mineral or mineral material*

1 *resources from lands withdrawn by this title, when the use*
2 *of such resources is required for construction needs of the*
3 *Fort Carson Military Reservation or Pinon Canyon Ma-*
4 *neuver Site.*

5 **SEC. 1905. MANAGEMENT OF WITHDRAWN AND ACQUIRED**
6 **MINERAL RESOURCES.**

7 *Except as provided in section 1904(d) of this title, the*
8 *Secretary of the Interior shall manage all withdrawn and*
9 *acquired mineral resources within the boundaries of the*
10 *Fort Carson Military Reservation and Pinon Canyon Ma-*
11 *neuver Site in accordance with section 12 of the Military*
12 *Lands Withdrawal Act of 1986 (Public Law 99–606; 100*
13 *Stat. 3466), as applicable.*

14 **SEC. 1906. HUNTING, FISHING, AND TRAPPING.**

15 *All hunting, fishing and trapping on the lands with-*
16 *drawn and reserved by this title shall be conducted in ac-*
17 *cordance with section 2671 of title 10, United States Code.*

18 **SEC. 1907. TERMINATION OF WITHDRAWAL AND RESERVA-**
19 **TION AND EFFECT OF CONTAMINATION.**

20 (a) **TERMINATION DATE.**—*The withdrawal and res-*
21 *ervation established by this title shall terminate 15 years*
22 *after the date of the enactment of this Act.*

23 (b) **DETERMINATION OF CONTINUING MILITARY**
24 **NEED.**—(1) *At least three years prior to the termination*
25 *under subsection (a) of the withdrawal and reservation es-*

1 *tablished by this title, the Secretary of the Army shall ad-*
2 *viser the Secretary of the Interior as to whether or not the*
3 *Department of the Army will have a continuing military*
4 *need for any of the lands after the termination date.*

5 (2) *If the Secretary of the Army concludes under para-*
6 *graph (1) that there will be a continuing military need for*
7 *any of the lands after the termination date established by*
8 *subsection (a), the Secretary of the Army, in accordance*
9 *with applicable law, shall evaluate the environmental effects*
10 *of renewal of such withdrawal and reservation, shall hold*
11 *at least one public hearing in Colorado concerning such*
12 *evaluation, and shall thereafter file an application for ex-*
13 *tension of the withdrawal and reservation of such lands in*
14 *accordance with the regulations and procedures of the De-*
15 *partment of the Interior applicable to the extension of with-*
16 *drawals for military uses. The Secretary of the Interior*
17 *shall notify the Congress concerning such filing.*

18 (3) *If the Secretary of the Army concludes under para-*
19 *graph (1) that prior to the termination date established by*
20 *subsection (a), there will be no military need for all or any*
21 *of the lands withdrawn and reserved by this Act, or if, dur-*
22 *ing the period of withdrawal, the Secretary of the Army*
23 *shall file a notice of intention to relinquish with the Sec-*
24 *retary of the Interior.*

1 (c) *DETERMINATION OF CONTAMINATION.*—*Prior to*
2 *the filing of a notice of intention to relinquish pursuant*
3 *to subsection (b)(3), the Secretary of the Army shall prepare*
4 *a written determination as to whether and to what extent*
5 *the lands are contaminated with explosive, toxic, or other*
6 *hazardous materials. A copy of the determination made by*
7 *the Secretary of the Army shall be supplied with the notice*
8 *of intention to relinquish. Copies of both the notice of inten-*
9 *tion to relinquish and the determination concerning the*
10 *contaminated state of the lands shall be published in the*
11 *Federal Register by the Secretary of the Interior.*

12 (d) *EFFECT OF CONTAMINATION.*—(1) *If any land*
13 *which is the subject of a notice of intention to relinquish*
14 *under subsection (b)(3) is contaminated, and the Secretary*
15 *of the Interior, in consultation with the Secretary of the*
16 *Army, determines that decontamination is practicable and*
17 *economically feasible, taking into consideration the poten-*
18 *tial future use and value of the land, and that upon decon-*
19 *tamination, the land could be opened to the operation of*
20 *some or all of the public land laws, including the mining*
21 *laws, the Secretary of the Army shall decontaminate the*
22 *land to the extent that funds are appropriated for such pur-*
23 *pose.*

24 (2) *If the Secretaries of the Army and the Interior con-*
25 *clude either that the contamination of any or all of the*

1 *lands proposed for relinquishment is not practicable or eco-*
2 *nomically feasible, or that the lands cannot be decontami-*
3 *nated sufficiently to allow them to be opened to the oper-*
4 *ation of the public land laws, or if Congress declined to*
5 *appropriate funds for decontamination of the lands, the*
6 *Secretary of the Interior shall not be required to accept the*
7 *lands proposed for relinquishment.*

8 (3) *If, because of their contaminated state, the Sec-*
9 *retary of the Interior declines under paragraph (2) to ac-*
10 *cept jurisdiction of the lands proposed for relinquishment,*
11 *or if at the expiration of the withdrawal made by this title*
12 *the Secretary of the Interior determines that some of the*
13 *lands withdrawn by this title are contaminated to an extent*
14 *which prevents opening such contaminated lands to oper-*
15 *ation of the public land laws—*

16 (A) *the Secretary of the Army shall take appro-*
17 *priate steps to warn the public of the contaminated*
18 *state of such lands and any risks associated with*
19 *entry onto such lands;*

20 (B) *after the expiration of the withdrawal, the*
21 *Secretary of the Army shall undertake no activities on*
22 *such lands except in connection with decontamination*
23 *of such lands; and*

24 (C) *the Secretary of the Army shall report to the*
25 *Secretary of the Interior and to the Congress concern-*

1 *ing the status of such lands and all actions taken in*
2 *furtherance of the subsection.*

3 *(4) If the lands are subsequently decontaminated, upon*
4 *certification by the Secretary of the Army that the lands*
5 *are safe for all nonmilitary uses, the Secretary of the Inte-*
6 *rior shall reconsider accepting jurisdiction over the lands.*

7 *(5) Nothing in this title shall affect, or be construed*
8 *to affect, the Secretary's obligations, if any, to decontami-*
9 *nate such lands pursuant to applicable law, including but*
10 *not limited to the Comprehensive Environmental Response*
11 *Compensation and Liability Act (42 U.S.C. 9601 et seq.),*
12 *and the Solid Waste Disposal Act, as amended by the Re-*
13 *source Conservation and Recovery Act (42 U.S.C. 6901 et*
14 *seq.).*

15 *(e) PROGRAM OF DECONTAMINATION.—Throughout the*
16 *duration of the withdrawal and reservation made by the*
17 *title, the Secretary of the Army, to the extent funds are*
18 *made available, shall maintain a program of decontamina-*
19 *tion of the lands withdrawn by this title at least at the*
20 *level of effort carried out during fiscal year 1992.*

21 *(f) ACCEPTANCE OF LANDS PROPOSED FOR RELIN-*
22 *QUISHMENT.—Notwithstanding any other provision of law,*
23 *the Secretary of the Interior, upon deciding that it is in*
24 *the public interest to accept jurisdiction over those lands*
25 *proposed for relinquishment, is authorized to revoke the*

1 *withdrawal and reservation established by this title as it*
2 *applies to the lands proposed for relinquishment. Should*
3 *the decision be made to revoke the withdrawal and reserva-*
4 *tion, the Secretary of the Interior shall publish in the Fed-*
5 *eral Register an appropriate order which shall—*

6 (1) *terminate the withdrawal and reservation;*

7 (2) *constitute official acceptance of full jurisdic-*
8 *tion over the lands by the Secretary of the Interior;*
9 *and*

10 (3) *state the date upon which the lands will be*
11 *opened to the operation of the public land laws, in-*
12 *cluding the mining laws if appropriate.*

13 **SEC. 1908. DELEGATION.**

14 *The function of the Secretary of the Army under this*
15 *Act may be delegated. The functions of the Secretary of the*
16 *Interior under this title may be delegated, except that the*
17 *order referred to in section 1907(f) may be approved and*
18 *signed only by the Secretary of the Interior, the Deputy Sec-*
19 *retary of the Interior, or an Assistant Secretary of the De-*
20 *partment of the Interior.*

21 **SEC. 1909. HOLD HARMLESS PROVISION.**

22 (a) *IN GENERAL.—The United States and all depart-*
23 *ments or agencies thereof shall be held harmless and shall*
24 *not be liable for any injuries or damages to persons or prop-*
25 *erty suffered in the course of any mining, mineral activity,*

1 *or geothermal leasing activity conducted on lands compris-*
2 *ing the Fort Carson Military Reservation or Pinon Canyon*
3 *Maneuver Site, including liabilities to non-Federal entities*
4 *under section 107 or 113 of the Comprehensive Environ-*
5 *mental Response Compensation and Liability Act (42*
6 *U.S.C. 9607 and 9613), or section 7003 of the Solid Waste*
7 *Disposal Act, as amended by the Resource Conservation and*
8 *Recovery Act (42 U.S.C. 6973).*

9 **(b) INDEMNIFICATION.**—*Any party conducting any*
10 *mining, mineral or geothermal leasing activity on such*
11 *lands shall indemnify the United States and its depart-*
12 *ments or agencies thereof against any costs, fees, damages,*
13 *or other liabilities, including costs of litigation, arising*
14 *from or related to such mining activities, including costs*
15 *of minerals disposal, whether arising under the Comprehen-*
16 *sive Environmental Resource Compensation and Liability*
17 *Act, the Resource Conservation and Recovery Act, or other-*
18 *wise.*

19 **SEC. 1910. AMENDMENTS TO MILITARY LANDS WITH-**
20 **DRAWAL ACT OF 1986.**

21 **(a) USE OF CERTAIN RESOURCES.**—*Section 3(f) of the*
22 *Military Lands Withdrawal Act of 1986 (Public Law 99-*
23 *606; 100 Stat. 3461) is amended by adding at the end a*
24 *new paragraph (2) as follows:*

1 (2) *in order to adequately accommodate these*
2 *events, which are traditionally among the most popu-*
3 *lar and heavily attended at the Winter Olympic*
4 *Games, major new skiing, visitor, and support facili-*
5 *ties will have to be constructed at the Snowbasin Ski*
6 *Resort on land currently administered by the United*
7 *States Forest Service;*

8 (3) *while certain of these new facilities can be*
9 *accommodated on National Forest land under tradi-*
10 *tional Forest Service permitting authorities, the base*
11 *area facilities necessary to host visitors to the ski area*
12 *and the Winter Olympics are of such a nature that*
13 *they should logically be located on private land;*

14 (4) *land exchanges have been routinely utilized*
15 *by the Forest Service to transfer base area lands to*
16 *many other ski areas, and the Forest Service and the*
17 *Sun Valley Company have concluded that a land ex-*
18 *change to transfer base area lands at the Snowbasin*
19 *Ski Resort to the Sun Valley Company is both logical*
20 *and advisable;*

21 (5) *an environmental impact statement and nu-*
22 *merous resource studies have been completed by the*
23 *Forest Service and the Sun Valley Company for the*
24 *lands proposed to be transferred to the Sun Valley*
25 *Company by this title;*

1 (6) *the Sun Valley Company has assembled*
2 *lands with outstanding environmental, recreational,*
3 *and other values to convey to the Forest Service in re-*
4 *turn for the lands it will receive in the exchange, and*
5 *the Forest Service has identified such lands as desir-*
6 *able for acquisition by the United States; and*

7 (7) *completion of a land exchange and approval*
8 *of a development plan for Olympic related facilities*
9 *at the Snowbasin Ski Resort is essential to ensure*
10 *that all necessary facilities can be constructed, tested*
11 *for safety and other purposes, and become fully oper-*
12 *ational in advance of the 2002 Winter Olympics and*
13 *earlier pre-Olympic events.*

14 (b) *DETERMINATION.*—*The Congress has reviewed the*
15 *previous analyses and studies of the lands to be exchanged*
16 *and developed pursuant to this title, and has made its own*
17 *review of these lands and issues involved, and on the basis*
18 *of those reviews hereby finds and determines that a legis-*
19 *lated land exchange and development plan approval with*
20 *respect to certain National Forest System Lands is nec-*
21 *essary to meet Olympic goals and timetables.*

22 **SEC. 2002. PURPOSE AND INTENT.**

23 *The purpose of this title is to authorize and direct the*
24 *Secretary to exchange 1,320 acres of federally-owned land*
25 *within the Cache National Forest in the State of Utah for*

1 *lands of approximately equal value owned by the Sun Val-*
2 *ley Company. It is the intent of Congress that this exchange*
3 *be completed without delay within the period specified by*
4 *section 2004.*

5 **SEC. 2003. DEFINITIONS.**

6 *As used in this title—*

7 *(1) the term “Sun Valley Company” means the*
8 *Sun Valley Company, a division of Sinclair Oil Cor-*
9 *poration, a Wyoming Corporation, or its successors or*
10 *assigns; and*

11 *(2) the term “Secretary” means the Secretary of*
12 *Agriculture.*

13 **SEC. 2004. EXCHANGE.**

14 *(a) FEDERAL SELECTED LANDS.—(1) Not later than*
15 *45 days after the final determination of value of the Federal*
16 *selected lands, the Secretary shall, subject to this title, trans-*
17 *fer all right, title, and interest of the United States in and*
18 *to the lands referred to in paragraph (2) to the Sun Valley*
19 *Company.*

20 *(2) The lands referred to in paragraph (1) are certain*
21 *lands within the Cache National Forest in the State of Utah*
22 *comprising 1,320 acres, more or less, as generally depicted*
23 *on the map entitled “Snowbasin Land Exchange—Pro-*
24 *posed” and dated October 1995.*

1 **(b) NON-FEDERAL OFFERED LANDS.**—Upon transfer
2 of the Federal selected lands under subsection (a), and in
3 exchange for those lands, the Sun Valley Company shall si-
4 multaneously convey to the Secretary all right, title and
5 interest of the Sun Valley Company in and to so much of
6 the following offered lands which have been previously iden-
7 tified by the United States Forest Service as desirable by
8 the United States, or which are identified pursuant to para-
9 graph (5) prior to the transfer of lands under subsection
10 (a), as are of approximate equal value to the Federal se-
11 lected lands:

12 (1) Certain lands located within the exterior
13 boundaries of the Cache National Forest in Weber
14 County, Utah, which comprise approximately 640
15 acres and are generally depicted on a map entitled
16 “Lightning Ridge Offered Lands”, dated October
17 1995.

