

XIV. NATIONAL RECREATION AREAS

1. Chattahoochee River

PUBLIC LAW 98-568—OCT. 30, 1984

98 STAT. 2928

Public Law 98-568
98th Congress

An Act

To amend the Act of August 15, 1978, regarding the Chattahoochee River
National Recreation Area in the State of Georgia.

Oct. 30, 1984
[H.R. 2645]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 101 of the Act of August 15, 1978, entitled "An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes" (Public Law 95-344; 16 U.S.C. 460ii) is amended by adding the following at the end thereof: "For purposes of facilitating Federal technical and other support to State and local governments to assist State and local efforts to protect the scenic, recreational, and natural values of a 2,000 foot wide corridor adjacent to each bank of the Chattahoochee River and its impoundments in the 48-mile segment referred to above, such corridor is hereby declared to be an area of national concern. "

(b) Section 101 of such Act is amended—

(1) by striking out "numbered CHAT-20,000, and dated July 1976" and substituting "numbered CHAT-20,003, and dated September 1984"; and

(2) by striking out "six thousand three hundred acres" and substituting "approximately 6,800 acres".

(c) Section 102 of such Act is amended by adding the following at the end thereof:

"(f)(1) The Secretary shall exchange those federally owned lands identified on the map referenced in section 101 of this Act as 'exchange lands' for non-Federal lands which are within the boundaries of the recreation area. The values of the lands exchanged under this subsection shall be equal, or shall be equalized in the same manner as provided in section 206 of the Federal Land Policy and Management Act of 1976.

"(2) At three year intervals after the date of the enactment of this subsection, the Secretary shall publish in the Federal Register a progress report on the land exchanges which have taken place and the exchanges which are likely to take place under the authority of this subsection. Such report shall identify the lands which are unsuitable for exchange pursuant to such authority.

16 USC 460ii.

16 USC 460ii-1.

Public lands.

Federal
Register,
publication.
Report.

98 STAT. 2928

PUBLIC LAW 98-568—OCT. 30, 1984

Termination.

“(3) Effective on the date ten years after the date of the enactment of this subsection, the exchange authority of paragraph (1) shall terminate. The exchange lands identified under paragraph (1) which have not been exchanged prior to such date shall be retained in Federal ownership as a part of the recreation area.

“(4) The Secretary shall publish a revision of the boundary map referred to in section 101 to exclude from the boundaries of the recreation area any exchange lands which are used to acquire non-Federal lands under paragraph (3).”.

16 USC 460ii-3.

(d) Section 104 of such Act is amended by adding the following at the end thereof:

98 STAT. 2929
Public lands.

“(d)(1) Notwithstanding any other authority of law, any department, agency, or instrumentality of the United States or of the state of Georgia, or any other entity which may construct any project recommended in the study entitled ‘Metropolitan Atlanta Water Resources Management Study, Georgia: Report of Chief of Engineers,’ dated June 1, 1982, which directly adversely impacts any lands within the authorized recreation boundaries of the Bowman's Island tract as shown on the map numbered and dated CHAT-20,003, September 1984, which were in Federal ownership as of September 1, 1984, shall, upon request by the Secretary, mitigate such adverse impacts. It is expressly provided that use of or adverse impact upon any other lands within the recreation area as result of any such project shall not require mitigation. Mitigation required by this paragraph shall be provided by payment to the United States of a sum not to exceed \$3,200,000. The mitigation funds paid pursuant to this paragraph shall be utilized by the Secretary for the acquisition of replacement lands. Such replacement lands shall be acquired only after consultation with the Governor of Georgia.

“(2) In acquiring replacement lands under paragraph (1) priority shall be given to acquisition of lands within the recreation area boundary and those lands within or adjacent to the 2,000 foot wide corridor referred to in section 101. Any lands acquired pursuant to this subsection lying outside the boundaries of the recreation area shall, upon acquisition, be included within the recreation area and transferred to the Secretary for management under this Act. The Secretary shall publish a revised boundary map to include any lands added to the recreation area pursuant to this subsection.

“(3) If lands as described in paragraph (2) are not available for acquisition, other lands within the State of Georgia may be acquired as replacement lands under paragraph (1) if such lands are transferred to the State of Georgia for permanent management for public outdoor recreation.”.

