

XIII. NATIONAL RECREATION AREAS

1. Boston Harbor Islands

PUBLIC LAW 106-176—MAR. 10, 2000

114 STAT. 23

Public Law 106-176  
106th Congress

An Act

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000

[H.R. 149]

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

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

**SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO  
DIVISION I**

\* \* \* \* \*

**SEC. 126. BOSTON HARBOR ISLANDS NATIONAL RECREATION AREA.**

114 STAT. 30

Section 1029 of division I of the Omnibus Parks Act (110 Stat. 4232; 16 U.S.C. 460kkk) is amended as follows:

(1) In the section heading, by striking “**RECREATION AREA**” and inserting “**NATIONAL RECREATION AREA**”.

(2) In subsection (b)(1), by inserting quotation marks around the term “recreation area”.

(3) In subsection (e)(3)(B), by striking “subsections (b)(3), (4), (5), (6), (7), (8), (9), and (10).” and inserting “subparagraphs (C), (D), (E), (F), (G), (H), (I), and (J) of paragraph (2).”.

(4) In subsection (f)(2)(A)(i), by striking “profit sector roles” and inserting “private-sector roles”.

(5) In subsection (g)(1), by striking “and revenue raising activities.” and inserting “and revenue-raising activities.”.

(6) In subsection (h)(2), by striking “ration” and inserting “ratio”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106-17 (Comm. on Resources).

SENATE REPORTS: No. 106-125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**2. Chattahoochee River**

113 STAT. 1736

PUBLIC LAW 106-154—DEC. 9, 1999

Public Law 106-154  
106th Congress

**An Act**

Dec. 9, 1999  
[H.R. 2140]

To improve protection and management of the Chattahoochee River National  
Recreation Area in the State of Georgia.

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

16 USC 460ii  
note.

**SECTION 1. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds that—

(1) the Chattahoochee River National Recreation Area in the State of Georgia is a nationally significant resource;

(2) the Chattahoochee River National Recreation Area has been adversely affected by land use changes occurring inside and outside the recreation area;

(3) the population of the metropolitan Atlanta area continues to expand northward, leaving dwindling opportunities to protect the scenic, recreational, natural, and historical values of the 2,000-foot-wide corridor adjacent to each bank of the Chattahoochee River and its impoundments in the 48-mile segment known as the “area of national concern”;

(4) the State of Georgia has enacted the Metropolitan River Protection Act to ensure protection of the corridor located within 2,000 feet of each bank of the Chattahoochee River, or the corridor located within the 100-year floodplain, whichever is larger;

(5) the corridor located within the 100-year floodplain includes the area of national concern;

(6) since establishment of the Chattahoochee River National Recreation Area, visitor use of the recreation area has shifted dramatically from waterborne to water-related and land-based activities;

(7) the State of Georgia and political subdivisions of the State along the Chattahoochee River have indicated willingness to join in a cooperative effort with the United States to link existing units of the recreation area through a series of linear corridors to be established within the area of national concern and elsewhere on the river; and

(8) if Congress appropriates funds in support of the cooperative effort described in paragraph (7), funding from the State, political subdivisions of the State, private foundations, corporate entities, private individuals, and other sources will be available to fund more than half the estimated cost of the cooperative effort.

(b) PURPOSES.—The purposes of this Act are—

(1) to increase the level of protection of the open spaces within the area of national concern along the Chattahoochee

PUBLIC LAW 106-154—DEC. 9, 1999

113 STAT. 1737

River and to enhance visitor enjoyment of the open spaces by adding land-based linear corridors to link existing units of the recreation area;

(2) to ensure that the Chattahoochee River National Recreation Area is managed to standardize acquisition, planning, design, construction, and operation of the linear corridors; and

(3) to authorize the appropriation of Federal funds to cover a portion of the costs of the Federal, State, local, and private cooperative effort to add additional areas to the recreation area so as to establish a series of linear corridors linking existing units of the recreation area and to protect other open spaces of the Chattahoochee River corridor.

**SEC. 2. AMENDMENTS TO CHATTAHOOCHEE RIVER NATIONAL RECREATION AREA ACT.**

(a) BOUNDARIES.—Section 101 of the Act entitled “An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes”, approved August 15, 1978 (16 U.S.C. 460ii), is amended—

(1) in the third sentence, by inserting after “numbered CHAT-20,003, and dated September 1984,” the following: “and on the maps entitled ‘Chattahoochee River National Recreation Area Interim Boundary Map #1’, ‘Chattahoochee River National Recreation Area Interim Boundary Map #2’, and ‘Chattahoochee River National Recreation Area Interim Boundary Map #3’, and dated August 6, 1998,”;

(2) by striking the fourth sentence and inserting the following: “No sooner than 180 days after the date of the enactment of this sentence, the Secretary of the Interior (hereafter referred to as the ‘Secretary’) may modify the boundaries of the recreation area to include other land within the Chattahoochee River corridor by submitting a revised map or other boundary description to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives. The revised map or other boundary description shall be prepared by the Secretary after consultation with affected landowners, the State of Georgia, and affected political subdivisions of the State. The revised boundaries shall take effect 180 days after the date of submission unless, within the 180-day period, Congress enacts a joint resolution disapproving the revised boundaries.”; and

(3) in the next-to-last sentence, by striking “may not exceed approximately 6,800 acres.” and inserting “may not exceed 10,000 acres.”.

(b) ACQUISITION OF PROPERTY.—Section 102 of the Act entitled “An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes”, approved August 15, 1978 (16 U.S.C. 460ii-1), is amended—

(1) in subsection (a), by inserting “from willing sellers” after “purchase”; and

(2) by striking subsection (f).

(c) COOPERATIVE AGREEMENTS.—Section 103 of the Act entitled “An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other

purposes”, approved August 15, 1978 (16 U.S.C. 460ii-2), is amended by striking subsection (b) and inserting the following:

“(b) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the State of Georgia, political subdivisions of the State, and other entities to ensure standardized acquisition, planning, design, construction, and operation of the recreation area.”.