18 (2) Certain lands located within the Cache Na-
19 tional Forest in Weber County, Utah, which comprise
20 approximately 635 acres and are generally depicted
21 on a map entitled “Wheeler Creek Watershed Offered
22 Lands—Section 2” dated October 1995.

23 (3) Certain lands located within the exterior
24 boundaries of the Cache National Forest in Weber
25 County, Utah, and lying immediately adjacent to the

1 *outskirts of the City of Ogden, Utah, which comprise*
2 *approximately 800 acres and are generally depicted*
3 *on a map entitled “Taylor Canyon Offered Lands”,*
4 *dated October 1995.*

5 *(4) Certain lands located within the exterior*
6 *boundaries of the Cache National Forest in Weber*
7 *County, Utah, which comprise approximately 2,040*
8 *acres and are generally depicted on a map entitled*
9 *“North Fork Ogden River—Devil’s Gate Valley”,*
10 *dated October 1995.*

11 *(5) Such additional offered lands in the State of*
12 *Utah as may be necessary to make the values of the*
13 *lands exchanged pursuant to this title approximately*
14 *equal, and which are acceptable to the Secretary.*

15 *(c) SUBSTITUTION OF OFFERED LANDS.—If one or*
16 *more of the precise offered land parcels identified in para-*
17 *graphs (1) through (4) of subsection (b) is unable to be con-*
18 *veyed to the United States due to appraisal or other rea-*
19 *sons, or if the Secretary and the Sun Valley Company mu-*
20 *tually agree and the Secretary determines that an alter-*
21 *native offered land package would better serve long term*
22 *public needs and objectives, the Sun Valley Company may*
23 *simultaneously convey to the United States alternative of-*
24 *fered lands in the State of Utah acceptable to the Secretary*

1 *in lieu of any or all of the lands identified in paragraphs*
2 *(1) through (4) of subsection (b).*

3 (d) *VALUATION AND APPRAISALS.—(1) Values of the*
4 *lands to be exchanged pursuant to this title shall be equal*
5 *as determined by the Secretary utilizing nationally recog-*
6 *nized appraisal standards and in accordance with section*
7 *206 of the Federal Land Policy and Management Act of*
8 *1976. The appraisal reports shall be written to Federal*
9 *standards as defined in the Uniform Appraisal Standards*
10 *for Federal Land Acquisitions. If, due to size, location, or*
11 *use of lands exchanged under this title, the values are not*
12 *exactly equal, they shall be equalized by the payment of cash*
13 *equalization money to the Secretary or the Sun Valley Com-*
14 *pany as appropriate in accordance with section 206(b) of*
15 *the Federal Land Policy and Management Act of 1976 (43*
16 *U.S.C. 1716(b)). In order to expedite the consummation of*
17 *the exchange directed by this title, the Sun Valley Company*
18 *shall arrange and pay for appraisals of the offered and se-*
19 *lected lands by a qualified appraiser with experience in ap-*
20 *praising similar properties and who is mutually acceptable*
21 *to the Sun Valley Company and the Secretary. The ap-*
22 *praisal of the Federal selected lands shall be completed and*
23 *submitted to the Secretary for technical review and ap-*
24 *proval no later than 120 days after the date of enactment*
25 *of this Act, and the Secretary shall make a determination*

1 of value not later than 30 days after receipt of the ap-
2 praisal. In the event the Secretary and the Sun Valley Com-
3 pany are unable to agree to the appraised value of a certain
4 tract or tracts of land, the appraisal, appraisals, or ap-
5 praisal issues in dispute and a final determination of value
6 shall be resolved through a process of bargaining or submis-
7 sion to arbitration in accordance with section 206(d) of the
8 Federal Land Policy and Management Act of 1976 (43
9 U.S.C. 1716(d)).

10 (2) In order to expedite the appraisal of the Federal
11 selected lands, such appraisal shall—

12 (A) value the land in its unimproved state, as a
13 single entity for its highest and best use as if in pri-
14 vate ownership and as of the date of enactment of this
15 Act;

16 (B) consider the Federal lands as an independ-
17 ent property as though in the private marketplace
18 and suitable for development to its highest and best
19 use;

20 (C) consider in the appraisal any encumbrance
21 on the title anticipated to be in the conveyance to
22 Sun Valley Company and reflect its effect on the fair
23 market value of the property; and

24 (D) not reflect any enhancement in value to the
25 Federal selected lands based on the existence of pri-

1 *stating its intention not to enter into the exchange*
2 *authorized by this title.*

3 (b) *WITHDRAWAL.*—*Subject to valid existing rights, ef-*
4 *fective on the date of enactment of this Act, the Federal se-*
5 *lected lands described in section 5(a)(2) and all National*
6 *Forest System lands currently under special use permit to*
7 *the Sun Valley Company at the Snowbasin Ski Resort are*
8 *hereby withdrawn from all forms of appropriation under*
9 *the public land laws (including the mining laws) and from*
10 *disposition under all laws pertaining to mineral and geo-*
11 *thermal leasing.*

12 (c) *DEED.*—*The conveyance of the offered lands to the*
13 *United States under this title shall be by general warranty*
14 *or other deed acceptable to the Secretary and in conformity*
15 *with applicable title standards of the Attorney General of*
16 *the United States.*

17 (d) *STATUS OF LANDS.*—*Upon acceptance of title by*
18 *the Secretary, the land conveyed to the United States pursu-*
19 *ant to this title shall become part of the Wasatch or Cache*
20 *National Forests as appropriate, and the boundaries of such*
21 *National Forests shall be adjusted to encompass such lands.*
22 *Once conveyed, such lands shall be managed in accordance*
23 *with the Act of March 1, 1911, as amended (commonly*
24 *known as the “Weeks Act”), and in accordance with the*
25 *other laws, rules and regulations applicable to National*

1 *Forest System lands. This subsection does not limit the Sec-*
2 *retary's authority to adjust the boundaries pursuant to sec-*
3 *tion 11 of the Act of March 1, 1911 ("Weeks Act"). For*
4 *the purposes of section 7 of the Land and Water Conserva-*
5 *tion Fund Act of 1965 (16 U.S.C. 4601–9), the boundaries*
6 *of the Wasatch and Cache National Forests, as adjusted by*
7 *this title, shall be considered to be boundaries of the forests*
8 *as of January 1, 1965.*

9 **SEC. 2006. PHASE I FACILITY CONSTRUCTION AND OPER-**
10 **ATION.**

11 (a) *PHASE I FACILITY FINDING AND REVIEW.—(1)*
12 *The Congress has reviewed the Snowbasin Ski Area Master*
13 *Development Plan dated October 1995 (hereinafter in this*
14 *section referred to as the "Master Plan"). On the basis of*
15 *such review, and review of previously completed environ-*
16 *mental and other resource studies for the Snowbasin Ski*
17 *Area, Congress hereby finds that the "Phase I" facilities re-*
18 *ferred to in the Master Plan to be located on National For-*
19 *est System land after consummation of the land exchange*
20 *directed by this title are limited in size and scope, are rea-*
21 *sonable and necessary to accommodate the 2002 Olympics,*
22 *and in some cases are required to provide for the safety*
23 *of skiing competitors and spectators.*

24 (2) *Within 60 days after the date of enactment of this*
25 *Act, the Secretary and the Sun Valley Company shall re-*

1 *view the Master Plan insofar as such plan pertains to Phase*
2 *I facilities which are to be constructed and operated wholly*
3 *or partially on National Forest System lands retained by*
4 *the Secretary after consummation of the land exchange di-*
5 *rected by this title. The Secretary may modify such Phase*
6 *I facilities upon mutual agreement with the Sun Valley*
7 *Company or by imposing conditions pursuant to subsection*
8 *(b) of this section.*

9 (3) *Within 90 days after the date of enactment of this*
10 *Act, the Secretary shall submit the reviewed Master Plan*
11 *on the Phase I facilities, including any modifications made*
12 *thereto pursuant to paragraph (2), to the Committee on En-*
13 *ergy and Natural Resources of the United States Senate and*
14 *the Committee on Resources of the United States House of*
15 *Representatives for a 30-day review period. At the end of*
16 *the 30-day period, unless otherwise directed by Act of Con-*
17 *gress, the Secretary may issue all necessary authorizations*
18 *for construction and operation of such facilities or modi-*
19 *fications thereof in accordance with the procedures and pro-*
20 *visions of subsection (b) of this section.*

21 (b) *PHASE I FACILITY APPROVAL, CONDITIONS, AND*
22 *TIMETABLE.—Within 120 days of receipt of an application*
23 *by the Sun Valley Company to authorize construction and*
24 *operation of any particular Phase I facility, facilities, or*
25 *group of facilities, the Secretary, in consultation with the*

1 *Sun Valley Company, shall authorize construction and op-*
2 *eration of such facility, facilities, or group of facilities, sub-*
3 *ject to the general policies of the Forest Service pertaining*
4 *to the construction and operation of ski area facilities on*
5 *National Forest System lands and subject to reasonable con-*
6 *ditions to protect National Forest System resources. In pro-*
7 *viding authorization to construct and operate a facility, fa-*
8 *cilities, or group of facilities, the Secretary may not impose*
9 *any condition that would significantly change the location,*
10 *size, or scope of the applied for Phase I facility unless—*

11 (1) *the modification is mutually agreed to by the*
12 *Secretary and the Sun Valley Company; or*

13 (2) *the modification is necessary to protect*
14 *health and safety.*

15 *Nothing in this section shall be construed to affect the Sec-*
16 *retary's responsibility to monitor and assure compliance*
17 *with the conditions set forth in the construction and oper-*
18 *ation authorization.*

19 (c) *CONGRESSIONAL DIRECTIONS.—Notwithstanding*
20 *any other provision of law, Congress finds that consumma-*
21 *tion of the land exchange directed by this title and all deter-*
22 *minations, authorizations, and actions taken by the Sec-*
23 *retary pursuant to this title pertaining to Phase I facilities*
24 *on National Forest System lands, or any modifications*
25 *thereof, to be nondiscretionary actions authorized and di-*

1 *rected by Congress and hence to comply with all procedural*
2 *and other requirements of the laws of the United States.*
3 *Such determinations, authorizations, and actions shall not*
4 *be subject to administrative or judicial review.*

5 **SEC. 2007. NO PRECEDENT.**

6 *Nothing in section 2004(d)(2) of this title relating to*
7 *conditions or limitations on the appraisal of the Federal*
8 *lands, or any provision of section 2006 relating to the ap-*
9 *proval by the Congress or the Forest Service of facilities*
10 *on National Forest System lands, shall be construed as a*
11 *precedent for subsequent legislation.*

12 **TITLE XXI—COLONIAL NATIONAL**
13 **HISTORICAL PARK.**

14 **SEC. 2101. COLONIAL NATIONAL HISTORICAL PARK.**

15 *(a) TRANSFER AND RIGHTS-OF-WAY.—The Secretary*
16 *of the Interior (hereinafter in this title referred to as the*
17 *“Secretary”) is authorized to transfer, without reimburse-*
18 *ment, to York County, Virginia, that portion of the existing*
19 *sewage disposal system, including related improvements*
20 *and structures, owned by the United States and located*
21 *within the Colonial National Historical Park, together with*
22 *such rights-of-way as are determined by the Secretary to*
23 *be necessary to maintain and operate such system.*

24 *(b) REPAIR AND REHABILITATION OF SYSTEM.—The*
25 *Secretary is authorized to enter into a cooperative agree-*

1 *ment with York County, Virginia, under which the Sec-*
2 *retary will pay a portion, not to exceed \$110,000, of the*
3 *costs of repair and rehabilitation of the sewage disposal sys-*
4 *tem referred to in subsection (a).*

5 (c) *FEES AND CHARGES.*—*In consideration for the*
6 *rights-of-way granted under subsection (a), and in recogni-*
7 *tion of the National Park Service’s contribution authorized*
8 *under subsection (b), the cooperative agreement under sub-*
9 *section (b) shall provide for a reduction in, or the elimi-*
10 *nation of, the amounts charged to the National Park Service*
11 *for its sewage disposal. The cooperative agreement shall also*
12 *provide for minimizing the impact of the sewage disposal*
13 *system on the park and its resources. Such system may not*
14 *be enlarged or substantially altered without National Park*
15 *Service concurrence.*