PUBLIC LAW 98-568—OCT. 30, 1984

98 STAT. 2929

(e)(1) Section 105(a) of such Act is amended by striking out “\$72,900,000” and substituting “\$79,400,000” and by adding the following at the end thereof: “For purposes of section 7(a)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9(a)(3)), the statutory ceiling on appropriations under this subsection shall be deemed to be a statutory ceiling contained in a provision of law enacted prior to the convening of the Ninety–sixth Congress.”.

16 USC 460ii-4.

(2) Section 105(c) of such Act is amended by striking out “three years” and substituting “seven years”.

(3) Section 105 of such Act is further amended by adding the following new subsection at the end thereof:

“(d)(1) Whenever any Federal department, agency, or instrumentality proposes to undertake any action, or provide Federal assistance for any action, or issue any license or permit for an action within the corridor referred to in section 101 which may have a direct and adverse effect on the natural or cultural resources of the recreation area, the head of such department, agency, or instrumentality shall—

“(A) promptly notify the Secretary of the action at the time it is planning the action, preparing an environmental assessment regarding the action, or preparing an environmental impact statement under the National Environmental Policy Act of 1969 for the action;

42 USC 4321
note.

“(B) provide the Secretary a reasonable opportunity to comment and make recommendations regarding the effect of the Federal action on the natural and cultural resources of the recreation area; and

98 STAT. 2930

“(C) notify the Secretary of the specific decisions made in respect to the comments and recommendations of the Secretary.

The requirements of this subsection shall be carried out in accordance with procedures established by the Federal agency responsible for undertaking or approving the Federal action. These procedures may utilize the procedures developed by such Agency pursuant to the National Environmental Policy Act.

42 USC 4321 note.

“(2) Following receipt of notification pursuant to paragraph (1)(A), the Secretary, after consultation with the Governor of Georgia, shall make such comments and recommendations as the Secretary deems appropriate pursuant to paragraph (1)(B) as promptly as practicable in accordance with the notifying agency's procedures established pursuant to paragraph (1)(A). In any instance in which the Secretary does not provide comments and recommendations under paragraph (1)(B), the Secretary shall notify in writing, the appropriate committees of Congress.

“(3) Following receipt of the notifying agency's decisions pursuant to paragraph (1)(C), the Secretary shall submit to the appropriate committees of Congress, including the authorizing committees with primary jurisdiction for the program under which the proposed action is being taken, a copy of the notifying agency's specific decisions made pursuant to paragraph (1)(C), along with a copy of the comments and recommendations made pursuant to paragraph (1)(B).

“(4) In any instance in which the Secretary has not been notified of a Federal agency's proposed action within the corridor, and on his or her own determination finds that such action may have a significant adverse effect on the natural or cultural resources of the recreation area, the Secretary shall notify the head of such Federal agency in writing. Upon such notification by the Secretary, such agency shall promptly comply with the provisions of subparagraphs (A), (B), and (C) of paragraph (1) of this subsection.

“(5) Each agency or instrumentality of the United States conducting Federal action upon federally owned lands or waters which are administered by the Secretary and which are located within the authorized boundary of the recreation area shall not commence such action until such time as the Secretary has concurred in such action.

“(6) The following Federal actions which constitute a major and necessary component of an emergency action shall be exempt from the provisions of this subsection—

“(A) those necessary for safeguarding of life and property;

“(B) those necessary to respond to a declared state of disaster;

“(C) those necessary to respond to an imminent threat to national security; and

“(D) those that the Secretary has determined to be not inconsistent with the general management plan for the recreation area.

Actions which are part of a project recommended in the study entitled 'Metropolitan Atlanta Water Resources Management Study, Georgia: Report of Chief of Engineers', dated June 1, 1982, and any Federal action which pertains to the control of air space, which is regulated under the Clean Air Act, or which is required for maintenance or rehabilitation of existing structures or facilities shall also be exempt from the provisions of this subsection.”.