(d) FUNDING.—Section 105 of the Act entitled “An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes”, approved August 15, 1978 (16 U.S.C. 460ii-4), is amended—

(1) by striking “SEC. 105. (a)” and inserting the following:

**“SEC. 105. FUNDING SOURCES AND GENERAL MANAGEMENT PLAN.**

“(a) FUNDING.—

“(1) LIMITATION ON USE OF APPROPRIATED FUNDS.—”;

(2) in subsection (a)—

(A) by striking “\$79,400,000” and inserting “\$115,000,000”;

(B) by striking “this Act” and inserting “this title”;

and

(C) by adding at the end the following:

“(2) DONATIONS.—The Secretary may accept a donation of funds or land or an interest in land to carry out this title.

“(3) RELATION TO OTHER FUNDING SOURCES.—Funds made available under paragraph (1) are in addition to funding and the donation of land and interests in land by the State of Georgia, local government authorities, private foundations, corporate entities, and individuals for purposes of this title.”;

and

(3) in subsection (c)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(B) by striking “(c) Within” and inserting the following:

“(c) GENERAL MANAGEMENT PLAN.—

“(1) INITIAL PLAN.—Within”;

(C) in paragraph (1) (as designated by subparagraph (B)), by striking “transmit to” and all that follows through “Representatives” and inserting “transmit to the Committee on Resources of the House of Representatives”; and

(D) by adding at the end the following:

“(2) REVISED PLAN.—

“(A) IN GENERAL.—Within 3 years after the date funds are made available, the Secretary shall submit to the committees specified in paragraph (1) a revised general management plan to provide for the protection, enhancement, enjoyment, development, and use of the recreation area.

“(B) PUBLIC PARTICIPATION.—In preparing the revised plan, the Secretary shall encourage the participation of the State of Georgia and affected political subdivisions of the State, private landowners, interested citizens, public officials, groups, agencies, educational institutions, and other entities.”.

(e) TECHNICAL CORRECTIONS.—Title I of the Act entitled “An Act to authorize the establishment of the Chattahoochee River

## PUBLIC LAW 106-154—DEC. 9, 1999

113 STAT. 1739

National Recreation Area in the State of Georgia, and for other purposes”, approved August 15, 1978 (16 U.S.C. 460ii et seq.), is amended—

- (1) in sections 102(d) and 103(a), by striking “of this Act” and inserting “of this title”; 16 USC 460ii-1, 460ii-2.
- (2) in section 104(b)— 16 USC 460ii-3.
- (A) by striking “of this Act” and inserting “of this title”;
- (B) by striking “under this Act” and inserting “under this title”;
- (C) by striking “by this Act” and inserting “by this title”; and
- (D) by striking “in this Act” and inserting “in this title”;
- (3) in section 104(d)(2), by striking “under this Act” and inserting “under this title”;
- (4) in section 105(c)(1)(A), as redesignated by subsection (d)(3), by striking “of this Act” and inserting “of this title”; 16 USC 460ii-4.
- (5) in section 106(a), by striking “in this Act” and inserting “in this title”; and 16 USC 460ii-5.
- (6) in section 106(d), by striking “under this Act” and inserting “under this title”.

Approved December 9, 1999.

---

LEGISLATIVE HISTORY—H.R. 2140 (S. 109):

HOUSE REPORTS: No. 106-369 (Comm. on Resources).

SENATE REPORTS: No. 106-62 accompanying S. 109 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Oct. 18, considered and passed House.

Nov. 19, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Dec. 9, Presidential statement.



### 3. Curecanti

113 STAT. 1126

PUBLIC LAW 106-76—OCT. 21, 1999

Public Law 106-76  
106th Congress

An Act

Oct. 21, 1999  
[S. 323]

To redesignate the Black Canyon of the Gunnison National Monument as a national park and establish the Gunnison Gorge National Conservation Area, and for other purposes.

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

Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999. Colorado. 16 USC 410fff note. 113 STAT. 1131 16 USC 410fff-9.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999”.

\* \* \* \* \*

**SEC. 11. STUDY OF LANDS WITHIN AND ADJACENT TO CURECANTI NATIONAL RECREATION AREA.**

Deadline.

(a) **IN GENERAL.**—Not later than 3 years after the date of the enactment of this Act, the Secretary, acting through the Director of the National Park Service, shall conduct a study concerning land protection and open space within and adjacent to the area administered as the Curecanti National Recreation Area.

113 STAT. 1132

(b) **PURPOSE OF STUDY.**—The study required to be completed under subsection (a) shall—

(1) assess the natural, cultural, recreational and scenic resource value and character of the land within and surrounding the Curecanti National Recreation Area (including open vistas, wildlife habitat, and other public benefits);

(2) identify practicable alternatives that protect the resource value and character of the land within and surrounding the Curecanti National Recreation Area;

(3) recommend a variety of economically feasible and viable tools to achieve the purposes described in paragraphs (1) and (2); and

(4) estimate the costs of implementing the approaches recommended by the study.

Deadline.

(c) **SUBMISSION OF REPORT.**—Not later than 3 years from the date of the enactment of this Act, the Secretary shall submit a report to Congress that—

(1) contains the findings of the study required by subsection (a);

(2) makes recommendations to Congress with respect to the findings of the study required by subsection (a); and

(3) makes recommendations to Congress regarding action that may be taken with respect to the land described in the report.

**(d) ACQUISITION OF ADDITIONAL LAND AND INTERESTS IN LAND.—**

(1) **IN GENERAL.**—Prior to the completion of the study required by subsection (a), the Secretary may acquire certain private land or interests in land as depicted on the Map entitled “Proposed Additions to the Curecanti National Recreation

PUBLIC LAW 106-76—OCT. 21, 1999

113 STAT. 1132

Area”, dated 01/25/99, totaling approximately 1,065 acres and entitled “Hall and Fitti properties”.

(2) METHOD OF ACQUISITION.—

(A) IN GENERAL.—Land or an interest in land under paragraph (1) may be acquired by—

(i) donation;

(ii) purchase with donated or appropriated funds;

or

(iii) exchange.

(B) CONSENT.—No land or interest in land may be acquired without the consent of the owner of the land.