16 **SEC. 2102. INCLUSION OF LAND IN COLONIAL NATIONAL**
17 **HISTORICAL PARK.**

18 *Notwithstanding the provisions of the Act of June 28,*
19 *1938 (52 Stat. 1208; 16 U.S.C. 81b et seq.), limiting the*
20 *average width of the Colonial Parkway, the Secretary of*
21 *the Interior is authorized to include within the boundaries*
22 *of Colonial National Historical Park and acquire by dona-*
23 *tion, exchange, or purchase with donated or appropriated*
24 *funds—*

1 (1) *the lands or interests in lands described as*
2 *lots 30 to 48, inclusive;*

3 (2) *the portion of lot 49 that is 200 feet in width*
4 *from the existing boundary of Colonial National His-*
5 *torical Park;*

6 (3) *a 3.2-acre archaeological site, as shown on*
7 *the plats titled “Page Landing At Jamestown being*
8 *a subdivision of property of Neck O Land Limited*
9 *Partnership” dated June 21, 1989, sheets 2 and 3 of*
10 *3 sheets and bearing National Park Service Drawing*
11 *Number 333.80031; and*

12 (4) *all or a portion of the adjoining lot number*
13 *11 of the Neck O Land Hundred Subdivision, with or*
14 *without improvements.*

15 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS.**

16 *There are authorized to be appropriated such sums as*
17 *are necessary to carry out this title.*

18 **TITLE XXII—WOMEN’S RIGHTS NATIONAL**

19 **HISTORICAL PARK**

20 **SEC. 2201. INCLUSION OF OTHER PROPERTIES.**

21 *Section 1601(c) of Public Law 96–607 (16 U.S.C.*
22 *410ll) is amended to read as follows: “To carry out the pur-*
23 *poses of this section there is hereby established the Women’s*
24 *Rights National Historical Park (hereinafter in this section*
25 *referred to as the “park”). The park shall consist of the fol-*

1 *lowing designated sites in Seneca Falls and Waterloo, New*
2 *York:*

3 “(1) *Stanton House, 32 Washington Street, Sen-*
4 *eca Falls;*

5 “(2) *dwelling, 30 Washington Street, Seneca*
6 *Falls;*

7 “(3) *dwelling, 34 Washington Street, Seneca*
8 *Falls;*

9 “(4) *lot, 26–28 Washington Street, Seneca Falls;*

10 “(5) *former Wesleyan Chapel, 126 Fall Street,*
11 *Seneca Falls;*

12 “(6) *theater, 128 Fall Street, Seneca Falls;*

13 “(7) *McClintock House, 16 East Williams Street,*
14 *Waterloo;*

15 “(8) *Hunt House, 401 East Williams Street,*
16 *Waterloo;*

17 “(9) *not to exceed 1 acre, plus improvements, as*
18 *determined by the Secretary, in Seneca Falls for de-*
19 *velopment of a maintenance facility;*

20 “(10) *dwelling, 1 Seneca Street, Seneca Falls;*

21 “(11) *dwelling, 10 Seneca Street, Seneca Falls;*

22 “(12) *parcels adjacent to Wesleyan Chapel Block,*
23 *including Clinton Street, Fall Street, and Mynderse*
24 *Street, Seneca Falls; and*

1 “(13) dwelling, 12 East Williams Street, Water-
2 loo.”.

3 **SEC. 2202. MISCELLANEOUS AMENDMENTS.**

4 Section 1601 of Public Law 96–607 (16 U.S.C. 410ll)
5 is amended by redesignating subsection (i) as “(i)(1)” and
6 inserting at the end thereof the following new paragraph:

7 “(2) In addition to those sums appropriated prior to
8 the date of enactment of this paragraph for land acquisition
9 and development, there is hereby authorized to be appro-
10 priated an additional \$2,000,000.”.

11 **TITLE XXIII—FRANKLIN D. ROOSEVELT**

12 **FAMILY LANDS**

13 **SEC. 2301. ACQUISITION OF LANDS.**

14 (a) *IN GENERAL.*—The Secretary of the Interior (here-
15 inafter referred to as the “Secretary”) is authorized to ac-
16 quire, by purchase with donated or appropriated funds, do-
17 nation, or otherwise, lands and interests therein in the fol-
18 lowing properties located at Hyde Park, New York identi-
19 fied as lands critical for protection as depicted on the map
20 entitled “Roosevelt Family Estate” and dated September
21 1994—

22 (1) the “Open Park Hodhome Tract”, consisting
23 of approximately 40 acres, which shall be the highest
24 priority for acquisition;

1 (2) the “Top Cottage Tract”, consisting of ap-
2 proximately 30 acres; and

3 (3) the “Poughkeepsie Shopping Center, Inc.
4 Tract”, consisting of approximately 55 acres.

5 (b) ADMINISTRATION.—Lands and interests therein ac-
6 quired by the Secretary pursuant to this title shall be added
7 to, and administered by the Secretary as part of the Frank-
8 lin Delano Roosevelt National Historic Site or the Eleanor
9 Roosevelt National Historic Site, as appropriate.

10 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
11 hereby authorized to be appropriated not to exceed
12 \$3,000,000 to carry out this title.

13 **TITLE XXIV—GREAT FALLS HISTORIC**
14 **DISTRICT, NEW JERSEY**

15 **SEC. 2401. FINDINGS.**

16 Congress finds that—

17 (1) the Great Falls Historic District in the State
18 of New Jersey is an area of historical significance as
19 an early site of planned industrial development, and
20 has remained largely intact, including architecturally
21 significant structures;

22 (2) the Great Falls Historic District is listed on
23 the National Register of Historic Places and has been
24 designated a National Historic Landmark;

1 (3) *the Great Falls Historic District is situated*
2 *within a one-half hour's drive from New York City*
3 *and a 2 hour's drive from Philadelphia, Hartford,*
4 *New Haven, and Wilmington;*

5 (4) *the District was developed by the Society of*
6 *Useful Manufactures, an organization whose leaders*
7 *included a number of historically renowned individ-*
8 *uals, including Alexander Hamilton; and*

9 (5) *the Great Falls Historic District has been the*
10 *subject of a number of studies that have shown that*
11 *the District possesses a combination of historic sig-*
12 *nificance and natural beauty worthy of and uniquely*
13 *situated for preservation and redevelopment.*

14 **SEC. 2402. PURPOSES.**

15 *The purposes of this title are—*

16 (1) *to preserve and interpret, for the educational*
17 *and inspirational benefit of the public, the contribu-*
18 *tion to our national heritage of certain historic and*
19 *cultural lands and edifices of the Great Falls Historic*
20 *District, with emphasis on harnessing this unique*
21 *urban environment for its educational and rec-*
22 *reational value; and*

23 (2) *to enhance economic and cultural redevelop-*
24 *ment within the District.*

1 **SEC. 2403. DEFINITIONS.**

2 *In this Act:*

3 (1) *DISTRICT.*—*The term “District” means the*
4 *Great Falls Historic District established by section*
5 *2404.*

6 (2) *SECRETARY.*—*The term “Secretary” means*
7 *the Secretary of the Interior.*

8 **SEC. 2404. GREAT FALLS HISTORIC DISTRICT.**

9 (a) *ESTABLISHMENT.*—*There is established the Great*
10 *Falls Historic District in the city of Paterson, in Passaic*
11 *County, New Jersey.*

12 (b) *BOUNDARIES.*—*The boundaries of the District shall*
13 *be the boundaries specified for the Great Falls Historic Dis-*
14 *trict listed on the National Register of Historic Places.*

15 **SEC. 2405. DEVELOPMENT PLAN.**

16 (a) *GRANTS AND COOPERATIVE AGREEMENTS.*—*The*
17 *Secretary may make grants and enter into cooperative*
18 *agreements with the State of New Jersey, local governments,*
19 *and private nonprofit entities under which the Secretary*
20 *agrees to pay not more than 50 percent of the costs of—*

21 (1) *preparation of a plan for the development of*
22 *historic, architectural, natural, cultural, and inter-*
23 *pretive resources within the District; and*

24 (2) *implementation of projects approved by the*
25 *Secretary under the development plan.*

- 1 (b) *CONTENTS OF PLAN.—The development plan shall*
2 *include—*
- 3 (1) *an evaluation of—*
- 4 (A) *the physical condition of historic and*
5 *architectural resources; and*
- 6 (B) *the environmental and flood hazard*
7 *conditions within the District; and*
- 8 (2) *recommendations for—*
- 9 (A) *rehabilitating, reconstructing, and*
10 *adaptively reusing the historic and architectural*
11 *resources;*
- 12 (B) *preserving viewsheds, focal points, and*
13 *streetscapes;*
- 14 (C) *establishing gateways to the District;*
- 15 (D) *establishing and maintaining parks*
16 *and public spaces;*
- 17 (E) *developing public parking areas;*
- 18 (F) *improving pedestrian and vehicular cir-*
19 *culatation within the District;*
- 20 (G) *improving security within the District,*
21 *with an emphasis on preserving historically sig-*
22 *nificant structures from arson; and*
- 23 (H) *establishing a visitors' center.*

1 **SEC. 2406. RESTORATION, PRESERVATION, AND INTERPRE-**
2 **TATION OF PROPERTIES.**

3 (a) *COOPERATIVE AGREEMENTS.*—*The Secretary may*
4 *enter into cooperative agreements with the owners of prop-*
5 *erties within the District that the Secretary determines to*
6 *be of historical or cultural significance, under which the*
7 *Secretary may—*

8 (1) *pay not more than 50 percent of the cost of*
9 *restoring and improving the properties;*

10 (2) *provide technical assistance with respect to*
11 *the preservation and interpretation of the properties;*
12 *and*

13 (3) *mark and provide interpretation of the prop-*
14 *erties.*

15 (b) *PROVISIONS.*—*A cooperative agreement under sub-*
16 *section (a) shall provide that—*

17 (1) *the Secretary shall have the right of access at*
18 *reasonable times to public portions of the property for*
19 *interpretive and other purposes;*

20 (2) *no change or alteration may be made in the*
21 *property except with the agreement of the property*
22 *owner, the Secretary, and any Federal agency that*
23 *may have regulatory jurisdiction over the property;*
24 *and*

25 (3) *if at any time the property is converted,*
26 *used, or disposed of in a manner that is contrary to*

1 *the purposes of this Act, as determined by the Sec-*
2 *retary, the property owner shall be liable to the Sec-*
3 *retary for the greater of—*

4 (A) *the amount of assistance provided by*
5 *the Secretary for the property; or*

6 (B) *the portion of the increased value of the*
7 *property that is attributable to that assistance,*
8 *determined as of the date of the conversion, use,*
9 *or disposal.*

10 (c) *APPLICATIONS.—*

11 (1) *IN GENERAL.—A property owner that desires*
12 *to enter into a cooperative agreement under sub-*
13 *section (a) shall submit to the Secretary an applica-*
14 *tion describing how the project proposed to be funded*
15 *will further the purposes of the District.*

16 (2) *CONSIDERATION.—In making such funds*
17 *available under this section, the Secretary shall give*
18 *consideration to projects that provide a greater lever-*
19 *age of Federal funds.*

20 **SEC. 2407. AUTHORIZATION OF APPROPRIATIONS.**

21 *There are authorized to be appropriated to the Sec-*
22 *retary to carry out this title—*

23 (1) *\$250,000 for grants and cooperative agree-*
24 *ments for the development plan under section 2405;*
25 *and*

1 (2) \$50,000 for the provision of technical assist-
2 ance and \$3,000,000 for the provision of other assist-
3 ance under cooperative agreements under section
4 2406.