PUBLIC LAW 98-568—OCT. 30, 1984

98 STAT. 2931

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

“SEC. 106. (a) There is hereby established the Chattahoochee River National Recreation Area Advisory Commission (hereinafter in this Act referred to as the ‘Advisory Commission’) to advise the Secretary regarding the management and operation of the area, protection of resources with the recreation area, and the priority of lands to be acquired within the recreation area. The Advisory Commission shall be composed of the following thirteen voting members appointed by the Secretary:

16 USC 460ii-5.
Chattahoochee
River National
Recreation Area
Advisory
Commission,
establishment.

“(1) four members appointed from among individuals recommended by local governments—

“(A) one of whom shall be recommended by the Board of County Commissioners of Forsyth County;

“(B) one of whom shall be recommended by the Board of County Commissioners of Fulton County;

“(C) one of whom shall be recommended by the Board of County Commissioners of Cobb County; and

“(D) one of whom shall be recommended by the Board of County Commissioners of Gwinnett County;

“(2) one member appointed from among individuals recommended by the Governor of Georgia;

“(3) one member appointed from among individuals recommended by the Atlanta Regional Commission;

“(4) four members appointed from among individuals recommended by a coalition of citizens public interest groups, recreational users, and environmental organizations concerned with the protection and preservation of the Chattahoochee River;

“(5) one member appointed from among individuals recommended by the Business Council of Georgia or by a local chamber of commerce in the vicinity of the recreation area; and

“(6) two members who represent the general public, at least one of whom shall be a resident of one of the counties referred to in paragraph (1).

In addition, the Park Superintendent for the recreation area shall serve as a nonvoting member of the Advisory Commission. The Advisory Commission shall designate one of its members as Chairman.

“(b)(1) Except as provided in paragraph (2), members of the Advisory Commission shall serve for terms of three years. Any voting member of the Advisory Commission may be reappointed for one additional three-year term.

“(2) The members first appointed under paragraph (1) shall serve for a term of one year. The members first appointed under paragraphs (2), (3), (5), and (6) shall serve for a term of two years.

98 STAT. 2931

PUBLIC LAW 98-568—OCT. 30, 1984

“(c) The Advisory Commission shall meet on a regular basis. Notice of meetings and agenda shall be published in local newspapers which have a distribution which generally covers the area affected by the park. Commission meetings shall be held at locations and in such a manner as to insure adequate public involvement.

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

“(e) The Advisory Commission shall terminate on the date ten years after the date of the enactment of this subsection.”.

98 STAT. 2932
Effective date.
16 USC 460ii
note.

SEC. 2. Any provision of any amendment made by this Act which, directly or indirectly, authorizes the enactment of new budget authority described in section 402(a) of the Congressional Budget Act of 1974 shall be effective only for fiscal years beginning after September 30, 1984.

Approved October 30, 1984.

LEGISLATIVE HISTORY—H.R. 2645:

HOUSE REPORT No. 98-607 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 98-633 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 130 (1984):

Mar. 5, considered and passed House.

Oct. 3, considered and passed Senate, amended.

Oct. 4, House concurred in Senate amendments.

2. Cuyahoga Valley

PUBLIC LAW 96-87—OCT. 12, 1979

93 STAT. 664

Public Law 96-87
96th Congress

An Act

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

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

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

National parks and recreational lands.

* * * * *

TITLE IV

93 STAT. 665

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

National Park System.

* * * * *

(g) Section 315(a), re: Cuyahoga Valley National Recreation Area, is amended by changing "90,001-A" to "655-90,001-A".

93 STAT. 666
92 Stat. 3483.
16 USC 460ff-1.

* * * * *

Approved October 12, 1979.

93 STAT. 667

LEGISLATIVE HISTORY:
CONGRESSIONAL RECORDS Vol. 125 (1979):
Sept. 27, considered and passed House.
Oct. 1, considered and passed Senate, amended.
Oct. 9, House concurred in certain Senate amendments and in another with an amendment.
Oct. 11, Senate concurred in House amendment.

3. Delaware Water Gap

97 STAT. 301

PUBLIC LAW 98-63—JULY 30, 1983

Public Law 98-63
98th Congress

An Act

July 30, 1983
[H.R. 3069]

Making supplemental appropriations for the fiscal year ending September 30, 1983, and for other purposes.

Supplemental
Appropriations
Act, 1983.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending September 30, 1983, and for other purposes, namely:

TITLE I

* * * * *

97 STAT. 323

CHAPTER VII

DEPARTMENT OF THE INTERIOR

97 STAT. 328

* * * * *

ADMINISTRATIVE PROVISIONS

* * * * *

Delaware Water
Gap National
Recreation Area.
97 STAT. 329

In order to further the purposes of the Delaware Water Gap National Recreation Area, and to provide for the public safety of the visitors to the recreation area and the citizens of the States of New Jersey and Pennsylvania:

(1) Highway 209, as a federally owned road within the boundaries of the recreation area, is hereby closed to all commercial vehicular traffic upon enactment of this law, except for those commercial vehicular operations which are based within the recreation area, or which have business facilities in Monroe and Pike Counties, Pennsylvania, operating, on the date of enactment, commercial vehicular frame originating or terminating outside the recreation area, and except for those commercial vehicular operations which are necessary to provide services to businesses and persons located within or contiguous to the boundaries of the recreation area.