(C) BOUNDARY REVISIONS FOLLOWING ACQUISITION.—Following the acquisition of land under paragraph (1), the Secretary shall—

(i) revise the boundary of the Curecanti National Recreation Area to include newly-acquired land; and

(ii) administer newly-acquired land according to applicable laws (including regulations).

\* \* \* \* \*

Approved October 21, 1999.

113 STAT. 1133

---

LEGISLATIVE HISTORY—S. 323:

HOUSE REPORTS: No. 106-307 (Comm. on Resources).

SENATE REPORTS: No. 106-69 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

July 1, considered and passed Senate.

Sept. 27, considered and passed House, amended.

Oct. 1, Senate concurred in House amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Oct. 21, Presidential statement.



**4. Delaware Water Gap**

114 STAT. 23

PUBLIC LAW 106-176—MAR. 10, 2000

Public Law 106-176  
106th Congress

**An Act**

Mar. 10, 2000  
[H.R. 149]

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

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

**SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**

16 USC 1 note.

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4093).

\* \* \* \* \*

114 STAT. 31

**TITLE III—TECHNICAL CORRECTIONS TO OTHER PUBLIC LAWS**

\* \* \* \* \*

**SEC. 301. REAUTHORIZATION OF DELAWARE WATER GAP NATIONAL RECREATION AREA CITIZEN ADVISORY COMMISSION.**

Effective date.

Effective as of November 6, 1998, section 507 of Public Law 105-355 (112 Stat. 3264; 16 U.S.C. 460o note) is amended by striking “Public Law 101-573” and inserting “Public Law 100-573”.

114 STAT. 32

\* \* \* \* \*

114 STAT. 34

Approved March 10, 2000.

**LEGISLATIVE HISTORY—H.R. 149:**

HOUSE REPORTS: No. 106-17 (Comm. on Resources).

SENATE REPORTS: No. 106-125 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



**5. Gateway**

PUBLIC LAW 106–132—DEC. 7, 1999

113 STAT. 1681

Public Law 106–132  
106th Congress**An Act**To designate a portion of Gateway National Recreation Area as “World War Veterans  
Park at Miller Field”.

Dec. 7, 1999

[H.R. 592]

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,***SECTION 1. DESIGNATION OF PORTION OF GATEWAY NATIONAL  
RECREATION AREA AS WORLD WAR VETERANS PARK AT  
MILLER FIELD.**Section 3(b) of Public Law 92–592 (16 U.S.C. 460cc–2(b)) is  
amended—

(1) by inserting “(1)” after “(b)”; and

(2) by adding at the end the following new paragraph:

16 USC 460cc.

“(2) The portion of the Staten Island Unit of the recreation  
area known as Miller Field is hereby designated as ‘World War  
Veterans Park at Miller Field’. Any reference to such Miller Field  
in any law, regulation, map, document, record, or other paper  
of the United States shall be considered to be a reference to ‘World  
War Veterans Park at Miller Field’.”.

Approved December 7, 1999.

---

**LEGISLATIVE HISTORY—H.R. 592:**

HOUSE REPORTS: No. 106–188 (Comm. on Resources).

SENATE REPORTS: No. 106–212 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

June 30, considered and passed House.

Nov. 19, considered and passed Senate.



**6. Glen Canyon**

114 STAT. 1441

PUBLIC LAW 106-377—OCT. 27, 2000

\* Public Law 106-377  
106th Congress

**An Act**

Oct. 27, 2000  
[H.R. 4635]

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.

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

Incorporation by  
reference.

SECTION 1. (a) The provisions of the following bills of the 106th Congress are hereby enacted into law:

(1) H.R. 5482, as introduced on October 18, 2000.

(2) H.R. 5483, as introduced on October 18, 2000.

Publication.  
1 USC 112 note.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

Approved October 27, 2000.

---

**LEGISLATIVE HISTORY—H.R. 4635:**

HOUSE REPORTS: Nos. 106-674 (Comm. on Appropriations) and 106-988 (Comm. of Conference).

SENATE REPORTS: No. 106-410 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 19-21, considered and passed House.

Oct. 12, considered and passed Senate, amended.

Oct. 19, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 27, Presidential statement.

\*ENDNOTE: The following appendixes were added pursuant to the provisions of section 1 of this Act.



**TABLE OF CONTENTS**

*The table of contents is as follows:*

APPENDIX A—H.R. 5482

APPENDIX B—H.R. 5483

**APPENDIX B—H.R. 5483**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development for the fiscal year ending September 30, 2001, and for other purposes, namely:

\* \* \* \* \*

114 STAT.  
1441A-66

**TITLE II**

\* \* \* \* \*

114 STAT.  
1441A-68

**GENERAL PROVISIONS**

**DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

114 STAT.  
1441A-69

SEC. 204. (a) **IN GENERAL.**—For fiscal year 2001 and each fiscal year thereafter, the Secretary of the Interior shall continue funding, from power revenues, the activities of the Glen Canyon Dam Adaptive Management Program as authorized by section 1807 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), at not more than \$7,850,000 (October 2000 price level), adjusted in subsequent years to reflect changes in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(b) **VOLUNTARY CONTRIBUTIONS.**—Nothing in this section precludes the use of voluntary financial contributions (except power revenues) to the Adaptive Management Program that may be authorized by law.

(c) **ACTIVITIES TO BE FUNDED.**—The activities to be funded as provided under subsection (a) include activities required to meet the requirements of section 1802(a) and subsections (a) and (b) of section 1805 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), including the requirements of the Biological Opinion on the Operation of Glen Canyon Dam and activities required by the Programmatic Agreement on Cultural and Historic Properties, to the extent that the requirements and activities are consistent with the Grand Canyon Protection Act of 1992 (106 Stat. 4672).

(d) **ADDITIONAL FUNDING.**—To the extent that funding under subsection (a) is insufficient to pay the costs of the monitoring and research and other activities of the Glen Canyon Dam Adaptive Management Program, the Secretary of the Interior may use funding from other sources, including funds appropriated for that purpose. All such appropriated funds shall be nonreimbursable and nonreturnable.