5 **TITLE XXV—RIO PUERCO WATERSHED**

6 **SEC. 2501. FINDINGS.**

7 Congress finds that—

8 (1) over time, extensive ecological changes have
9 occurred in the Rio Puerco watershed, including—

10 (A) erosion of agricultural and range lands;

11 (B) impairment of waters due to heavy
12 sedimentations;

13 (C) reduced productivity of renewable re-
14 sources;

15 (D) loss of biological diversity;

16 (E) loss of functioning riparian areas; and

17 (F) loss of available surface water;

18 (2) damage to the watershed has seriously af-
19 fected the economic and cultural well-being of its in-
20 habitants, including—

21 (A) loss of communities that were based on
22 the land and were self-sustaining; and

23 (B) adverse effects on the traditions, cus-
24 toms, and cultures of the affected communities;

1 (3) *a healthy and sustainable ecosystem is essen-*
2 *tial to the long-term economic and cultural viability*
3 *of the region;*

4 (4) *the impairment of the Rio Puerco watershed*
5 *has caused damage to the ecological and economic*
6 *well-being of the area below the junction of the Rio*
7 *Puerco with the Rio Grande, including—*

8 (A) *disruption of ecological processes;*

9 (B) *water quality impairment;*

10 (C) *significant reduction in the water stor-*
11 *age capacity and life expectancy of the Elephant*
12 *Butte Dam and Reservoir system due to sedi-*
13 *mentation;*

14 (D) *chronic problems of irrigation system*
15 *channel maintenance; and*

16 (E) *increased risk of flooding caused by*
17 *sediment accumulation;*

18 (5) *the Rio Puerco is a major tributary of the*
19 *Rio Grande, and the coordinated implementation of*
20 *ecosystem-based best management practices for the*
21 *Rio Puerco system could benefit the larger Rio*
22 *Grande system;*

23 (6) *the Rio Puerco watershed has been stressed*
24 *from the loss of native vegetation, introduction of ex-*
25 *otic species, and alteration of riparian habitat which*

1 *have disrupted the original dynamics of the river and*
2 *disrupted natural ecological processes;*

3 *(7) the Rio Puerco watershed is a mosaic of pri-*
4 *ivate, Federal, tribal trust, and State land ownership*
5 *with diverse, sometimes differing management objec-*
6 *tives;*

7 *(8) development, implementation, and monitor-*
8 *ing of an effective watershed management program*
9 *for the Rio Puerco watershed is best achieved through*
10 *cooperation among affected Federal, State, local, and*
11 *tribal entities;*

12 *(9) the Secretary of the Interior, acting through*
13 *the Director of the bureau of Land Management, in*
14 *consultation with Federal, State, local, and tribal en-*
15 *titles and in cooperation with the Rio Puerco Water-*
16 *shed Committee, is best suited to coordinate manage-*
17 *ment efforts in the Rio Puerco Watershed; and*

18 *(10) accelerating the pace of improvement in the*
19 *Rio Puerco Watershed on a coordinated, cooperative*
20 *basis will benefit persons living in the watershed as*
21 *well as downstream users on the Rio Grande.*

22 **SEC. 2502. MANAGEMENT PROGRAM.**

23 *(a) IN GENERAL.—The Secretary of the Interior, act-*
24 *ing through the Director of the Bureau of Land Manage-*
25 *ment shall—*

1 (1) *in consultation with the Rio Puerco Manage-*
2 *ment Committee established by section 2503—*

3 (A) *establish a clearinghouse for research*
4 *and information on management within the area*
5 *identified as the Rio Puerco Drainage Basin, as*
6 *depicted on the map entitled “the Rio Puerco*
7 *Watershed” dated June 1994, including—*

8 (i) *current and historical natural re-*
9 *source conditions; and*

10 (ii) *data concerning the extent and*
11 *causes of watershed impairment; and*

12 (B) *establish an inventory of best manage-*
13 *ment practices and related monitoring activities*
14 *that have been or may be implemented within*
15 *the area identified as the Rio Puerco Watershed*
16 *Project, as depicted on the map entitled “the Rio*
17 *Puerco Watershed” dated June 1994; and*

18 (2) *provide support to the Rio Puerco Manage-*
19 *ment Committee to identify objectives, monitor results*
20 *of ongoing projects, and develop alternative watershed*
21 *management plans for the Rio Puerco Drainage*
22 *Basin, based on best management practices.*

23 (b) *RIO PUERCO MANAGEMENT REPORT.—*

24 (1) *IN GENERAL.—Not later than 2 years after*
25 *the date of enactment of this Act, the Secretary of the*

1 *Interior, in consultation with the Rio Puerco Man-*
2 *agement Committee, shall prepare a report for the im-*
3 *provement of watershed conditions in the Rio Puerco*
4 *Drainage Basin described in subsection (a)(1).*

5 (2) *CONTENTS.—The report under paragraph (1)*
6 *shall—*

7 (A) *identify reasonable and appropriate*
8 *goals and objectives for landowners and man-*
9 *agers in the Rio Puerco watershed;*

10 (B) *describe potential alternative actions to*
11 *meet the goals and objectives, including proven*
12 *best management practices and costs associated*
13 *with implementing the actions;*

14 (C) *recommend voluntary implementation*
15 *of appropriate best management practices on*
16 *public and private lands;*

17 (D) *provide for cooperative development of*
18 *management guidelines for maintaining and im-*
19 *proving the ecological, cultural, and economic*
20 *conditions on public and private lands;*

21 (E) *provide for the development of public*
22 *participation and community outreach programs*
23 *that would include proposals for—*

24 (i) *cooperative efforts with private*
25 *landowners to encourage implementation of*

1 *best management practices within the wa-*
2 *tershed; and*

3 *(ii) Involvement of private citizens in*
4 *restoring the watershed;*

5 *(F) provide for the development of proposals*
6 *for voluntary cooperative programs among the*
7 *members of the Rio Puerco Management Com-*
8 *mittee to implement best management practices*
9 *in a coordinated, consistent, and cost-effective*
10 *manner;*

11 *(G) provide for the encouragement of, and*
12 *support implementation of, best management*
13 *practices on private lands; and*

14 *(H) provide for the development of propos-*
15 *als for a monitoring system that—*

16 *(i) builds on existing data available*
17 *from private, Federal, and State sources;*

18 *(ii) provides for the coordinated collec-*
19 *tion, evaluation, and interpretation of addi-*
20 *tional data as needed or collected; and*

21 *(iii) will provide information to—*

22 *(I) assess existing resource and so-*
23 *cioeconomic conditions;*

24 *(II) identify priority implementa-*
25 *tion actions; and*

1 (III) assess the effectiveness of ac-
2 tions taken.

3 **SEC. 2503. RIO PUERCO MANAGEMENT COMMITTEE.**

4 (a) *ESTABLISHMENT.*—There is established the Rio
5 Puerco Management Committee (referred to in this section
6 as the “Committee”).

7 (b) *MEMBERSHIP.*—The Committee shall be convened
8 by a representative of the Bureau of Land Management and
9 shall include representatives from—

- 10 (1) the Rio Puerco Watershed Committee;
- 11 (2) affected tribes and pueblos;
- 12 (3) the National Forest Service of the Depart-
13 ment of Agriculture;
- 14 (4) the Bureau of Reclamation;
- 15 (5) the United States Geological Survey;
- 16 (6) the Bureau of Indian Affairs;
- 17 (7) the United States Fish and Wildlife Service;
- 18 (8) the Army Corps of Engineers;
- 19 (9) the Natural Resources Conservation Service
20 of the Department of Agriculture;
- 21 (10) the State of New Mexico, including the New
22 Mexico Environment Department of the State Engi-
23 neer;
- 24 (11) affected local soil and water conservation
25 districts;

1 (12) *the Elephant Butte Irrigation District;*

2 (13) *private landowners; and*

3 (14) *other interested citizens.*

4 (c) *DUTIES.—The Rio Puerco Management Committee*
5 *shall—*

6 (1) *advise the Secretary of the Interior, acting*
7 *through the Director of the Bureau of Land Manage-*
8 *ment, on the development and implementation of the*
9 *Rio Puerco Management Program described in section*
10 *2502; and*

11 (2) *serve as a forum for information about ac-*
12 *tivities that may affect or further the development*
13 *and implementation of the best management practices*
14 *described in section 2502.*

15 (d) *TERMINATION.—The Committee shall terminate on*
16 *the date that is 10 years after the date of enactment of this*
17 *Act.*

18 **SEC. 2504. REPORT.**

19 *Not later than the date that is 2 years after the date*
20 *of enactment of this Act, and biennially thereafter, the Sec-*
21 *retary of the Interior, in consultation with the Rio Puerco*
22 *Management Committee, shall transmit to the Committee*
23 *on Energy and Natural Resources of the Senate and to the*
24 *Committee on Resources of the House of Representatives a*
25 *report containing—*

1 (1) *a summary of activities of the management*
2 *program under section 2502; and*

3 (2) *proposals for joint implementation efforts,*
4 *including funding recommendations.*

5 **SEC. 2505. LOWER RIO GRANDE HABITAT STUDY.**

6 (a) *IN GENERAL.*—*The Secretary of the Interior, in*
7 *cooperation with appropriate State agencies, shall conduct*
8 *a study of the Rio Grande that—*

9 (1) *shall cover the distance from Caballo Lake to*
10 *Sunland Park, New Mexico; and*

11 (2) *may cover a greater distance.*

12 (b) *CONTENTS.*—*The study under subsection (a) shall*
13 *include—*

14 (1) *a survey of the current habitat conditions of*
15 *the river and its riparian environment;*

16 (2) *identification of the changes in vegetation*
17 *and habitat over the past 400 years and the effect of*
18 *the changes on the river and riparian area; and*

19 (3) *an assessment of the feasibility, benefits, and*
20 *problems associated with activities to prevent further*
21 *habitat loss and to restore habitat through reintroduc-*
22 *tion or establishment of appropriate native plant spe-*
23 *cies.*

24 (c) *TRANSMITTAL.*—*Not later than 3 years after the*
25 *date on which funds are made available to carry out this*

1 *Act, the Secretary of the Interior shall transmit the study*
2 *under subsection (a) to the Committee on Energy and Natu-*
3 *ral Resources of the Senate and to the Committee on Re-*
4 *sources of the House of Representatives.*

5 **SEC. 2506. AUTHORIZATION OF APPROPRIATIONS.**

6 *There is authorized to be appropriated to carry out*
7 *sections 2501, 2502, 2503, 2504, and 2505 a total of*
8 *\$7,500,000 for the 10 fiscal years beginning after the date*
9 *of enactment of this Act.*

10 **TITLE XXVI—COLUMBIA BASIN**

11 **SEC. 2601. LAND EXCHANGE.**

12 *The Secretary of the Interior (hereinafter referred to*
13 *as the “Secretary”) is authorized to convey to the Boise Cas-*
14 *cade Corporation (hereinafter referred to as the “Corpora-*
15 *tion”), a corporation formed under the statutes of the State*
16 *of Delaware, with its principal place of business at Boise,*
17 *Idaho, title to approximately seven acres of land, more or*
18 *less, located in sections 14 and 23, township 36 north, range*
19 *37 east, Willamette Meridian, Stevens County, Washington,*
20 *further identified in the records of the Bureau of Reclama-*
21 *tion, Department of the Interior, as Tract No. GC-19860,*
22 *and to accept from the Corporation in exchange therefor,*
23 *title to approximately one hundred and thirty-six acres of*
24 *land located in section 19, township 37 north, range 38 east*
25 *and section 33, township 38 north, range 37 east, Willam-*

1 *ette Meridian, Stevens County, Washington, and further*
2 *identified in the records of the Bureau of Reclamation, De-*
3 *partment of the Interior, as Tract No. GC-19858 and Tract*
4 *No. GC-19859, respectively.*

5 **SEC. 2602. APPRAISAL.**

6 *The properties so exchanged either shall be approxi-*
7 *mately equal in fair market value or if they are not ap-*
8 *proximately equal, shall be equalized by the payment of*
9 *cash to the Corporation or to the Secretary as required or*
10 *in the event the value of the Corporation's lands is greater,*
11 *the acreage may be reduced so that the fair market value*
12 *is approximately equal: Provided, That the Secretary shall*
13 *order appraisals made of the fair market value of each tract*
14 *of land included in the exchange without consideration for*
15 *improvements thereon: Provided further, That any cash*
16 *payment received by the Secretary shall be covered in the*
17 *Reclamation Fund and credited to the Columbia Basin*
18 *project.*

19 **SEC. 2603. ADMINISTRATIVE COSTS.**

20 *Costs of conducting the necessary land surveys, prepar-*
21 *ing the legal description of the lands to be conveyed, per-*
22 *forming the appraisals, and administrative costs incurred*
23 *in completing the exchange shall be borne by the Corpora-*
24 *tion.*

1 **SEC. 2604. LIABILITY FOR HAZARDOUS SUBSTANCES.**

2 (a) *The Secretary shall not acquire any lands under*
3 *this title if the Secretary determines that such lands, or any*
4 *portion thereof, have become contaminated with hazardous*
5 *substances (as defined in the Comprehensive Environmental*
6 *Response, Compensation, and Liability Act (42 U.S.C.*
7 *9601)).*

8 (b) *Notwithstanding any other provision of law, the*
9 *United States shall have no responsibility or liability with*
10 *respect to any hazardous wastes or other substances placed*
11 *on any of the lands covered by this title after their transfer*
12 *to the ownership of any party, but nothing in this Act shall*
13 *be construed as either diminishing or increasing any re-*
14 *sponsibility or liability of the United States based on the*
15 *condition of such lands on the date of their transfer to the*
16 *ownership of another party. The Corporation shall indem-*
17 *nify the United States for liabilities arising under the Com-*
18 *prehensive Environmental Response, Compensation, and*
19 *Liability Act (42 U.S.C. 9601), and the Resource Conserva-*
20 *tion Recovery Act (42 U.S.C. 6901 et seq.).*

21 **SEC. 2605. AUTHORIZATION OF APPROPRIATIONS.**

22 *There are authorized to be appropriated such sums as*
23 *may be necessary to carry out the purposes of this title.*

1 **TITLE XXVII—GRAND LAKE CEMETERY**

2 **SEC. 2701. MAINTENANCE OF CEMETERY IN ROCKY MOUN-**
3 **TAIN NATIONAL PARK.**

4 (a) *AGREEMENT.*—Notwithstanding any other law, not
5 later than 6 months after the date of enactment of this Act,
6 the Secretary of the Interior shall enter into an appropriate
7 form of agreement with the town of Grand Lake, Colorado,
8 authorizing the town to maintain permanently, under ap-
9 propriate terms and conditions, a cemetery within the
10 boundaries of the Rocky Mountain National Park.

11 (b) *CEMETERY BOUNDARIES.*—The cemetery shall be
12 comprised of approximately 5 acres of land, as generally
13 depicted on the map entitled “Grand Lake Cemetery” and
14 dated February 1995.

15 (c) *AVAILABILITY FOR PUBLIC INSPECTION.*—The Sec-
16 retary of the Interior shall place the map described in sub-
17 section (b) on file, and make the map available for public
18 inspection, in the headquarters office of the Rocky Mountain
19 National Park.