(2) The Secretary of the Interior is authorized and directed, notwithstanding any other law, to establish a commercial operation fee for the use, in accordance with subsection (1), of highway 209 for all commercial vehicles, except for commercial vehicular operations serving businesses or persons located in or contiguous to the boundaries of the recreation area: Provided, That the fee schedule may not exceed \$10 per trip: *Provided further,* That all fees received shall be set aside in a special account and are available, without further appropriation, for the management, operation, construction, and maintenance of highway 209 within the boundaries of the recreation area.

Termination
date.

(3) The provisions of subsection (1) of this section shall terminate on December 31, 1983. The provisions of subsection (2) of this section shall terminate three years from the enactment of this section unless construction of the I-287 bypass in New Jersey or any other feasible, suitable alternative has been commenced.

PUBLIC LAW 98-63—JULY 30, 1983

97 STAT. 329

In the event construction has been commenced subsection (2) of this section will terminate ten years from the enactment of this section, or when construction of I-287 or any other feasible, suitable alternative is completed, whichever occurs first.

(4) Notwithstanding any other provision of law, procedural or substantive, 100 per centum Federal highway trust funds moneys are hereby allocated as part of the State's allocation, and are immediately available for obligation to the State of New Jersey for the construction of the I-287 bypass in New Jersey or any other feasible, suitable alternative, such appropriation as may be made available by Congress from general appropriations to cover 100 per centum of the cost of the I-287 bypass or the alternative route.

* * * * *

Approved July 30, 1983.

97 STAT. 364

LEGISLATIVE HISTORY—H.R. 3069 (H.J. Res. 338):
HOUSE REPORTS: No. 98-207 (Comm. on Appropriations) and No. 98-308 (Comm. of Conference).
SENATE REPORT No. 98-148 (Comm. on Appropriations).
CONGRESSIONAL RECORD. Vol. 129 (1983):
 May 25, considered and passed House.
 June 9, 10, 14-16, considered and passed Senate, amended.
 July 28, House agreed to conference report.
 July 29, House concurred in certain Senate amendments, in others with amendments, and insisted on its disagreement to certain Senate amendments. Senate agreed to conference report, concurred in House amendments, and receded from its amendments in disagreement.

4. Gateway

94 STAT. 1133

PUBLIC LAW 96-344—SEPT. 8, 1980

**Public Law 96-344
96th Congress**

An Act

Sept. 8, 1980
[S. 2680]

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

Historic Sites,
Buildings and
Antiquities Act,
administration
improvement.

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

* * * * *

94 STAT. 1136

SEC. 11. The Act of October 27, 1972 (86 Stat. 1308), is amended—

16 USC 460cc-2.

(1) in subsection 3(b) by deleting the word “constructed” and by adding at the end thereof: “To inform the public of the contributions of Representative Ryan to the creation of the recreation area, the Secretary shall provide such signs, markers, maps, interpretive materials, literature, and programs as he deems appropriate. Not later than December 31, 1980, the Secretary shall take such additional actions as he deems appropriate to recognize and commemorate the contributions of Representative Ryan to the recreation area.”; and

16 USC 460cc-3.

(2) in subsection 4(b), by changing “eleven members” in the first sentence to “fifteen members” and by changing “three members” in paragraph (5) to “seven members”.

* * * * *

94 STAT. 1138

Approved September 8, 1980.

LEGISLATIVE HISTORY:

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

- May 22, considered and passed Senate.
- July 31, considered and passed House, amended.
- Aug. 18, Senate concurred in House amendment.

Public Law 97-232
97th Congress

An Act

To provide for the development and improvement of the recreation facilities and programs of Gateway National Recreation Area through the use of funds obtained from the development of methane gas resources within the Fountain Avenue Landfill site by the city of New York.

Aug. 9, 1982
[S. 2218]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of Public Law 92-592 is amended by adding at the end thereof the following new subsection:

Gateway National Recreation Area, improvement. 16 USC 460cc-2. Fountain Avenue Landfill site. Conveyance rights.