\* \* \* \* \*

7. Golden Gate

PUBLIC LAW 106-113—NOV. 29, 1999

113 STAT. 1501

Public Law 106-113  
106th Congress

An Act

Making consolidated appropriations for the fiscal year ending September 30, 2000,  
and for other purposes.

Nov. 29, 1999  
[H.R. 3194]

*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, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

\* \* \* \* \*

DIVISION B

113 STAT. 1535

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

Incorporation by reference.

\* \* \* \* \*

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

\* \* \* \* \*

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

113 STAT. 1536  
Incorporation by reference; publication.

\* \* \* \* \*

Approved November 29, 1999.

113 STAT. 1537

LEGISLATIVE HISTORY—H.R. 3194:

HOUSE REPORTS: No. 106-479 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



**APPENDIX C—H.R. 3423**

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

**TITLE I—DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A-142

**NATIONAL PARK SERVICE**

\* \* \* \* \*

113 STAT.  
1501A-154

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

113 STAT.  
1501A-159

SEC. 120. All properties administered by the National Park Service at Fort Baker, Golden Gate National Recreation Area, and leases, concessions, permits and other agreements associated with those properties, hereafter shall be exempt from all taxes and special assessments, except sales tax, by the State of California and its political subdivisions, including the County of Marin and the City of Sausalito. Such areas of Fort Baker shall remain under exclusive Federal jurisdiction.

\* \* \* \* \*

PUBLIC LAW 106-176—MAR. 10, 2000

114 STAT. 23

Public Law 106-176  
106th Congress

An Act

To make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

Mar. 10, 2000  
[H.R. 149]

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

Omnibus Parks  
Technical  
Corrections Act  
of 2000.

**SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.**

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Parks Technical Corrections Act of 2000”.

16 USC 1 note.

(b) **REFERENCE TO OMNIBUS PARKS ACT.**—In this Act, the term “Omnibus Parks Act” means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4093).

**TITLE I—TECHNICAL CORRECTIONS TO DIVISION I**

**SEC. 101. PRESIDIO OF SAN FRANCISCO.**

Title I of division I of the Omnibus Parks Act (16 U.S.C. 460bb note) is amended as follows:

(1) In section 101(2) (110 Stat. 4097), by striking “the Presidio is” and inserting “the Presidio was”.

(2) In section 103(b)(1) (110 Stat. 4099), by striking “other lands administrated by the Secretary.” in the last sentence and inserting “other lands administered by the Secretary.”.

(3) In section 105(a)(2) (110 Stat. 4104), by striking “in accordance with section 104(h) of this title.” and inserting “in accordance with section 104(i) of this title.”.

(4) In section 104(b) (110 Stat. 4101), by—

(A) adding the following after the end of the first sentence: “The National Park Service or any other Federal agency is authorized to enter into agreements, leases, contracts and other arrangements with the Presidio Trust which are necessary and appropriate to carry out the purposes of this title.”;

Contracts.

(B) inserting after “June 30, 1932 (40 U.S.C. 303b).” the following “The Trust may use alternative means of dispute resolution authorized under subchapter IV of chapter 5 of title 5, United States Code (5 U.S.C. 571 et seq.)”; and

(C) by inserting at the end of the paragraph “The Trust is authorized to use funds available to the Trust to purchase insurance and for reasonable reception and

representation expenses, including membership dues, business cards and business related meal expenditures.”.

(5) Section 104(g) (110 Stat. 4103) is amended to read as follows:

“(g) FINANCIAL MANAGEMENT.—Notwithstanding section 1341 of title 31 of the United States Code, all proceeds and other revenues received by the Trust shall be retained by the Trust. Those proceeds shall be available, without further appropriation, to the Trust for the administration, preservation, restoration, operation and maintenance, improvement, repair and related expenses incurred with respect to Presidio properties under its administrative jurisdiction. The Secretary of the Treasury shall invest, at the direction of the Trust, such excess moneys that the Trust determines are not required to meet current withdrawals. Such investment shall be in public debt securities with maturities suitable to the needs of the Trust and bearing interest at rates determined by the Secretary of the Treasury taking into consideration the current average yield on outstanding marketable obligations of the United States of comparable maturity.”.

(6) In section 104(j) (110 Stat. 4103), by striking “exercised.” and inserting “exercised, including rules and regulations for the use and management of the property under the Trust’s jurisdiction.”.

(7) In section 104 (110 Stat. 4101, 4104), by adding after subsection (o) the following:

“(p) EXCLUSIVE RIGHTS TO NAME AND INSIGNIA.—The Trust shall have the sole and exclusive right to use the words ‘Presidio Trust’ and any seal, emblem, or other insignia adopted by its Board of Directors. Without express written authority of the Trust, no person may use the words ‘Presidio Trust’, or any combination or variation of those words alone or with other words, as the name under which that person shall do or purport to do business, for the purpose of trade, or by way of advertisement, or in any manner that may falsely suggest any connection with the Trust.”.

(8) In section 104(n) (110 Stat. 4103), by inserting after “implementation of the” in the first sentence the following “general objectives of the”.

(9) In section 105(a)(2) (110 Stat. 4104), by striking “not more than \$3,000,000 annually” and inserting after “Of such sums,” the following “funds”.

(10) In section 105(c) (110 Stat. 4104), by inserting before “including” the following “on a reimbursable basis,”.

(11) Section 103(c)(2) (110 Stat. 4099) is amended by striking “consecutive terms.” and inserting “consecutive terms, except that upon the expiration of his or her term, an appointed member may continue to serve until his or her successor has been appointed.”.

(12) Section 103(c)(9) (110 Stat. 4100) is amended by striking “properties administered by the Trust” and inserting “properties administered by the Trust and all interest created under leases, concessions, permits and other agreements associated with the properties”.