20 (d) *LIMITATION.*—The cemetery shall not be extended
21 beyond the boundaries of the cemetery shown on the map
22 described in subsection (b).

1 **TITLE XXVIII—OLD SPANISH TRAIL**

2 **SEC. 2801. DESIGNATION.**

3 *Section 5(c) of the National Trails System Act (16*
4 *U.S.C. 1244(c)) is amended by adding at the end the follow-*
5 *ing new paragraph:*

6 “(36) *The Old Spanish Trail, beginning in*
7 *Santa Fe, New Mexico, proceeding through Colorado*
8 *and Utah, and ending in Los Angeles, California,*
9 *and the Northern Branch of the Old Spanish Trail,*
10 *beginning near Espanola, New Mexico, proceeding*
11 *through Colorado, and ending near Crescent Junction,*
12 *Utah.”.*

13 **TITLE XXIX—BLACKSTONE RIVER VALLEY**

14 **NATIONAL HERITAGE CORRIDOR**

15 **SEC. 2901. BOUNDARY CHANCES.**

16 *Section 2 of the Act entitled “An Act to establish the*
17 *Blackstone River Valley National Heritage Corridor in*
18 *Massachusetts and Rhode Island”, approved November 10,*
19 *1986 (Public Law 99–647; 16 U.S.C. 461 note), is amended*
20 *by striking the first sentence and inserting the following*
21 *new sentence: “The boundaries shall include the lands and*
22 *water generally depicted on the map entitled Blackstone*
23 *River Valley National Heritage Corridor Boundary Map,*
24 *numbered BRV–80–80,011, and dated May 2, 1993.”.*

1 **SEC. 2902. TERMS.**

2 Section 3(c) of the Act entitled “An Act to establish
3 the Blackstone River Valley National Heritage Corridor in
4 Massachusetts and Rhode Island”, approved November 10,
5 1986 (Public Law 99–647; 16 U.S.C. 461 note), is amended
6 by inserting immediately before the period at the end the
7 following: “, but may continue to serve after the expiration
8 of this term until a successor has been appointed”.

9 **SEC. 2903. REVISION OF PLAN.**

10 Section 6 of the Act entitled “An Act to establish the
11 Blackstone River Valley National Heritage Corridor in
12 Massachusetts and Rhode Island”, approved November 10,
13 1986 (Public Law 99–647; 16 U.S.C. 461 note), is amended
14 by adding at the end the following new subsection:

15 “(d) **REVISION OF PLAN.**—(1) Not later than 1 year
16 after the date of enactment of this subsection, the Commis-
17 sion, with the approval of the Secretary, shall revise the
18 Cultural Heritage and Land Management Plan. The revi-
19 sion shall address the boundary change and shall include
20 a natural resource inventory of areas or features that should
21 be protected, restored, managed, or acquired because of their
22 contribution to the understanding of national cultural land-
23 scape values.

24 “(2) No changes other than minor revisions may be
25 made in the approved plan as amended without the ap-
26 proval of the Secretary. The Secretary shall approve or dis-

1 *approve any proposed change in the plan, except minor re-*
2 *visions, in accordance with subsection (b).”.*

3 **SEC. 2904. EXTENSION OF COMMISSION.**

4 *Section 7 of the Act entitled “An Act to establish the*
5 *Blackstone River Valley National Heritage Corridor in*
6 *Massachusetts and Rhode Island”, approved November 10,*
7 *1986 (Public Law 99–647; 16 U.S.C. 461 note), is amended*
8 *to read as follows:*

9 *“TERMINATION OF COMMISSION*

10 *“SEC. 7. (a) TERMINATION.—Except as provided in*
11 *subsection (b), the Commission shall terminate on the date*
12 *that is 10 years after the date of enactment of the Blackstone*
13 *River Valley National Heritage Corridor Amendments Act*
14 *of 1995.*

15 *“(b) EXTENSION.—The Commission may be extended*
16 *for an additional term of 10 years if—*

17 *“(1) not later than 180 days before the termi-*
18 *nation of the Commission, the Commission determines*
19 *that an extension is necessary to carry out this title;*

20 *“(2) the Commission submits a proposed exten-*
21 *sion to the appropriate committees of the Senate and*
22 *the House of Representatives; and*

23 *“(3) the Secretary, the Governor of Massachu-*
24 *setts, and the Governor of Rhode Island each approve*
25 *the extension.*

1 “(c) *DETERMINATION OF APPROVAL.*—*The Secretary*
2 *shall approve the extension if the Secretary finds that—*

3 “(1) *the Governor of Massachusetts and the Gov-*
4 *ernor of Rhode Island provide adequate assurances of*
5 *continued tangible contribution and effective policy*
6 *support toward achieving the purposes of this title;*
7 *and*

8 “(2) *the Commission is effectively assisting Fed-*
9 *eral, State, and local authorities to retain, enhance,*
10 *and interpret the distinctive character and nationally*
11 *significant resources of the Corridor.”.*

12 **SEC. 2905. IMPLEMENTATION OF THE PLAN.**

13 *Subsection (c) of section 8 of the Act entitled “An Act*
14 *to establish the Blackstone River Valley National Heritage*
15 *Corridor in Massachusetts and Rhode Island”, approved*
16 *November 10, 1986 (Public Law 99–647; 16 U.S.C. 461*
17 *note), is amended to read as follows:*

18 “(c) *IMPLEMENTATION.*—(1) *To assist in the imple-*
19 *mentation of the Cultural Heritage and Land Management*
20 *Plan in a manner consistent with purposes of this title,*
21 *the Secretary is authorized to undertake a limited program*
22 *of financial assistance for the purpose of providing funds*
23 *for the preservation and restoration of structures on or eli-*
24 *gible for inclusion on the National Register of Historic*
25 *Places within the Corridor which exhibit national signifi-*

1 *cancel or provide a wide spectrum of historic, recreational,*
2 *or environmental education opportunities to the general*
3 *public.*

4 “(2) *To be eligible for funds under this section, the*
5 *Commission shall submit an application to the Secretary*
6 *that includes—*

7 “(A) *a 10-year development plan including those*
8 *resource protection needs and projects critical to*
9 *maintaining or interpreting the distinctive character*
10 *of the Corridor; and*

11 “(B) *specific descriptions of annual work pro-*
12 *grams that have been assembled, the participating*
13 *parties, roles, cost estimates, cost-sharing, or coopera-*
14 *tive agreements necessary to carry out the develop-*
15 *ment plan.*

16 “(3) *Funds made available pursuant to this subsection*
17 *shall not exceed 50 percent of the total cost of the work pro-*
18 *grams.*

19 “(4) *In making the funds available, the Secretary shall*
20 *give priority to projects that attract greater non-Federal*
21 *funding sources.*

22 “(5) *Any payment made for the purposes of conserva-*
23 *tion or restoration of real property or structures shall be*
24 *subject to an agreement either—*

1 “(A) to convey a conservation or preservation
2 easement to the Department of Environmental Man-
3 agement or to the Historic Preservation Commission,
4 as appropriate, of the State in which the real prop-
5 erty or structure is located; or

6 “(B) that conversion, use, or disposal of the re-
7 sources so assisted for purposes contrary to the pur-
8 poses of this title, as determined by the Secretary,
9 shall result in a right of the United States for reim-
10 bursement of all funds expended upon such resources
11 or the proportion of the increased value of the re-
12 sources attributable to such funds as determined at
13 the time of such conversion, use, or disposal, which-
14 ever is greater.

15 “(6) The authority to determine that a conversion, use,
16 or disposal of resources has been carried out contrary to
17 the purposes of this title in violation of an agreement en-
18 tered into under paragraph (5)(A) shall be solely at the dis-
19 cretion of the Secretary.”.

20 **SEC. 2906. LOCAL AUTHORITY.**

21 Section 5 of the Act entitled “An Act to establish the
22 Blackstone River Valley National Heritage Corridor in
23 Massachusetts and Rhode Island”, approved November 10,
24 1986 (Public Law 99-647; 16 U.S.C. 461 note), is amended
25 by adding at the end the following new subsection:

1 “(j) *LOCAL AUTHORITY AND PRIVATE PROPERTY NOT*
 2 *AFFECTED.*—*Nothing in this title shall be construed to af-*
 3 *fect or to authorize the Commission to interfere with—*

4 “(1) *the rights of any person with respect to pri-*
 5 *vate property; or*

6 “(2) *any local zoning ordinance or land use plan*
 7 *of the Commonwealth of Massachusetts or a political*
 8 *subdivision of such Commonwealth.”.*

9 **SEC. 2907. AUTHORIZATION OF APPROPRIATIONS.**

10 *Section 10 of the Act entitled “An Act to establish the*
 11 *Blackstone River Valley National Heritage Corridor in*
 12 *Massachusetts and Rhode Island”, approved November 10,*
 13 *1986 (Public Law 99–647; 16 U.S.C. 461 note), as amend-*
 14 *ed, is further amended—*

15 (1) *in subsection (a), by striking “\$350,000” and*
 16 *inserting “\$650,000”; and*

17 (2) *by amending subsection (b) to read as fol-*
 18 *lows:*

19 “(b) *DEVELOPMENT FUNDS.*—*For fiscal years 1996,*
 20 *1997, and 1998, there is authorized to be appropriated to*
 21 *carry out section 8(c), \$5,000,000 in the aggregate.”.*

22 **TITLE XXX—CUPRUM, IDAHO RELIEF**

23 **SEC. 3001. FINDINGS AND PURPOSE.**

24 (a) *FINDINGS.*—*The Congress finds and declares that:*

1 (1) *In 1899, the citizens of Cuprum, Idaho, com-*
2 *missioned E.S. Hesse to conduct a survey describing*
3 *these lands occupied by their community. The purpose*
4 *of this survey was to provide a basis for the applica-*
5 *tion for a townsite patent.*

6 (2) *In 1909, the Cuprum Townsite patent (Num-*
7 *ber 52817) was granted, based on an aliquot parts de-*
8 *scription which was intended to circumscribe the*
9 *Hesse survey.*

10 (3) *Since the day of the patent, the Hesse survey*
11 *has been used continuously by the community of*
12 *Cuprum and by Adams Country, Idaho, as the offi-*
13 *cial townsite plat and basis for conveyance of title*
14 *within the townsite.*

15 (4) *Recent boundary surveys conducted by the*
16 *United States Department of Agriculture, Forest*
17 *Service, and the United States Department of the In-*
18 *terior, Bureau of Land Management, discovered in-*
19 *consistencies between the official aliquot parts de-*
20 *scription of the patented Cuprum Townsite and the*
21 *Hesse survey. Many lots along the south and east*
22 *boundaries of the townsite are now known to extend*
23 *onto National Forest System lands outside the town-*
24 *site.*

1 (5) *It is the determination of Congress that the*
2 *original intent of the Cuprum Townsite application*
3 *was to include all the lands described by the Hesse*
4 *survey.*

5 (b) *PURPOSE.—It is the purpose of this title to amend*
6 *the 1909 Cuprum Townsite patent to include those addi-*
7 *tional lands described by the Hesse survey in addition to*
8 *other lands necessary to provide an administratively ac-*
9 *ceptable boundary to the National Forest System.*

10 **SEC. 3002. AMENDMENT OF PATENT.**

11 (a) *The 1909 Cuprum Townsite patent is hereby*
12 *amended to include parcels 1 and 2, identified on the plat,*
13 *marked as “Township 20 North, Range 3 West, Boise Me-*
14 *ridian, Idaho, Section 10: Proposed Patent Adjustment*
15 *Cuprum Townsite, Idaho” prepared by Payette N.F.—*
16 *Land Survey Unit, drawn and approved by Tom Betzold,*
17 *Forest Land Surveyor, on April 25, 1995. Such additional*
18 *lands are hereby conveyed to the original patentee, Pitts*
19 *Ellis, trustee, and Probate Judge of Washington County,*
20 *Idaho, or any successors or assigns in interest in accordance*
21 *with State law. The Secretary of Agriculture may correct*
22 *clerical and typographical errors in such plat.*

23 (b) *The Federal Government shall survey the Federal*
24 *property lines and mark and post the boundaries necessary*
25 *to implement this section.*

1 **SEC. 3003. RELEASE.**

2 *Notwithstanding section 120 of the Comprehensive En-*
3 *vironmental Response, Compensation and Liability Act of*
4 *1980, as amended (42 U.S.C. 9620), the United States shall*
5 *not be liable and shall be held harmless from any and all*
6 *claims resulting from substances or petroleum products or*
7 *any other hazardous materials on the conveyed land.*

8 **TITLE XXXI—ARKANSAS AND OKLAHOMA**
9 **LAND EXCHANGE**

10 **SEC. 3101. FINDINGS AND PURPOSE.**

11 *(a) FINDINGS.—Congress finds that:*

12 *(1) The Weyerhaeuser Company has offered to*
13 *the United States Government an exchange of lands*
14 *under which Weyerhaeuser would receive approxi-*
15 *mately 48,000 acres of Federal land in Arkansas and*
16 *Oklahoma and all mineral interests and oil and gas*
17 *interests pertaining to these exchanged lands in which*
18 *the United States Government has an interest in re-*
19 *turn for conveying to the United States lands owned*
20 *by Weyerhaeuser consisting of approximately 180,000*
21 *acres of forested wetlands and other forest land of*
22 *public interest in Arkansas and Oklahoma and all*
23 *mineral interests and all oil and gas interest pertain-*
24 *ing to 48,000 acres of these 180,000 acres of ex-*
25 *changed lands in which Weyerhaeuser has an interest,*
26 *consisting of:*