“(i) Notwithstanding the provisions of subsection (a) of this section, the United States hereby conveys to the city of New York all rights to the methane gas and associated byproducts resulting from solid waste decomposition on the area within the Jamaica Bay Unit known as the Fountain Avenue Landfill site, subject to payments to the United States of 50 per centum of the revenue received by the city of New York, if any, from the development of such rights. The Secretary shall grant to the City, its lessee or assignee, all rights-of-way and other permits necessary from the Department of the Interior to extract and transport the gas from the site: *Provided*, That the rights-of-way and other permits shall provide for reasonable restoration of the site, including removal of any processing or storage facilities used in the disposal, development, or extraction of the gas, access by the Secretary to the site for safety and other recreation area purposes, and such other reasonable conditions as the Secretary deems necessary to further purposes of the recreation area. All such payments to the United States shall be credited to the appropriation of the National Park Service for the development and improvement of Gateway National Recreation Area”.

Funding.

SEC. 2. Subsection 4(a) of the Act of October 27, 1972 (86 Stat. 1808), is amended by changing “ten years” in the second sentence to “twenty years”.

16 USC 460cc-3.

Approved August 9, 1982.

LEGISLATIVE HISTORY—S. 2218:

HOUSE REPORT No. 97-677 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 97-455 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 128 (1982):
June 9, considered and passed Senate.
Aug. 2, considered and passed House.

5. Glen Canyon

95 STAT. 1070

PUBLIC LAW 97-78—NOV. 16, 1981

Public Law 97-78
97th Congress

An Act

Nov. 16, 1981
[H.R. 3975]

To facilitate and encourage the production of oil from tar sand and other hydrocarbon deposits.

Oil production.
Mineral land
leasing.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) section 1 (30 U.S.C. 181), sections 21 (a) and (c) (30 U.S.C. 241 (a) and (c)), and section 34 (30 U.S.C. 182) of the Mineral Lands Leasing Act of 1920, amended, are amended by deleting “native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried)” and by inserting in lieu thereof “gilsonite (including all vein-type solid hydrocarbons).”, except that in the first sentence of section 21(a) the word “and” should be inserted before “gilsonite” and the comma after the parenthesis should be eliminated in section 21.

(2) Section 27(k) of such Act (30 U.S.C. 184(k)) is amended by deleting “native asphalt, solid and semisolid bitumen, bituminous rock,” and by inserting in lieu thereof “gilsonite (including all vein-type solid hydrocarbons).”.

(3) Section 39 of such Act (30 U.S.C. 209) is amended by inserting “gilsonite (including all vein-type solid hydrocarbons),” after “oil shale”.

Definitions.

(4) Section 1 of such Act (30 U.S.C. 181) is further amended by adding after the first paragraph the following new paragraphs:

“The term ‘oil’ shall embrace all nongaseous hydrocarbon substances other than those substances leasable as coal, oil shale, or gilsonite (including all vein-type solid hydrocarbons).

“The term ‘combined hydrocarbon lease’ shall refer to a lease issued in a special tar sand area pursuant to section 17 after the date of enactment of the Combined Hydrocarbon Leasing Act of 1981.

“The term ‘special tar sand area’ means (1) an area designated by the Secretary of the Interior’s orders of November 20, 1980 (45 FR 76800–76801) and January 21, 1981 (46 FR 6077-6078) as containing substantial deposits of tar sand.”.

(5) Section 27(d)(1) of such Act (30 U.S.C. 184(d)(1)) is amended by inserting before the period at the end of the first sentence the following: “*Provided, however,* That acreage held in special tar sand areas shall not be chargeable against such State limitations.”.

(6)(a) Section 17(b) of such Act (30 U.S.C. 226(b)) is amended by inserting “(1)” after “(b)” and adding a new subsection to read as follows:

“(2) If the lands to be leased are within a special tar sand area, they shall be leased to the highest responsible qualified bidder by competitive bidding under general regulations in units of not more than five thousand one hundred and twenty acres, which shall be as nearly compact as possible, upon the payment by the lessee of such bonus as may be accepted by the Secretary. Royalty shall be 12 1/2 per centum in amount or value of production removed or sold from the lease,

PUBLIC LAW 97-78—NOV. 16, 1981

95 STAT. 1071

subject to section 17(k)(1)(c). The Secretary may lease such additional lands in special tar sand areas as may be required in support of any operations necessary for the recovery of tar sands.”.