(13) Section 104(d) (110 Stat. 4102) is amended as follows—

(A) by inserting “(1)” after “FINANCIAL AUTHORITIES.—”;

(B) by striking “(1) The authority” and inserting “(A) The authority”;

## PUBLIC LAW 106-176—MAR. 10, 2000

114 STAT. 25

(C) by striking “(A) the terms” and inserting “(i) the terms”;

(D) by striking “(B) adequate” and inserting “(ii) adequate”;

(E) by striking “(C) such guarantees” and inserting “(iii) such guarantees”;

(F) by striking “(2) The authority” and inserting “(B) The authority”;

(G) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3) respectively;

(H) in paragraph (2) (as redesignated by this section)—

(i) by striking “The authority” and inserting “The Trust shall also have the authority”;

(ii) by striking “after determining that the projects to be funded from the proceeds thereof are creditworthy and that a repayment schedule is established and only”; and

(iii) by inserting after “and subject to such terms and conditions,” the following “including a review of the creditworthiness of the loan and establishment of a repayment schedule,”; and

(I) in paragraph (3) (as redesignated by this section) by inserting before “this subsection” the following “paragraph (2) of”.

\* \* \* \* \*

Approved March 10, 2000.

114 STAT. 34

---

LEGISLATIVE HISTORY—H.R. 149:

HOUSE REPORTS: No. 106-17 (Comm. on Resources).

SENATE REPORTS: No. 106-125 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Feb. 23, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Feb. 15, House concurred in Senate amendments.



114 STAT. 922

PUBLIC LAW 106–291—OCT. 11, 2000

Public Law 106–291  
106th Congress

An Act

Oct. 11, 2000  
[H.R. 4578]

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2001, and for other purposes.

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2001.

*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, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

114 STAT. 941

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

114 STAT. 943  
16 USC 460bb-3  
note.

\* \* \* \* \*

SEC. 115. Notwithstanding any provision of law, hereafter the Secretary of the Interior is authorized to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm, association, organization, corporation, or governmental entity for all or part of the property within Fort Baker administered by the Secretary as part of Golden Gate National Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall be available, without future appropriation, for the preservation, restoration, operation, maintenance and interpretation and related expenses incurred with respect to Fort Baker properties.

\* \* \* \* \*

114 STAT. 949

SEC. 140. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

\* \* \* \* \*

114 STAT. 1029

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

Approved October 11, 2000.

LEGISLATIVE HISTORY—H.R. 4578:

HOUSE REPORTS: No. 106–646 (Comm. on Appropriations) and No. 106–914 (Comm. of Conference).

SENATE REPORTS: No. 106–312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13–15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3–5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



PUBLIC LAW 106-350—OCT. 24, 2000

114 STAT. 1361

Public Law 106-350  
106th Congress

An Act

To revise the boundaries of the Golden Gate National Recreation Area, and for other purposes.

Oct. 24, 2000  
[H.R. 3632]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Golden Gate National Recreation Area Boundary Adjustment Act of 2000”.

**SEC. 2. ADDITIONS TO THE GOLDEN GATE NATIONAL RECREATION AREA.**

Section 2(a) of the Act entitled “An Act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes” (16 U.S.C. 460bb-1(a)) is amended by adding at the end the following: “The recreation area shall also include the lands generally depicted on the map entitled ‘Additions to Golden Gate National Recreation Area’, numbered NPS-80,076, and dated July 2000/PWR-PLRPC.”.

Golden Gate  
National  
Recreation Area  
Boundary  
Adjustment Act  
of 2000.  
16 USC 460bb  
note.

Approved October 24, 2000.

LEGISLATIVE HISTORY—H.R. 3632 (S. 2051):

HOUSE REPORTS: No. 106-825 (Comm. on Resources).

SENATE REPORTS: No. 106-376 accompanying S. 2051 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Sept. 12, considered and passed House.

Oct. 5, considered and passed Senate.



115 STAT. 414

PUBLIC LAW 107-63—NOV. 5, 2001

Public Law 107-63  
107th Congress

An Act

Nov. 5, 2001  
[H.R. 2217]

Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2002, and for other purposes.

Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2002.

*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, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

115 STAT. 436

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

115 STAT. 440

SEC. 123. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

\* \* \* \* \*

115 STAT. 473

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2002”.

Approved November 5, 2001.

LEGISLATIVE HISTORY—H.R. 2217:

HOUSE REPORTS: No. 107-103 (Comm. on Appropriations) and 107-234 (Comm. of Conference).

SENATE REPORTS: No. 107-36 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 147 (2001):

June 21, considered and passed House.

July 11, 12, considered and passed Senate, amended.

Oct. 17, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Nov. 5, Presidential statement.



PUBLIC LAW 107-107—DEC. 28, 2001

115 STAT. 1012

Public Law 107-107  
107th Congress

An Act

To authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Dec. 28, 2001  
[S. 1438]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2002”.

National Defense  
Authorization  
Act for Fiscal  
Year 2002.

\* \* \* \* \*

**DIVISION B—MILITARY CONSTRUCTION  
AUTHORIZATIONS**

115 STAT. 1280  
Military  
Construction  
Authorization  
Act for Fiscal  
Year 2002.

**SEC. 2001. SHORT TITLE; DEFINITION.**

(a) **SHORT TITLE.**—This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2002”.

(b) **DEFINITION OF FISCAL YEAR 2001 DEFENSE AUTHORIZATION ACT.**—In this division, the term “Spence Act” means the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as enacted into law by Public Law 106-398 (114 Stat. 1654).

\* \* \* \* \*

**TITLE XXVIII—GENERAL PROVISIONS**

115 STAT. 1303

\* \* \* \* \*

**Subtitle E—Other Matters**

115 STAT. 1328

**SEC. 2861. MANAGEMENT OF THE PRESIDIO OF SAN FRANCISCO.**

(a) **AUTHORITY TO LEASE CERTAIN HOUSING UNITS FOR USE AS ARMY HOUSING.**—Title I of division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 16 U.S.C. 460bb note) is amended by adding at the end the following new section:

**“SEC. 107. CONDITIONAL AUTHORITY TO LEASE CERTAIN HOUSING UNITS WITHIN THE PRESIDIO.**

“(a) **AVAILABILITY OF HOUSING UNITS FOR LONG-TERM ARMY LEASE.**—Subject to subsection (c), the Trust shall make available for lease, to those persons designated by the Secretary of the Army and for such length of time as requested by the Secretary of the Army, 22 housing units located within the Presidio that are under the administrative jurisdiction of the Trust and specified in the agreement between the Trust and the Secretary of the Army in existence as of the date of the enactment of this section.