1 (A) *certain lands in Arkansas (Arkansas*
2 *Ouachita lands) located near Poteau Mountain,*
3 *Caney Creek Wilderness, Lake Ouachita, Little*
4 *Missouri Wild and Scenic River, Flatside Wil-*
5 *derness and the Ouachita National Forest;*

6 (B) *certain lands in Oklahoma (Oklahoma*
7 *lands) located near the McCurtain County Wil-*
8 *derness, the Broken Bow Reservoir, the Glover*
9 *River, and the Ouachita National Forest; and*

10 (C) *certain lands in Arkansas (Arkansas*
11 *Cossatot lands) located on the Little and*
12 *Cossatot Rivers and identified as the “Pond*
13 *Creek Bottoms” in the Lower Mississippi River*
14 *Delta section of the North American Waterfowl*
15 *Management Plan;*

16 (2) *acquisition of the Arkansas Cossatot lands by*
17 *the United States will remove the lands in the heart*
18 *of a critical wetland ecosystem from sustained timber*
19 *production and other development;*

20 (3) *the acquisition of the Arkansas Ouachita*
21 *lands and the Oklahoma lands by the United States*
22 *for administration by the Forest Service will provide*
23 *an opportunity for enhancement of ecosystem man-*
24 *agement of the National Forest System lands and re-*
25 *sources;*

1 (4) *the Arkansas Ouachita lands and the Okla-*
2 *homa lands have outstanding wildlife habitat and im-*
3 *portant recreational values and should continue to be*
4 *made available for activities such as public hunting,*
5 *fishing, trapping, nature observation, enjoyment, edu-*
6 *cation, and timber management whenever these ac-*
7 *tivities are consistent with applicable Federal laws*
8 *and land and resource management plans; these*
9 *lands, especially in the riparian zones, also harbor*
10 *endangered, threatened and sensitive plants and ani-*
11 *mals and the conservation and restoration of these*
12 *areas are important to the recreational and edu-*
13 *cational public uses and will represent a valuable eco-*
14 *logical resource which should be conserved;*

15 (5) *the private use of the lands the United States*
16 *will convey to Weyerhaeuser will not conflict with es-*
17 *tablished management objectives on adjacent Federal*
18 *lands;*

19 (6) *the lands the United States will convey to*
20 *Weyerhaeuser as part of the exchange described in*
21 *paragraph (1) do not contain comparable fish, wild-*
22 *life, or wetland values;*

23 (7) *the values of all lands, mineral interests, and*
24 *oil and gas interests to be exchanged between the*

1 *United States and Weyerhaeuser are approximately*
2 *equal in value; and*

3 *(8) the exchange of lands, mineral interests, and*
4 *oil and gas interests between Weyerhaeuser and the*
5 *United States is in the public interest.*

6 *(b) PURPOSE.—The purpose of this title is to authorize*
7 *and direct the Secretary of the Interior and the Secretary*
8 *of Agriculture, subject to the terms of this title, to complete,*
9 *as expeditiously as possible, an exchange of lands, mineral*
10 *interests, and oil and gas interests with Weyerhaeuser that*
11 *will provide environmental, land management, rec-*
12 *reational, and economic benefits to the States of Arkansas*
13 *and Oklahoma and to the United States.*

14 **SEC. 3102. DEFINITIONS.**

15 *As used in this title:*

16 *(1) LAND.—The terms “land” or “lands” mean*
17 *the surface estate and any other interests therein ex-*
18 *cept for mineral interests and oil and gas interests.*

19 *(2) MINERAL INTERESTS.—The term “mineral*
20 *interests” means geothermal steam and heat and all*
21 *metals, ores, and minerals of any nature whatsoever,*
22 *except oil and gas interests, in or upon lands subject*
23 *to this title including, but not limited to, coal, lignite,*
24 *peat, rock, sand, gravel, and quartz.*

1 (3) *OIL AND GAS INTERESTS.*—*The term “oil*
2 *and gas interests” means all oil and gas of any na-*
3 *ture, including carbon dioxide, helium, and gas taken*
4 *from coal seams (collectively “oil and gas”).*

5 (4) *SECRETARIES.*—*The term “Secretaries”*
6 *means the Secretary of the Interior and the Secretary*
7 *of Agriculture.*

8 (5) *WEYERHAEUSER.*—*The term “Weyerhaeuser”*
9 *means Weyerhaeuser Company, a company incor-*
10 *porated in the State of Washington.*

11 **SEC. 3103. EXCHANGE.**

12 (a) *EXCHANGE OF LANDS AND MINERAL INTER-*
13 *ESTS.*—

14 (1) *IN GENERAL.*—*Subject to paragraph (a)(2)*
15 *and notwithstanding any other provision of law,*
16 *within 90 days after the date of the enactment of this*
17 *title, the Secretary of Agriculture shall convey to*
18 *Weyerhaeuser, subject to any valid existing rights, ap-*
19 *proximately 20,000 acres of Federal lands and min-*
20 *eral interests in the State of Arkansas and approxi-*
21 *mately 28,000 aces of Federal lands and mineral in-*
22 *terests in the State of Oklahoma as depicted on maps*
23 *entitled “Arkansas-Oklahoma Land Exchange—Fed-*
24 *eral Arkansas and Oklahoma Lands”, dated February*

1 *1996 and available for public inspection in appro-*
2 *priate offices of the Secretaries.*

3 (2) *OFFER AND ACCEPTANCE OF LANDS.—The*
4 *Secretary of Agriculture shall make the conveyance to*
5 *Weyerhaeuser if Weyerhaeuser conveys deeds of title to*
6 *the United States, subject to limitations and the res-*
7 *ervation described in subsection (b) and which are ac-*
8 *ceptable to and approved by the Secretary of Agri-*
9 *culture to the following:*

10 (A) *approximately 120,000 acres of lands*
11 *and mineral interests owned by Weyerhaeuser in*
12 *the State of Oklahoma, as depicted on a map en-*
13 *titled “Arkansas-Oklahoma Land Exchange—*
14 *Weyerhaeuser Oklahoma Lands”, dated February*
15 *1996 and available for public inspection in ap-*
16 *propriate offices of the Secretaries;*

17 (B) *approximately 35,000 acres of lands*
18 *and mineral interests owned by Weyerhaeuser in*
19 *the State of Arkansas, as depicted on a map en-*
20 *titled “Arkansas-Oklahoma Land Exchange—*
21 *Weyerhaeuser Arkansas Ouachita Lands”, dated*
22 *February 1996 and available for public inspec-*
23 *tion in appropriate offices of the Secretaries; and*

24 (C) *approximately 25,000 acres of lands*
25 *and mineral interests owned by Weyerhaeuser in*

1 *the State of Arkansas, as depicted on a map en-*
2 *titled “Arkansas-Oklahoma Land Exchange—*
3 *Weyerhaeuser Arkansas Cossatot Lands”, dated*
4 *February 1996 and available for public inspec-*
5 *tion in appropriate offices of the Secretaries.*

6 **(b) EXCHANGE OF OIL AND GAS INTERESTS.—**

7 **(1) IN GENERAL.—***Subject to paragraph (b)(2)*
8 *and notwithstanding any other provision of law, at*
9 *the same time as the exchange for land and mineral*
10 *interests is carried out pursuant to this section, the*
11 *Secretary of Agriculture shall exchange all Federal oil*
12 *and gas interests, including existing leases and other*
13 *agreements, in the lands described in paragraph*
14 *(a)(1) for equivalent oil and gas interests, including*
15 *existing leases and other agreements, owned by*
16 *Weyerhaeuser in the lands described in paragraph*
17 *(a)(2).*

18 **(2) RESERVATION.—***In addition to the exchange*
19 *of oil and gas interests pursuant to paragraph (b)(1),*
20 *Weyerhaeuser shall reserve oil and gas interests in*
21 *and under the lands depicted for reservation upon a*
22 *map entitled “Arkansas-Oklahoma Land Exchange—*
23 *Weyerhaeuser Oil and Gas Interest Reservation*
24 *Lands”, dated February 1996 and available for pub-*
25 *lic inspection in appropriate offices of the Secretaries.*

1 *Such reservation shall be subject to the provisions of*
2 *this title and a Memorandum of Understanding joint-*
3 *ly agreed to by the Forest Service and Weyerhaeuser.*
4 *Such Memorandum of Understanding shall be com-*
5 *pleted no later than 60 days after date of enactment*
6 *of this title and shall be transmitted to the Committee*
7 *on Energy and Natural Resources of the United*
8 *States Senate and the Committee on Resources of the*
9 *United States House of Representatives. The Memo-*
10 *randum of Understanding shall not become effective*
11 *until 30 days after it is received by the Committees.*

12 *(c) GENERAL PROVISIONS.—*

13 *(1) MAPS CONTROLLING.—The acreage cited in*
14 *this title is approximate. In the case of a discrepancy*
15 *between the description of lands, mineral interests, or*
16 *oil and gas interests to be exchanged pursuant to sub-*
17 *section (a) and the lands, mineral interests, or oil*
18 *and gas interest depicted on a map referred to in*
19 *such subsection, the map shall control. Subject to the*
20 *notification required by paragraph (3), the maps ref-*
21 *erenced in this title shall be subject to such minor cor-*
22 *rections as may be agreed upon by the Secretaries*
23 *and Weyerhaeuser.*

24 *(2) FINAL MAPS.—Not later than 180 days after*
25 *the conclusion of the exchange required by subsections*

1 (a) and (b), the Secretaries shall transmit maps accu-
2 rately depicting the lands and mineral interests con-
3 veyed and transferred pursuant to this title and the
4 acreage and boundary descriptions of such lands and
5 mineral interests to the Committees on Energy and
6 Natural Resources of the Senate and the Committee
7 on Resources of the House of Representatives.

8 (3) CANCELLATION.—If, before the exchange has
9 been carried out pursuant to subsections (a) and (b),
10 Weyerhaeuser provides written notification to the Sec-
11 retaries that Weyerhaeuser no longer intends to com-
12 plete the exchange, with respect to the lands, mineral
13 interests, and oil and gas interests that would other-
14 wise be subject to the exchange, the status of such
15 lands, mineral interests, and oil and gas interests
16 shall revert to the status of such lands, mineral inter-
17 ests, and oil and gas interests as of the day before the
18 date of enactment of this title and shall be managed
19 in accordance with applicable law and management
20 plans.

21 (4) WITHDRAWAL.—Subject to valid existing
22 rights, the lands and interests therein depicted for
23 conveyance to Weyerhaeuser on the maps referenced
24 in subsections (a) and (b) are withdrawn from all
25 forms of entry and appropriation under the public

1 *land laws (including the mining laws) and from the*
2 *operation of mineral leasing and geothermal steam*
3 *leasing laws effective upon the date of the enactment*
4 *of this title. Such withdrawal shall terminate 45 days*
5 *after completion of the exchange provided for in sub-*
6 *sections (a) and (b) or on the date of notification by*
7 *Weyerhaeuser of a decision not to complete the ex-*
8 *change.*

9 **SEC. 3104. DESIGNATION AND USE OF LANDS ACQUIRED BY**
10 **THE UNITED STATES.**

11 *(a) NATIONAL FOREST SYSTEM.—*

12 *(1) ADDITION TO THE SYSTEM.—Upon approval*
13 *and acceptance of title by the Secretary of Agri-*
14 *culture, the 155,000 acres of land conveyed to the*
15 *United States pursuant to section 3103(a)(2) (A) and*
16 *(B) of this Act shall be subject to the Act of March*
17 *1, 1911 (commonly known as the “Weeks Law”) (36*
18 *Stat. 961, as amended), and shall be administered by*
19 *the Secretary of Agriculture in accordance with the*
20 *laws and regulations pertaining to the National For-*
21 *est system.*

22 *(2) PLAN AMENDMENTS.—No later than 12*
23 *months after the completion of the exchange required*
24 *by this title, the Secretary of Agriculture shall begin*
25 *the process to amend applicable land and resource*

1 *management plans with public involvement pursuant*
2 *to section 6 of the Forest and Rangeland Renewable*
3 *Resources Planning Act of 1974, as amended by the*
4 *National Forest Management Act of 1976 (16 U.S.C.*
5 *1604).*

6 *(b) OTHER.—*

7 *(1) ADDITION TO THE NATIONAL WILDLIFE REF-*
8 *UGE SYSTEM.—Once acquired by the United States,*
9 *the 25,000 acres of land identified in section*
10 *3103(a)(2)(C), the Arkansas Cossatot lands, shall be*
11 *managed by the Secretary of the Interior as a compo-*
12 *nent of the Cossatot National Wildlife Refuge in ac-*
13 *cordance with the National Wildlife Refuge System*
14 *Administration Act of 1966 (16 U.S.C. 668dd–668ee).*

15 *(2) PLAN PREPARATION.—Within 24 months*
16 *after the completion of the exchange required by this*
17 *title, the Secretary of the Interior shall prepare and*
18 *implement a single refuge management plan for the*
19 *Cossatot National Wildlife Refuge, as expanded by*
20 *this title. Such plans shall recognize the important*
21 *public purposes served by the nonconsumptive activi-*
22 *ties, other recreational activities, and wildlife-related*
23 *public use, including hunting, fishing, and trapping.*
24 *The plan shall permit, to the maximum extent prac-*
25 *ticable, compatible uses to the extent that they are*

1 *consistent with sound wildlife management and in*
2 *accordance with the National Wildlife Refuge System*
3 *Administration Act of 1966 (16 U.S.C. 668dd–668ee)*
4 *and other applicable laws. Any regulations promul-*
5 *gated by the Secretary of the Interior with respect to*
6 *hunting, fishing, and trapping on those lands shall,*
7 *to the extent practicable, be consistent with State fish*
8 *and wildlife laws and regulations. In preparing the*
9 *management plan and regulations, the Secretary of*
10 *the Interior shall consult with the Arkansas Game*
11 *and Fish Commission.*

12 (3) *INTERIM USE OF LANDS.—*

13 (A) *IN GENERAL.—Except as provided in*
14 *paragraph (2), during the period beginning on*
15 *the date of the completion of the exchange of*
16 *lands required by this title and ending on the*
17 *first date of the implementation of the plan pre-*
18 *pared under paragraph (2), the Secretary of the*
19 *Interior shall administer all lands added to the*
20 *Cossatot National Wildlife Refuge pursuant to*
21 *this title in accordance with the National Wild-*
22 *life Refuge System Administration Act of 1966*
23 *(16 U.S.C. 668dd–668ee) and other applicable*
24 *laws.*

1 (B) *HUNTING SEASONS.*—During the period
2 described in subparagraph (A), the duration of
3 any hunting season on the lands described in
4 subsection (1) shall comport with the applicable
5 State law.