Infra.

(b) Section 17(c) of such Act (30 U.S.C. 226(c)) is amended by deleting “within any known geological structure of a producing oil or gas field,” and inserting in lieu thereof “subject to leasing under subsection (b).”.

(c) Section 17(e) of such Act (30 U.S.C. 226(e)) is amended by inserting before the period at the end of the first sentence the following: “: *Provided however,* That competitive leases issued in special tar sand areas shall also be for a primary term of ten years.”.

(7) Section 39 of such Act (30 U.S.C. 209) is amended by adding after the period following the first sentence: “*Provided, however,* That in order to promote development and the maximum production of tar sand, at the request of the lessee, the Secretary shall review, prior to commencement of commercial operations, the royalty rates established in each combined hydrocarbon lease issued in special tar sand areas. For purposes of this section, the term ‘tar sand’ means any consolidated or unconsolidated rock (other than coal, oil shale, or gilsonite) that either (1) contains a hydrocarbonaceous material with a gas-free viscosity, at original reservoir temperature, greater than 10,000 centipoise, or (2) contains a hydrocarbonaceous material and is produced by mining or quarrying.”.

“Tar sand.”

(8) Section 17 of such Act (30 U.S.C. 226) is amended by adding at the end thereof the following new subsection:

“(k)(1)(A) The owner of (1) an oil and gas lease issued prior to the date of enactment of the Combined Hydrocarbon Leasing Act of 1981 or (2) a valid claim to any hydrocarbon resources leasable under this section based on a mineral location made prior to January 21, 1926, and located within a special tar sand area shall be entitled to convert such lease or claim to a combined hydrocarbon lease for a primary term of ten years upon the filing of an application within two years from the date of enactment of that Act containing an acceptable plan of operations which assures reasonable protection of the environment and diligent development of those resources requiring enhanced recovery methods of development or mining. For purposes of conversion, no claim shall be deemed invalid solely because it was located as a placer location rather than a lode location or vice versa, notwithstanding any previous adjudication on that issue.

Application filing.

“(B) The Secretary shall issue final regulations to implement this section within six months of the effective date of this Act. If any oil and gas lease eligible for conversion under this section would otherwise expire after the date of this Act and before six months following the issuance of implementing regulations, the lessee may preserve his conversion right under such lease for a period ending six months after the issuance of implementing regulations by filing with the Secretary, before the expiration of the lease, a notice of intent to file an application for conversion. Upon submission of a complete plan of operations in substantial compliance with the regulations promulgated by the Secretary for the filing of such plans, the Secretary shall suspend the running of the term of any oil and gas lease proposed for conversion until the plan is finally approved or disapproved. The Secretary shall act upon a proposed plan of operations within fifteen months of its submittal.

Regulations.

“(C) When an existing oil and gas lease is converted to a combined hydrocarbon lease, the royalty shall be that provided for in the original oil and gas lease and for a converted mining claim, 12 1/2 per

Royalties.

centum in amount or value of production removed or sold from the lease.

“(2) Except as provided in this section, nothing in the Combined Hydrocarbon Leasing Act of 1981 shall be construed to diminish or increase the rights of any lessee under any oil and gas lease issued prior to the enactment of such Act.”.

(9)(a) Section 2 of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351) is amended by adding at the end thereof: “The term ‘oil’ shall embrace all nongaseous hydrocarbon substances other than those leasable as coal oil shale, or gilsonite (including all vein-type solid hydrocarbons) “.

(b) Section 3 of such Act (30 U.S.C. 352) is amended by inserting “gilsonite (including all vein-type solid hydrocarbons),” after “oil shale”.

30 USC 181
note.
26 USC 1 note.

(10) Nothing in this Act shall affect the taxable status of production from tar sand under the Crude Oil Windfall Profit Tax Act of 1980 (Public Law 96-223), reduce the depletion allowance for production from tar sand, or otherwise affect the existing tax status applicable to such production.

Prohibition.
30 USC 181
note.

(11) No provision of this Act shall apply to national parks national monuments, or other lands where mineral leasing is prohibited by law. The Secretary of the Interior shall apply the provisions of this Act to the Glen Canyon National Recreation Area, and to any other units of the national park system where mineral leasing is permitted, in accordant with any applicable minerals management plan if the Secretary finds that there will be no resulting significant adverse impacts on the administration of such area, or on other contiguous units of the national park system.