“(b) **LEASE AMOUNT.**—The monthly amount charged by the Trust for the lease of a housing unit under this section shall be equivalent to the monthly rate of the basic allowance for housing that the occupant of the housing unit is entitled to receive under section 403 of title 37, United States Code.

115 STAT. 1328

PUBLIC LAW 107-107—DEC. 28, 2001

115 STAT. 1329

“(c) CONDITION ON CONTINUED AVAILABILITY OF HOUSING UNITS.—Effective after the end of the four-year period beginning on the date of the enactment of this section, the Trust shall have no obligation to make housing units available under subsection (a) unless, during that four-year period, the Secretary of the Treasury purchases new obligations of at least \$80,000,000 issued by the Trust under section 104(d)(2). In the event that this condition is not satisfied, the existing agreement referred to in subsection (a) shall be renewed on the same terms and conditions for an additional five years.”

16 USC 460bb  
note.

(b) INCREASED BORROWING AUTHORITY AND TECHNICAL CORRECTIONS.—Paragraphs (2) and (3) of section 104(d) of title I of division I of the Omnibus Parks and Public Lands Management Act of 1996, as amended by section 334 of appendix C of Public Law 106-113 (113 Stat. 1501A-198) and amended and redesignated by section 101(13) of Public Law 106-176 (114 Stat. 25), are amended—

(1) in paragraph (2), by striking “including a review of the creditworthiness of the loan and establishment of a repayment schedule,” the second place it appears; and

(2) in paragraph (3)—

(A) by striking “\$50,000,000” and inserting “\$150,000,000”; and

(B) by striking “paragraph (3) of”.

\* \* \* \* \*

115 STAT. 1393

Approved December 28, 2001.

---

LEGISLATIVE HISTORY—S. 1438 (H.R. 2586):

HOUSE REPORTS: Nos. 107-194 accompanying H.R. 2586 (Comm. on Armed Services) and 107-333 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 147 (2001):

Sept. 21, 24-26, Oct. 1, 2, considered and passed Senate.

Oct. 17, considered and passed House, amended, in lieu of H.R. 2586.

Dec. 13, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Dec. 28, Presidential statement.



8. Lake Mead

PUBLIC LAW 106-181-APR. 5, 2000

114 STAT. 61

Public Law 106-181  
106th Congress

An Act

To amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes.

Apr. 5, 2000  
[H.R. 1000]

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Wendell H. Ford Aviation Investment and Reform Act for the 21st Century”.

Wendell H. Ford  
Aviation  
Investment and  
Reform Act for  
the 21st Century.  
49 USC 40101  
note.

\* \* \* \* \*

SEC. 2. AMENDMENTS TO TITLE 49, UNITED STATES CODE.

114 STAT. 64

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 3. APPLICABILITY.

49 USC 106 note.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall apply only to fiscal years beginning after September 30, 1999.

SEC. 4. DEFINITIONS.

49 USC 40102  
note.

Except as otherwise provided in this Act, the following definitions apply:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Federal Aviation Administration.

(2) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

\* \* \* \* \*

TITLE VIII—NATIONAL PARKS AIR  
TOUR MANAGEMENT

114 STAT. 185  
National Parks  
Air Tour  
Management Act  
of 2000.  
49 USC 40128  
note.

SEC. 801. SHORT TITLE.

This title may be cited as the “National Parks Air Tour Management Act of 2000”.

SEC. 802. FINDINGS.

114 STAT. 186  
49 USC 40128  
note.

Congress finds that—

(1) the Federal Aviation Administration has sole authority to control airspace over the United States;

(2) the Federal Aviation Administration has the authority to preserve, protect, and enhance the environment by minimizing, mitigating, or preventing the adverse effects of aircraft overflights on public and tribal lands;

(3) the National Park Service has the responsibility of conserving the scenery and natural and historic objects and wildlife in national parks and of providing for the enjoyment

of the national parks in ways that leave the national parks unimpaired for future generations;

(4) the protection of tribal lands from aircraft overflights is consistent with protecting the public health and welfare and is essential to the maintenance of the natural and cultural resources of Indian tribes;

(5) the National Parks Overflights Working Group, composed of general aviation, commercial air tour, environmental, and Native American representatives, recommended that the Congress enact legislation based on the Group's consensus work product; and

(6) this title reflects the recommendations made by that Group.

49 USC 40128  
note.

**SEC. 803. AIR TOUR MANAGEMENT PLANS FOR NATIONAL PARKS.**

(a) IN GENERAL.—Chapter 401 (as amended by section 706(a) of this Act) is further amended by adding at the end the following:

**“§ 40128. Overflights of national parks**

“(a) IN GENERAL.—

“(1) GENERAL REQUIREMENTS.—A commercial air tour operator may not conduct commercial air tour operations over a national park or tribal lands except—

“(A) in accordance with this section;

“(B) in accordance with conditions and limitations prescribed for that operator by the Administrator; and

“(C) in accordance with any applicable air tour management plan for the park or tribal lands.

“(2) APPLICATION FOR OPERATING AUTHORITY.—

“(A) APPLICATION REQUIRED.—Before commencing commercial air tour operations over a national park or tribal lands, a commercial air tour operator shall apply to the Administrator for authority to conduct the operations over the park or tribal lands.