6 **SEC. 3105. OUACHITA NATIONAL FOREST BOUNDARY AD-**
7 **JUSTMENT.**

8 (a) *IN GENERAL.*—Upon acceptance of title by the Sec-
9 retary of Agriculture of the lands conveyed to the United
10 States pursuant to section 3103(a)(2) (A) and (B), the
11 boundaries of the Ouachita National Forest shall be ad-
12 justed to encompass those lands conveyed to the United
13 States generally depicted on the appropriate maps referred
14 to in section 3103(a). Nothing in this section shall limit
15 the authority of the Secretary of Agriculture to adjust the
16 boundary pursuant to section 11 of the Weeks Law of March
17 1, 1911. For the purposes of section 7 of the Land and
18 Water Conservation Fund Act of 1965 (16 U.S.C. 4601–
19 9), the boundaries of the Ouachita National Forest, as ad-
20 justed by this title, shall be considered to be the boundaries
21 of the Forest as of January 1, 1965.

22 (b) *MAPS AND BOUNDARY DESCRIPTIONS.*—Not later
23 than 180 days after the date of enactment of this title, the
24 Secretary of Agriculture shall prepare a boundary descrip-
25 tion of the lands depicted on the map(s) referred to in sec-

1 *tion 3103(a)(2) (A) and (B). Such map(s) and boundary*
 2 *description shall have the same force and effect as if in-*
 3 *cluded in this title, except that the Secretary of Agriculture*
 4 *may correct clerical and typographical errors.*

5 **TITLE XXXII—BIG THICKET**
 6 **NATIONAL PRESERVE**

7 **SEC. 3201. FINDINGS.**

8 *The Congress finds that—*

9 (1) *under the Big Thicket National Preserve Ad-*
 10 *dition Act of 1993 (Public Law 103–46), Congress in-*
 11 *creased the size of the Big Thicket National Preserve*
 12 *through authorized land exchanges;*

13 (2) *such land exchanges were not consummated*
 14 *by July 1, 1995, as required by Public Law 103–46;*
 15 *and*

16 (3) *failure to consummate such land exchanges*
 17 *by the end of the three-year extension provided by this*
 18 *Act will necessitate further intervention and direction*
 19 *from Congress concerning such land exchanges.*

20 **SEC. 3202. TIME PERIOD FOR LAND EXCHANGE.**

21 (a) *EXTENSION.—The last sentence of subsection (d)*
 22 *of the first section of the Act entitled “An Act to authorize*
 23 *the establishment of the Big Thicket National Preserve in*
 24 *the State of Texas, and for other purposes”, approved Octo-*
 25 *ber 11, 1974 (16 U.S.C. 698(d)), is amended by striking*

1 out “two years after date of enactment” and inserting “five
2 years after the date of enactment”.

3 (b) *INDEPENDENT APPRAISAL.*—Subsection (d) of the
4 first section of such Act (16 U.S.C. 698(d)) is further
5 amended by adding at the end the following: “The Sec-
6 retary, in considering the values of the private lands to be
7 exchanged under this subsection, shall consider independent
8 appraisals submitted by the owners of the private lands.”.

9 (c) *LIMITATION.*—Subsection (d) of the first section of
10 such Act (16 U.S.C. 698(d)), as amended by subsection (b),
11 is further amended by adding at the end the following: “The
12 authority to exchange lands under this subsection shall ex-
13 pire on July 1, 1998.”.

14 **SEC. 3203. REPORTING REQUIREMENT.**

15 Not later than six months after the date of the enact-
16 ment of this Act and every six months thereafter until the
17 earlier of the consummation of the exchange or July 1,
18 1998, the Secretary of the Interior and the Secretary of Ag-
19 riculture shall each submit a report to the Committee on
20 Resources of the House of Representatives and the Commit-
21 tee on Energy and Natural Resources of the Senate concern-
22 ing the progress in consummating the land exchange au-
23 thorized by the amendments made by Big Thicket National
24 Preserve Addition Act of 1993 (Public Law 103–46).

1 **SEC. 3204. LAND EXCHANGE IN LIBERTY COUNTY, TEXAS.**

2 *If, within one year after the date of the enactment of*
3 *this Act—*

4 *(1) the owners of the private lands described in*
5 *subsection (b)(1) offer to transfer all their right, title,*
6 *and interest in and to such lands to the Secretary of*
7 *the Interior, and*

8 *(2) Liberty County, Texas, agrees to accept the*
9 *transfer of the Federal lands described in subsection*
10 *(b)(2),*

11 *the Secretary shall accept such offer of private lands and,*
12 *in exchange and without additional consideration, transfer*
13 *to Liberty County, Texas, all right, title, and interest of*
14 *the United States in and to the Federal lands described in*
15 *subsection (b)(2).*

16 *(b) LANDS DESCRIBED.—*

17 *(1) PRIVATE LANDS.—The private lands de-*
18 *scribed in this paragraph are approximately 3.76*
19 *acres of lands located in Liberty County, Texas, as*
20 *generally depicted on the map entitled “Big Thicket*
21 *Lake Estates Access—Proposed”.*

22 *(2) FEDERAL LANDS.—The Federal lands de-*
23 *scribed in this paragraph are approximately 2.38*
24 *acres of lands located in Menard Creek Corridor Unit*
25 *of the Big Thicket National Preserve, as generally de-*
26 *scribed on the map referred to in paragraph (1).*

1 (c) *ADMINISTRATION OF LANDS ACQUIRED BY THE*
2 *UNITED STATES.—The lands acquired by the Secretary*
3 *under this section shall be added to and administered as*
4 *part of the Menard Creek Corridor Unit of the Big Thicket*
5 *National Preserve.*

6 ***TITLE XXXIII—TALLGRASS***
7 ***PRAIRIE NATIONAL PRESERVE***

8 ***SEC. 3301. SHORT TITLE.***

9 *This title may be cited as the “Tallgrass Prairie Na-*
10 *tional Preserve Act of 1996”.*

11 ***SEC. 3302. FINDINGS AND PURPOSES.***

12 (a) *FINDINGS.—Congress finds that—*

13 (1) *of the 400,000 square miles of tallgrass prai-*
14 *rie that once covered the North American Continent,*
15 *less than 1 percent remains, primarily in the Flint*
16 *Hills of Kansas;*

17 (2) *in 1991, the National Park Service conducted*
18 *a special resource study of the Spring Hill Ranch, lo-*
19 *cated in the Flint Hills of Kansas;*

20 (3) *the study concludes that the Spring Hill*
21 *Ranch—*

22 (A) *is a nationally significant example of*
23 *the once vast tallgrass ecosystem, and includes*
24 *buildings listed on the National Register of His-*
25 *toric Places pursuant to section 101 of the Na-*

1 *tional Historic Preservation Act (16 U.S.C.*
2 *470a) that represent outstanding examples of*
3 *Second Empire and other 19th Century architec-*
4 *tural styles; and*

5 *(B) is suitable and feasible as a potential*
6 *addition to the National Park System; and*

7 *(4) the National Park Trust, which owns the*
8 *Spring Hill Ranch, has agreed to permit the National*
9 *Park Service—*

10 *(A) to purchase a portion of the ranch, as*
11 *specified in this title; and*

12 *(B) to manage the ranch in order to—*

13 *(i) conserve the scenery, natural and*
14 *historic objects, and wildlife of the ranch;*
15 *and*

16 *(ii) provide for the enjoyment of the*
17 *ranch in such a manner and by such means*
18 *as will leave the scenery, natural and his-*
19 *toric objects, and wildlife unimpaired for*
20 *the enjoyment of future generations.*

21 *(b) PURPOSES.—The purposes of this title are—*

22 *(1) to preserve, protect, and interpret for the*
23 *public an example of a tallgrass prairie ecosystem on*
24 *the Spring Hill Ranch, located in the Flint Hills of*
25 *Kansas; and*

1 10,894 acres, generally depicted on the map entitled
2 “Boundary Map, Flint Hills Prairie National Monument”
3 numbered NM–TGP 80,000 and dated June 1994, more
4 particularly described in the deed filed at 8:22 a.m. of June
5 3, 1994, with the Office of the Register of Deeds in Chase
6 County, Kansas, and recorded in Book L–106 at pages 328
7 through 339, inclusive. In the case of any difference between
8 the map and the legal description, the legal description shall
9 govern, except that if, as a result of a survey, the Secretary
10 determines that there is a discrepancy with respect to the
11 boundary of the Preserve that may be corrected by making
12 minor changes to the map, the Secretary shall make changes
13 to the map as appropriate, and the boundaries of the Pre-
14 serve shall be adjusted accordingly. The map shall be on
15 file and available for public inspection in the appropriate
16 offices of the National Park Service of the Department of
17 the Interior.

18 **SEC. 3305. ADMINISTRATION OF NATIONAL PRESERVE.**

19 (a) *IN GENERAL.*—The Secretary shall administer the
20 Preserve in accordance with this title, the cooperative agree-
21 ments described in subsection (f)(1), and the provisions of
22 law generally applicable to units of the National Park Sys-
23 tem, including the Act entitled “An Act to establish a Na-
24 tional Park Service, and for other purposes”, approved Au-

1 *gust 25, 1916 (16 U.S.C. 1, 2 through 4) and the Act of*
2 *August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).*

3 (b) *APPLICATION OF REGULATIONS.*—*With the consent*
4 *of a private owner of land within the boundaries of the Pre-*
5 *serve, the regulations issued by the Secretary concerning the*
6 *National Park Service that provide for the proper use, man-*
7 *agement, and protection of persons, property, and natural*
8 *and cultural resources shall apply to the private land.*

9 (c) *FACILITIES.*—*For purposes of carrying out the du-*
10 *ties of the Secretary under this title relating to the Preserve,*
11 *the Secretary may, with the consent of a landowner, di-*
12 *rectly or by contract, construct, reconstruct, rehabilitate, or*
13 *develop essential buildings, structures, and related facilities*
14 *including roads, trails, and other interpretive facilities on*
15 *real property that is not owned by the Federal Government*
16 *and is located within the Preserve.*

17 (d) *LIABILITY OF LANDOWNERS.*—*Notwithstanding*
18 *any other provision of law, no person that owns any land*
19 *or interest in land within the Preserve shall be liable for*
20 *injury to, or damages suffered by, any other person that*
21 *is injured or damaged while on the land within the Preserve*
22 *if—*

23 (1) *the injury or damages result from any act or*
24 *omission of the Secretary or any officer, employee, or*
25 *agent of the Secretary or of a person other than the*

1 owner, a guest of the owner, or a person having busi-
2 ness with the owner; or

3 (2) *the injury or damages are suffered by a visi-*
4 *tor to the Preserve, and the injury or damages are not*
5 *proximately caused by the wanton or willful mis-*
6 *conduct of, or a negligent act (as distinguished from*
7 *a failure to act) of, the person that owns the land.*

8 (e) *UNIT OF THE NATIONAL PARK SYSTEM.—The Pre-*
9 *serve shall be a unit of the National Park System for all*
10 *purposes, including the purpose of exercising authority to*
11 *charge entrance and admission fees under section 4 of the*
12 *Land and Water Conservation Fund Act of 1965 (16 U.S.C.*
13 *460l–6a).*

14 (f) *AGREEMENTS AND DONATIONS.—*

15 (1) *AGREEMENTS.—The Secretary may expend*
16 *Federal funds for the cooperative management of pri-*
17 *vate property within the Preserve for research, re-*
18 *source management (including pest control and nox-*
19 *ious weed control, fire protection, and the restoration*
20 *of buildings), and visitor protection and use.*

21 (2) *DONATIONS.—The Secretary may accept, re-*
22 *tain, and expend donations of funds, property (other*
23 *than real property), or services from individuals,*
24 *foundations, corporations, or public entities for the*
25 *purposes of providing programs, services, facilities, or*