Approved November 16, 1981.

LEGISLATIVE HISTORY—H.R. 3975:

HOUSE REPORT No. 97-174 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 97-250 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 127 (1981):
July 14. Considered and passed House.
Oct. 29, considered and passed Senate.

6. Golden Gate

PUBLIC LAW 96-199—MAR. 5, 1980

94 STAT. 67

Public Law 96-199
96th Congress

An Act

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

Mar. 5, 1980
[H.R. 3757]

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

National Parks and Recreation Act of 1978, amendment.

TITLE I

* * * * *

SEC. 103. The Act of October 27, 1972 (86 Stat. 1299), as amended (16 U.S.C. 469), is further amended as follows:

94 STAT. 68
Revised boundary map.
16 USC 460bb.
16 USC 460bb-1.

(a) In subsection 2(a), change the period following "October 1978" to a comma and insert "plus those areas depicted on the map entitled 'Point Reyes and GGNRA Amendments and dated October 25, 1979.'"

(b) In section 6, after "\$61,610,000" insert "plus \$15,500,000", after "herein", insert "said total development ceiling to be reduced by \$10,000,000".

16 USC 460bb 5.

* * * * *

Approved March 5, 1980.

94 STAT. 77

LEGISLATIVE HISTORY:

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

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

CONGRESSIONAL RECORD:

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

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

Feb. 20, House concurred in Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS:

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

Public Law 96-203
96th Congress

An Act

Mar. 10, 1980

[S. 1850]

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

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

94 STAT. 82

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

* * * * *

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

Approved March 10, 1980.

LEGISLATIVE HISTORY:

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

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

CONGRESSIONAL RECORD:

Vol. 125 (1979): Dec. 18, considered and passed Senate.

Vol. 126 (1980): Feb. 25, considered and passed House, amended.

Feb. 26, Senate concurred in House amendments.

Public Law 96-344
96th Congress

An Act

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

Sept. 8, 1980
[S. 2680]

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

Historic Sites, Buildings and Antiquities Act, administration improvement.

* * * * *

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

94 STAT. 1134

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

16 USC 460bb-1.

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

16 USC 460bb-4.

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

* * * * *

Approved September 8, 1980.

94 STAT. 1138

LEGISLATIVE HISTORY:

SENATE REPORT No. 96-754 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 126 (1980):

May 22, considered and passed Senate.

July 31, considered and passed House, amended.

Aug. 18, Senate concurred in House amendment.

94 STAT. 3539

PUBLIC LAW 96-607—DEC. 28, 1980

Public Law 96-607
96th Congress

An Act

Dec. 28, 1980
[S. 2363]

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

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

* * * * *

94 STAT. 3544

TITLE X

GOLDEN GATE NATIONAL RECREATION AREA

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

16 USC 460bb-1

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

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

16 USC 460bb-2.

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

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

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

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

PUBLIC LAW 96-607—DEC. 28, 1980

94 STAT. 3545

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

(6) in subsection 5(b), change "seventeen" to "eighteen"; and
(7) insert a comma and the phrase "San Mateo," after

16 USC 460bb 4.

"Marin" in section 5(e).

* * * * *

Approved December 28, 1980.

94 STAT. 3549

LEGISLATIVE HISTORY:

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

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

CONGRESSIONAL RECORD, Vol. 126 (1980):

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

June 5, considered and passed Senate.

June 17, considered and passed House, amended.

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

97 STAT. 188

PUBLIC LAW 98-28—MAY 10, 1983

Public Law 98-28
98th Congress

An Act

May 10, 1983
[H.R. 2600]

To dedicate the Golden Gate National Recreation Area to Congressman Phillip Burton.

Golden Gate
National
Recreation Area.
Dedication to
Congressman
Phillip Burton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Golden Gate National Recreation Area, California, is hereby dedicated to Congressman Philip Burton in recognition of his leadership in establishing the Golden Gate National Recreation Area, his outstanding contributions to the National Park System, the Wilderness Preservation System, and to the protection and preservation of our great natural and cultural resources for the benefit of the people of the United States for all time.

SEC. 2. In order to carry out the provisions of this Act, the Secretary of the Interior is authorized and directed to provide such identification by signs, including, but not limited to changes in existing signs, materials, maps, markers, interpretive programs or other means as will adequately inform the public of the contributions of Phillip Burton.