“(B) COMPETITIVE BIDDING FOR LIMITED CAPACITY PARKS.—Whenever an air tour management plan limits the number of commercial air tour operations over a national park during a specified time frame, the Administrator, in cooperation with the Director, shall issue operation specifications to commercial air tour operators that conduct such operations. The operation specifications shall include such terms and conditions as the Administrator and the Director find necessary for management of commercial air tour operations over the park. The Administrator, in cooperation with the Director, shall develop an open competitive process for evaluating proposals from persons interested in providing commercial air tour operations over the park. In making a selection from among various proposals submitted, the Administrator, in cooperation with the Director, shall consider relevant factors, including—

“(i) the safety record of the person submitting the proposal or pilots employed by the person;

“(ii) any quiet aircraft technology proposed to be used by the person submitting the proposal;

“(iii) the experience of the person submitting the proposal with commercial air tour operations over other national parks or scenic areas;

PUBLIC LAW 106-181—APR. 5, 2000

114 STAT. 187

“(iv) the financial capability of the person submitting the proposal;

“(v) any training programs for pilots provided by the person submitting the proposal; and

“(vi) responsiveness of the person submitting the proposal to any relevant criteria developed by the National Park Service for the affected park.

“(C) NUMBER OF OPERATIONS AUTHORIZED.—In determining the number of authorizations to issue to provide commercial air tour operations over a national park, the Administrator, in cooperation with the Director, shall take into consideration the provisions of the air tour management plan, the number of existing commercial air tour operators and current level of service and equipment provided by any such operators, and the financial viability of each commercial air tour operation.

“(D) COOPERATION WITH NPS.—Before granting an application under this paragraph, the Administrator, in cooperation with the Director, shall develop an air tour management plan in accordance with subsection (b) and implement such plan.

“(E) TIME LIMIT ON RESPONSE TO ATMP APPLICATIONS.—The Administrator shall make every effort to act on any application under this paragraph and issue a decision on the application not later than 24 months after it is received or amended.

Deadline.

“(F) PRIORITY.—In acting on applications under this paragraph to provide commercial air tour operations over a national park, the Administrator shall give priority to an application under this paragraph in any case in which a new entrant commercial air tour operator is seeking operating authority with respect to that national park.

“(3) EXCEPTION.—Notwithstanding paragraph (1), commercial air tour operators may conduct commercial air tour operations over a national park under part 91 of the title 14, Code of Federal Regulations if—

“(A) such activity is permitted under part 119 of such title;

“(B) the operator secures a letter of agreement from the Administrator and the national park superintendent for that national park describing the conditions under which the operations will be conducted; and

“(C) the total number of operations under this exception is limited to not more than five flights in any 30-day period over a particular park.

“(4) SPECIAL RULE FOR SAFETY REQUIREMENTS.—Notwithstanding subsection (c), an existing commercial air tour operator shall apply, not later than 90 days after the date of the enactment of this section, for operating authority under part 119, 121, or 135 of title 14, Code of Federal Regulations. A new entrant commercial air tour operator shall apply for such authority before conducting commercial air tour operations over a national park or tribal lands. The Administrator shall make every effort to act on any such application for a new entrant and issue a decision on the application not later than 24 months after it is received or amended.

114 STAT. 188  
Deadlines.

“(b) AIR TOUR MANAGEMENT PLANS.—

## “(1) ESTABLISHMENT.—

“(A) IN GENERAL.—The Administrator, in cooperation with the Director, shall establish an air tour management plan for any national park or tribal land for which such a plan is not in effect whenever a person applies for authority to conduct a commercial air tour operation over the park. The air tour management plan shall be developed by means of a public process in accordance with paragraph (4).

“(B) OBJECTIVE.—The objective of any air tour management plan shall be to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations upon the natural and cultural resources, visitor experiences, and tribal lands.

“(2) ENVIRONMENTAL DETERMINATION.—In establishing an air tour management plan under this subsection, the Administrator and the Director shall each sign the environmental decision document required by section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) which may include a finding of no significant impact, an environmental assessment, or an environmental impact statement and the record of decision for the air tour management plan.

“(3) CONTENTS.—An air tour management plan for a national park—

“(A) may prohibit commercial air tour operations in whole or in part;

“(B) may establish conditions for the conduct of commercial air tour operations, including commercial air tour routes, maximum or minimum altitudes, time-of-day restrictions, restrictions for particular events, maximum number of flights per unit of time, intrusions on privacy on tribal lands, and mitigation of noise, visual, or other impacts;

“(C) shall apply to all commercial air tour operations within ½ mile outside the boundary of a national park;

“(D) shall include incentives (such as preferred commercial air tour routes and altitudes, relief from caps and curfews) for the adoption of quiet aircraft technology by commercial air tour operators conducting commercial air tour operations at the park;

“(E) shall provide for the initial allocation of opportunities to conduct commercial air tour operations if the plan includes a limitation on the number of commercial air tour operations for any time period; and

“(F) shall justify and document the need for measures taken pursuant to subparagraphs (A) through (E) and include such justifications in the record of decision.

“(4) PROCEDURE.—In establishing an air tour management plan for a national park or tribal lands, the Administrator and the Director shall—

“(A) hold at least one public meeting with interested parties to develop the air tour management plan;

“(B) publish the proposed plan in the Federal Register for notice and comment and make copies of the proposed plan available to the public;

PUBLIC LAW 106-181—APR. 5, 2000

114 STAT. 189

“(C) comply with the regulations set forth in sections 1501.3 and 1501.5 through 1501.8 of title 40, Code of Federal Regulations (for purposes of complying with the regulations, the Federal Aviation Administration shall be the lead agency and the National Park Service is a cooperating agency); and

“(D) solicit the participation of any Indian tribe whose tribal lands are, or may be, overflowed by aircraft involved in a commercial air tour operation over the park or tribal lands to which the plan applies, as a cooperating agency under the regulations referred to in subparagraph (C).

Native Americans.

“(5) JUDICIAL REVIEW.—An air tour management plan developed under this subsection shall be subject to judicial review.

“(6) AMENDMENTS.—The Administrator, in cooperation with the Director, may make amendments to an air tour management plan. Any such amendments shall be published in the Federal Register for notice and comment. A request for amendment of an air tour management plan shall be made in such form and manner as the Administrator may prescribe.

Federal Register, publication.

“(c) INTERIM OPERATING AUTHORITY.—

“(1) IN GENERAL.—Upon application for operating authority, the Administrator shall grant interim operating authority under this subsection to a commercial air tour operator for commercial air tour operations over a national park or tribal lands for which the operator is an existing commercial air tour operator.

