

105TH CONGRESS  
1ST SESSION

# H. R. 1728

To provide for the development of a plan and a management review of the National Park System and to reform the process by which areas are considered for addition to the National Park System, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 1997

Mr. HEFLEY (for himself and Mr. VENTO) introduced the following bill; which was referred to the Committee on Resources

---

## A BILL

To provide for the development of a plan and a management review of the National Park System and to reform the process by which areas are considered for addition to the National Park System, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Park Service  
5       Administrative Amendment of 1997”.

6       **SEC. 2. DEFINITIONS.**

7       As used in this Act:



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

3           (2) The term “Congressional resources commit-  
4 tees” means the Committee on Resources of the  
5 House of Representatives and the Committee on En-  
6 ergy and Natural Resources of the Senate.

7                           **TITLE I—NEW AREA**  
8                           **ESTABLISHMENT**

9   **SEC. 101. STUDY OF NEW PARK SYSTEM AREAS.**

10          Section 8 of the Act of August 18, 1970, entitled “An  
11 Act to improve the Administration of the National Park  
12 System by the Secretary of the Interior, and to clarify the  
13 authorities applicable to the system, and for other pur-  
14 poses” (16 U.S.C. 1a–1 and following) is amended as fol-  
15 lows:

16           (1) By inserting “GENERAL AUTHORITY.—”  
17 after “(a)”.

18           (2) By striking the second through the sixth  
19 sentences of subsection (a).

20           (3) By redesignating the last two sentences of  
21 subsection (a) as subsection (f) and inserting in the  
22 first of such sentences before the words “For the  
23 purposes of carrying” the following: “(f) AUTHOR-  
24 IZATION OF APPROPRIATIONS.—”.

25           (4) By striking subsection (b).

1           (5) By inserting the following after subsection

2           (a):

3           “(b) STUDIES OF AREAS FOR POTENTIAL ADDI-  
4 TION.—(1) At the beginning of each calendar year, along  
5 with the annual budget submission, the Secretary shall  
6 submit to the Committee on Resources of the House of  
7 Representatives and to the Committee on Energy and  
8 Natural Resources of the United States Senate a list of  
9 areas recommended for study for potential inclusion in the  
10 National Park System.

11           “(2) In developing the list to be submitted under this  
12 subsection, the Secretary shall give consideration to those  
13 areas that have the greatest potential to meet the estab-  
14 lished criteria of national significance, suitability, and fea-  
15 sibility. The Secretary shall give special consideration to  
16 themes, sites, and resources not already adequately rep-  
17 resented in the National Park System as identified in the  
18 National Park System Plan to be developed under section  
19 101 of the National Park System Reform Act of 1995.

20           “(3) No study of the potential of an area for inclusion  
21 in the National Park System may be initiated after the  
22 date of enactment of this subsection, except as provided  
23 by specific authorization of an Act of Congress.

24           “(4) Nothing in this Act shall limit the authority of  
25 the National Park Service to conduct preliminary resource

1 assessments, gather data on potential study areas, provide  
2 technical and planning assistance, prepare or process  
3 nominations for administrative designations, update pre-  
4 vious studies, or complete reconnaissance surveys of indi-  
5 vidual areas requiring a total expenditure of less than  
6 \$25,000.

7       “(5) Nothing in this section shall be construed to  
8 apply to or to affect or alter the study of any river segment  
9 for potential addition to the national wild and scenic rivers  
10 system or to apply to or to affect or alter the study of  
11 any trail for potential addition to the national trails sys-  
12 tem.

13       “(c) REPORT.—(1) The Secretary shall complete the  
14 study for each area for potential inclusion in the National  
15 Park System within 3 complete fiscal years following the  
16 date of enactment of specific legislation providing for the  
17 study of such area. Each study under this section shall  
18 be prepared with appropriate opportunity for public in-  
19 volvement, including at least one public meeting in the vi-  
20 cinity of the area under study, and after reasonable efforts  
21 to notify potentially affected landowners and State and  
22 local governments.

23       “(2) In conducting the study, the Secretary shall con-  
24 sider whether the area under study—

1           “(A) possesses nationally significant natural or  
2           cultural resources, or outstanding, and that the area  
3           represents one of the most important examples of a  
4           particular resource type in the country; and

5           “(B) is a suitable and feasible addition to the  
6           system.

7           “(3) Each study—

8           “(A) shall consider the following factors with  
9           regard to the area being studied—

10                   (i) the rarity and integrity of the re-  
11                   sources;

12                   (ii) the threats to those resources;

13                   (iii) similar resources are already protected  
14                   in the National Park System or in other public  
15                   or private ownership;

16                   (iv) the public use potential;

17                   (v) the interpretive and educational poten-  
18                   tial;

19                   (vi) costs associated with acquisition, devel-  
20                   opment and operation;

21                   (vii) the socioeconomic impacts of any des-  
22                   ignation;

23                   (viii) the level of local and general public  
24                   support, and

1 (ix) whether the area is of appropriate con-  
2 figuration to ensure long-term resource protec-  
3 tion and visitor use;

4 “(B) shall consider whether direct National  
5 Park Service management or alternative protection  
6 by other public agencies or the private sector is ap-  
7 propriate for the area;

8 “(C) shall identify what alternative or combina-  
9 tion of alternatives would in the professional judg-  
10 ment of the Director of the National Park Service  
11 be most effective and efficient in protecting signifi-  
12 cant resources and providing for public enjoyment;

13 “(D) may include any other information which  
14 the Secretary deems to be relevant; and

15 “(4) Each study shall be completed in compliance  
16 with the National Environmental Policy Act of 1969.

17 “(5) The letter transmitting each completed study to  
18 Congress shall contain a recommendation regarding the  
19 Secretary’s preferred management option for the area.

20 “(d) NEW AREA STUDY OFFICE.—The Secretary  
21 shall establish a single office to be assigned to prepare  
22 all new area studies and to implement other functions of  
23 this section.

24 “(e) LIST OF AREAS.—At the beginning of each cal-  
25 endar year, along with the annual budget submission, the

1 Secretary shall submit to the Committee on Resources of  
2 the House of Representatives and to the Committee on  
3 Energy and Natural Resources of the United States Sen-  
4 ate a list of areas which have been previously studied  
5 which contain primarily historical resources, and a list of  
6 areas which have been previously studied which contain  
7 primarily natural resources, in numerical order of priority  
8 for addition to the National Park System. In developing  
9 the lists, the Secretary should consider threats to resource  
10 values, cost escalation factors, and other factors listed in  
11 subsection (c) of this section. The Secretary should only  
12 include on the lists areas for which the supporting data  
13 is current and accurate.”.

14 **SEC. 102. AUTHORIZATION OF APPROPRIATIONS.**

15 There are hereby authorized to be appropriated  
16 \$2,000,000 to carry out the purposes of this title.

○