SEC. 3. The Secretary of the Interior is further authorized and directed to cause to be erected and maintained, within the boundaries of the Fort Mason unit the Golden Gate National Recreation Area, an appropriate memorial to Phillip Burton. Such memorial shall include but not be limited to an appropriate permanent marker describing the contributions of Phillip Burton to the Nation.

Appropriation
authorization.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved May 10, 1983.

LEGISLATIVE HISTORY—H.R. 2600:

HOUSE REPORT No. 98-72 (Comm. in Interior and Insular Affairs).

CONGRESSIONAL RECORD, Vol. 129 (1983):

Apr. 26, considered and passed House.

Apr. 28, considered and passed Senate.

7. Santa Monica Mountains

PUBLIC LAW 96-87—OCT. 12, 1979

93 STAT. 664

Public Law 96-87
96th Congress

An Act

Oct. 12, 1979

[H.R. 5419]

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

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

National parks and recreational lands.

* * * * *

TITLE IV

93 STAT. 665

National Park System.

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

* * * * *

(j) Section 507(f), re: Santa Monica Mountains National Recreation Area, is amended by changing "January 1, 1976" to "January 1, 1978".

93 STAT. 666
92 Stat. 3501.
16 USC 460kk.

* * * * *

Approved October 12, 1979.

93 STAT. 667

LEGISLATIVE HISTORY:

CONGRESSIONAL RECORDS Vol. 125 (1979):

Sept. 27, considered and passed House.

Oct. 1, considered and passed Senate, amended.

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

Oct. 11, Senate concurred in House amendment.

Public Law 96-199
96th Congress

An Act

Mar. 5, 1980

[H.R. 3757]

National Parks
and Recreation
Act of 1978,
amendment.

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

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

TITLE I

* * * * *

94 STAT. 71
16 USC 460kk.

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

* * * * *

94 STAT. 77

Approved March 5, 1980.

LEGISLATIVE HISTORY:

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

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

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

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

Feb. 20, House concurred in Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS:

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

PUBLIC LAW 98-572—OCT. 30, 1984

98 STAT. 2946

Public Law 96-572
98th Congress

An Act

To authorize the exchange of certain lands between the Bureau of Land Management and the city of Los Angeles for purposes of the Santa Monica Mountains National Recreation Area.

Oct. 30, 1984
[H.R. 3331]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 507(c)(2) of the National Parks and Recreation Act of 1978 (92 Stat. 3501) is amended by—

Public lands.
16 USC 460kk.

(1) inserting “(A)” after “(2)”;

(2) striking out “Any” in the third sentence thereof and substituting “Except as provided in subparagraph (B), any”; and

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

“(B) The Secretary shall negotiate, and carry out, and exchange with the city of Los Angeles (acting through its department of water and power) of certain federally owned lands managed by the Bureau of Land Management in the vicinity of the Haiwee Reservoir in Inyo County for certain lands owned by the city of Los Angeles which are associated with the Upper Franklin Reservoir in the city of Los Angeles. Lands acquired by the Secretary pursuant to such exchange shall be transferred without cost to the administrative jurisdiction of the National Park Service for inclusion within the recreation area. The Secretary shall include in such exchange a provision for an easement to be granted to the city of Los Angeles for the existing water pipeline associated with the Upper Franklin Reservoir and for the city of Los Angeles to provide for replacement water to maintain the water elevations of the Franklin Reservoir to the current levels. The values of lands exchanged under this provision shall be equal, or shall be equalized, in the same manner as provided in section 206 of the Federal Land Policy and Management Act of 1976.

43 USC 1716.

“(C) The city shall assume full responsibility for the protection of cultural resources and shall develop a cultural resource management program for the public lands to be transferred to the city in the vicinity of the Haiwee Reservoir. The program shall be developed in consultation with the Secretary of the Interior, the California State Historic Preservation Officer, and the Advisory Council on Historic Preservation.”.

98 STAT. 2947
Cultural programs.
Historic
preservation.

Approved October 30, 1984.

LEGISLATIVE HISTORY—H.R. 3331:

HOUSE REPORT No. 98-884 (Comm. on Interior and Insular Affairs).
CONGRESSIONAL RECORD, Vol. 130 (1984):

Aug. 2, considered and passed House.

Oct. 5, considered and passed Senate, amended.

Oct. 9, House concurred in Senate amendments.