1 *technical assistance that further the purposes of this*
2 *title.*

3 (g) *GENERAL MANAGEMENT PLAN.*—

4 (1) *IN GENERAL.*—*Not later than the end of the*
5 *third full fiscal year beginning after the date of enact-*
6 *ment of this Act, the Secretary shall prepare and sub-*
7 *mit to the Committee on Energy and Natural Re-*
8 *sources of the Senate and the Committee on Resources*
9 *of the House of Representatives a general manage-*
10 *ment plan for the Preserve.*

11 (2) *CONSULTATION.*—*In preparing the general*
12 *management plan, the Secretary, acting through the*
13 *Director of the National Park Service, shall consult*
14 *with—*

15 (A)(i) *appropriate officials of the Trust;*

16 *and*

17 (ii) *the Advisory Committee; and*

18 (B) *adjacent landowners, appropriate offi-*
19 *cial of nearby communities, the Kansas Depart-*
20 *ment of Wildlife and Parks, and the Kansas His-*
21 *torical Society, and other interested parties.*

22 (3) *CONTENT OF PLAN.*—*The general manage-*
23 *ment plan shall provide for the following:*

1 (A) *Maintaining and enhancing the*
2 *tallgrass prairie within the boundaries of the*
3 *Preserve.*

4 (B) *Public access and enjoyment of the*
5 *property that is consistent with the conservation*
6 *and proper management of the historical, cul-*
7 *tural, and natural resources of the ranch.*

8 (C) *Interpretive and educational programs*
9 *covering the natural history of the prairie, the*
10 *cultural history of Native Americans, and the*
11 *legacy of ranching in the Flint Hills region.*

12 (D) *Provisions requiring the application of*
13 *applicable State law concerning the maintenance*
14 *of adequate fences within the boundaries of the*
15 *Preserve. In any case in which an activity of the*
16 *National Park Service requires fences that exceed*
17 *the legal fence standard otherwise applicable to*
18 *the Preserve, the National Park Service shall pay*
19 *the additional cost of constructing and main-*
20 *taining the fences to meet the applicable require-*
21 *ments for that activity.*

22 (E) *Provisions requiring the Secretary to*
23 *comply with applicable State noxious weed, pes-*
24 *ticide, and animal health laws.*

1 (F) Provisions requiring compliance with
2 applicable State water laws and Federal and
3 State waste disposal laws (including regulations)
4 and any other applicable law.

5 (G) Provisions requiring the Secretary to
6 honor each valid existing oil and gas lease for
7 lands within the boundaries of the Preserve (as
8 described in section 3304(b)) that is in effect on
9 the date of enactment of this Act.

10 (H) Provisions requiring the Secretary to
11 offer to enter into an agreement with each indi-
12 vidual who, as of the date of enactment of this
13 Act, holds rights for cattle grazing within the
14 boundaries of the Preserve (as described in sec-
15 tion 3304(b)).

16 (4) HUNTING AND FISHING.—The Secretary may
17 allow hunting and fishing on Federal lands within
18 the Preserve.

19 (5) FINANCIAL ANALYSIS.—As part of the devel-
20 opment of the general management plan, the Sec-
21 retary shall prepare a financial analysis indicating
22 how the management of the Preserve may be fully
23 supported through fees, private donations, and other
24 forms of non-Federal funding.

1 **SEC. 3306. LIMITED AUTHORITY TO ACQUIRE.**

2 (a) *IN GENERAL.*—*The Secretary shall acquire, by do-*
3 *nation, not more than 180 acres of real property within*
4 *the boundaries of the Preserve (as described in section*
5 *3304(b)) and the improvements on the real property.*

6 (b) *PAYMENTS IN LIEU OF TAXES.*—*For the purposes*
7 *of payments made under chapter 69 of title 31, United*
8 *States Code, the real property described in subsection (a)(1)*
9 *shall be deemed to have been acquired for the purposes speci-*
10 *fied in section 6904(a) of that title.*

11 (c) *PROHIBITIONS.*—*No property may be acquired*
12 *under this section without the consent of the owner of the*
13 *property. The United States may not acquire fee ownership*
14 *of any lands within the Preserve other than lands described*
15 *in this section.*

16 **SEC. 3307. ADVISORY COMMITTEE.**

17 (a) *ESTABLISHMENT.*—*There is established an advi-*
18 *sory committee to be known as the “Tallgrass Prairie Na-*
19 *tional Preserve Advisory Committee”.*

20 (b) *DUTIES.*—*The Advisory Committee shall advise the*
21 *Secretary and the Director of the National Park Service*
22 *concerning the development, management, and interpreta-*
23 *tion of the Preserve. In carrying out those duties, the Advi-*
24 *sory Committee shall provide timely advice to the Secretary*
25 *and the Director during the preparation of the general*
26 *management plan under section 3305(g).*

1 (c) *MEMBERSHIP.*—*The Advisory Committee shall*
2 *consist of 13 members, who shall be appointed by the Sec-*
3 *retary as follows:*

4 (1) *Three members shall be representatives of the*
5 *Trust.*

6 (2) *Three members shall be representatives of*
7 *local landowners, cattle ranchers, or other agricul-*
8 *tural interests.*

9 (3) *Three members shall be representatives of*
10 *conservation or historic preservation interests.*

11 (4)(A) *One member shall be selected from a list*
12 *of persons recommended by the Chase County Com-*
13 *mission in the State of Kansas.*

14 (B) *One member shall be selected from a list of*
15 *persons recommended by appropriate officials of*
16 *Strong City, Kansas, and Cottonwood Falls, Kansas.*

17 (C) *One member shall be selected from a list of*
18 *persons recommended by the Governor of the State of*
19 *Kansas.*

20 (5) *One member shall be a range management*
21 *specialist representing institutions of higher education*
22 *(as defined in section 1201(a) of the Higher Edu-*
23 *cation Act of 1965 (20 U.S.C. 1141(a))) in the State*
24 *of Kansas.*

25 (d) *TERMS.*—

1 (1) *IN GENERAL.*—*Each member of the Advisory*
2 *Committee shall be appointed to serve for a term of*
3 *3 years, except that the initial members shall be ap-*
4 *pointed as follows:*

5 (A) *Four members shall be appointed, one*
6 *each from paragraphs (1), (2), (3), and (4) of*
7 *subsection (c), to serve for a term of 3 years.*

8 (B) *Four members shall be appointed, one*
9 *each from paragraphs (1), (2), (3), and (4) of*
10 *subsection (c), to serve for a term of 4 years.*

11 (C) *Five members shall be appointed, one*
12 *each from paragraphs (1) through (5) of sub-*
13 *section (c), to serve for a term of 5 years.*

14 (2) *REAPPOINTMENT.*—*Each member may be re-*
15 *appointed to serve a subsequent term.*

16 (3) *EXPIRATION.*—*Each member shall continue*
17 *to serve after the expiration of the term of the member*
18 *until a successor is appointed.*

19 (4) *VACANCIES.*—*A vacancy on the Advisory*
20 *Committee shall be filled in the same manner as an*
21 *original appointment is made. The member appointed*
22 *to fill the vacancy shall serve until the expiration of*
23 *the term in which the vacancy occurred.*

1 (e) *CHAIRPERSON.*—*The members of the Advisory*
2 *Committee shall select 1 of the members to serve as Chair-*
3 *person.*

4 (f) *MEETINGS.*—*Meetings of the Advisory Committee*
5 *shall be held at the call of the Chairperson or the majority*
6 *of the Advisory Committee. Meetings shall be held at such*
7 *locations and in such a manner as to ensure adequate op-*
8 *portunity for public involvement. In compliance with the*
9 *requirements of the Federal Advisory Committee Act (5*
10 *U.S.C. App.), the Advisory Committee shall choose an ap-*
11 *propriate means of providing interested members of the*
12 *public advance notice of scheduled meetings.*

13 (g) *QUORUM.*—*A majority of the members of the Advi-*
14 *sory Committee shall constitute a quorum.*

15 (h) *COMPENSATION.*—*Each member of the Advisory*
16 *Committee shall serve without compensation, except that*
17 *while engaged in official business of the Advisory Commit-*
18 *tee, the member shall be entitled to travel expenses, includ-*
19 *ing per diem in lieu of subsistence in the same manner as*
20 *persons employed intermittently in Government service*
21 *under section 5703 of title 5, United States Code.*

22 (i) *CHARTER.*—*The rechartering provisions of section*
23 *14(b) of the Federal Advisory Committee Act (5 U.S.C.*
24 *App.) shall not apply to the Advisory Committee.*

1 **SEC. 3308. RESTRICTION ON AUTHORITY.**

2 *Nothing in this title shall give the Secretary authority*
 3 *to regulate lands outside the land area acquired by the Sec-*
 4 *retary under section 3306(a).*

5 **SEC. 3309. AUTHORIZATION OF APPROPRIATIONS.**

6 *There are authorized to be appropriated to the Depart-*
 7 *ment of the Interior such sums as are necessary to carry*
 8 *out this title.*

9 **TITLE XXXIV—MISCELLANEOUS**
 10 **PROVISIONS**

11 **SEC. 3401. CONVEYANCE OF CERTAIN PROPERTY TO THE**

12 **BIG HORN COUNTY SCHOOL DISTRICT NUM-**
 13 **BER 1, WYOMING.**

14 *The Secretary of the Interior shall convey, by quit*
 15 *claim deed, to the Big Horn County School District Number*
 16 *1, Wyoming, all right, title, and interest of the United*
 17 *States in and to the following described lands in Big Horn*
 18 *County, Wyoming: Lots 19–24 of Block 22, all within the*
 19 *town of Frannie, Wyoming, in the S¹/₂NW¹/₄NW¹/₄ and*
 20 *N¹/₂SW¹/₄NW¹/₄ of section 31 of T. 58N., R. 97 W., Big*
 21 *Horn County.*

22 **SEC. 3402. RELINQUISHMENT OF INTEREST.**

23 *(a) IN GENERAL.—The United States relinquishes all*
 24 *right, title, and interest that the United States may have*
 25 *in land that—*

1 (1) *was subject to a right-of-way that was grant-*
2 *ed to the predecessor of the Chicago and Northwestern*
3 *Transportation Company under the Act entitled “An*
4 *Act granting to railroads the right of way through the*
5 *public lands of the United States”, approved March*
6 *3, 1875 (43 U.S.C. 934 et seq.), which right-of-way*
7 *the Company has conveyed to the city of Douglas,*
8 *Wyoming; and*

9 (2) *is located within the boundaries of the city*
10 *limits of the city of Douglas, Wyoming, or between the*
11 *right-of-way of Interstate 25 and the city limits of the*
12 *city of Douglas, Wyoming,*
13 *as determined by the Secretary of the Interior in consulta-*
14 *tion with the appropriate officials of the city of Douglas,*
15 *Wyoming.*

16 (b) *CONVEYANCE.—As soon as practicable after the*
17 *date of enactment of this Act, the Secretary of the Interior*
18 *shall file for recordation in the real property records of Con-*
19 *verse County, Wyoming, a deed or other appropriate form*
20 *of instrument conveying to the city of Douglas, Wyoming,*
21 *all right, title, and interest in the land described in sub-*
22 *section (a).*

23 **SEC. 3403. LOST CREEK LAND EXCHANGE.**

24 *The Secretary of Agriculture shall submit a plan to*
25 *the Committee on Energy and Natural Resources of the*

1 *United States Senate and the Committee on Resources of*
2 *the House of Representatives detailing the terms and condi-*
3 *tions for the exchange of certain lands and interests in land*
4 *owned by the R-Y Timber, Inc., its successors and assigns*
5 *or affiliates located in the Lost Creek area and other areas*
6 *of the Deerlodge National Forest, Montana.*

7 **SEC. 3404. VANCOUVER NATIONAL HISTORIC RESERVE.**

8 (a) *ESTABLISHMENT.*—*There is established the Van-*
9 *couver National Historic Reserve in the State of Washing-*
10 *ton (referred to in this section as the “Reserve”), consisting*
11 *of the area described in the report entitled “Vancouver Na-*
12 *tional Historic Reserve Feasibility Study and Environ-*
13 *mental Assessment” published by the Vancouver Historical*
14 *Study Commission and dated April 1993 as authorized by*
15 *Public Law 101–523 (referred to in this section as the*
16 *“Vancouver Historic Reserve Report”).*

17 (b) *ADMINISTRATION.*—*The Reserve shall be adminis-*
18 *tered in accordance with—*

19 (1) *the Vancouver Historic Reserve Report (in-*
20 *cluding the specific findings and recommendations*
21 *contained in the report); and*

22 (2) *the Memorandum of Agreement between the*
23 *Secretary of the Interior, acting through the Director*
24 *of the National Park Service, and the City of Van-*
25 *couver, Washington, dated November 14, 1994.*

1 (c) *NO LIMITATION ON FAA AUTHORITY.—The estab-*
2 *lishment of the Reserve shall not limit—*

3 (1) *the authority of the Federal Aviation Admin-*
4 *istration over air traffic control, or aviation activities*
5 *at Pearson Airpark; or*

6 (2) *limit operations and airspace in the vicinity*
7 *of Portland International Airport.*

8 (d) *AUTHORIZATION OF APPROPRIATIONS.—There are*
9 *authorized to be appropriated such sums as are necessary*
10 *to carry out this section.*

Attest:

Secretary.

104TH CONGRESS
2^D SESSION

H. R. 1296

AMENDMENT

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