“(2) REQUIREMENTS AND LIMITATIONS.—Interim operating authority granted under this subsection—

“(A) shall provide annual authorization only for the greater of—

“(i) the number of flights used by the operator to provide the commercial air tour operations within the 12-month period prior to the date of the enactment of this section; or

“(ii) the average number of flights per 12-month period used by the operator to provide such operations within the 36-month period prior to such date of enactment, and, for seasonal operations, the number of flights so used during the season or seasons covered by that 12-month period;

“(B) may not provide for an increase in the number of commercial air tour operations conducted during any time period by the commercial air tour operator above the number that the air tour operator was originally granted unless such an increase is agreed to by the Administrator and the Director;

114 STAT. 190

“(C) shall be published in the Federal Register to provide notice and opportunity for comment;

Federal Register, publication.

“(D) may be revoked by the Administrator for cause;

“(E) shall terminate 180 days after the date on which an air tour management plan is established for the park or tribal lands;

Termination date.

“(F) shall promote protection of national park resources, visitor experiences, and tribal lands;

“(G) shall promote safe commercial air tour operations;

“(H) shall promote the adoption of quiet technology, as appropriate; and

“(I) shall allow for modifications of the interim operating authority based on experience if the modification improves protection of national park resources and values and of tribal lands.

“(3) NEW ENTRANT AIR TOUR OPERATORS.—

“(A) IN GENERAL.—The Administrator, in cooperation with the Director, may grant interim operating authority under this paragraph to an air tour operator for a national park or tribal lands for which that operator is a new entrant air tour operator if the Administrator determines the authority is necessary to ensure competition in the provision of commercial air tour operations over the park or tribal lands.

“(B) SAFETY LIMITATION.—The Administrator may not grant interim operating authority under subparagraph (A) if the Administrator determines that it would create a safety problem at the park or on the tribal lands, or the Director determines that it would create a noise problem at the park or on the tribal lands.

“(C) ATMP LIMITATION.—The Administrator may grant interim operating authority under subparagraph (A) of this paragraph only if the air tour management plan for the park or tribal lands to which the application relates has not been developed within 24 months after the date of the enactment of this section.

“(d) EXEMPTIONS.—This section shall not apply to—

“(1) the Grand Canyon National Park; or

“(2) tribal lands within or abutting the Grand Canyon National Park.

“(e) LAKE MEAD.—This section shall not apply to any air tour operator while flying over or near the Lake Mead National Recreation Area, solely as a transportation route, to conduct an air tour over the Grand Canyon National Park.

“(f) DEFINITIONS.—In this section, the following definitions apply:

“(1) COMMERCIAL AIR TOUR OPERATOR.—The term ‘commercial air tour operator’ means any person who conducts a commercial air tour operation.

“(2) EXISTING COMMERCIAL AIR TOUR OPERATOR.—The term ‘existing commercial air tour operator’ means a commercial air tour operator that was actively engaged in the business of providing commercial air tour operations over a national park at any time during the 12-month period ending on the date of the enactment of this section.

“(3) NEW ENTRANT COMMERCIAL AIR TOUR OPERATOR.—The term ‘new entrant commercial air tour operator’ means a commercial air tour operator that—

“(A) applies for operating authority as a commercial air tour operator for a national park or tribal lands; and

“(B) has not engaged in the business of providing commercial air tour operations over the national park or tribal lands in the 12-month period preceding the application.

“(4) COMMERCIAL AIR TOUR OPERATION.—

PUBLIC LAW 106-181—APR. 5, 2000

114 STAT. 191

“(A) IN GENERAL.—The term ‘commercial air tour operation’ means any flight, conducted for compensation or hire in a powered aircraft where a purpose of the flight is sightseeing over a national park, within ½ mile outside the boundary of any national park, or over tribal lands, during which the aircraft flies—

“(i) below a minimum altitude, determined by the Administrator in cooperation with the Director, above ground level (except solely for purposes of takeoff or landing, or necessary for safe operation of an aircraft as determined under the rules and regulations of the Federal Aviation Administration requiring the pilot-in-command to take action to ensure the safe operation of the aircraft); or

“(ii) less than 1 mile laterally from any geographic feature within the park (unless more than ½ mile outside the boundary).

“(B) FACTORS TO CONSIDER.—In making a determination of whether a flight is a commercial air tour operation for purposes of this section, the Administrator may consider—

“(i) whether there was a holding out to the public of willingness to conduct a sightseeing flight for compensation or hire;

“(ii) whether a narrative that referred to areas or points of interest on the surface below the route of the flight was provided by the person offering the flight;

“(iii) the area of operation;

“(iv) the frequency of flights conducted by the person offering the flight;

“(v) the route of flight;

“(vi) the inclusion of sightseeing flights as part of any travel arrangement package offered by the person offering the flight;

“(vii) whether the flight would have been canceled based on poor visibility of the surface below the route of the flight; and

“(viii) any other factors that the Administrator and the Director consider appropriate.

“(5) NATIONAL PARK.—The term ‘national park’ means any unit of the National Park System.

“(6) TRIBAL LANDS.—The term ‘tribal lands’ means Indian country (as that term is defined in section 1151 of title 18) that is within or abutting a national park.

“(7) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Aviation Administration.

“(8) DIRECTOR.—The term ‘Director’ means the Director of the National Park Service.”

114 STAT. 192

(b) CONFORMING AMENDMENT.—The analysis for chapter 401 (as amended by section 706(b) of this Act) is further amended by adding at the end the following:

“40128. Overflights of national parks.”.

(c) COMPLIANCE WITH OTHER REGULATIONS.—For purposes of section 40126 of title 49, United States Code—

114 STAT. 192

PUBLIC LAW 106-181—APR. 5, 2000

(1) regulations issued by the Secretary of Transportation and the Administrator under section 3 of Public Law 100-91 (16 U.S.C. 1a-1 note); and

(2) commercial air tour operations carried out in compliance with the requirements of those regulations, shall be deemed to meet the requirements of such section 40126.

Arizona.  
Nevada.  
Deadline.

**SEC. 804. QUIET AIRCRAFT TECHNOLOGY FOR GRAND CANYON.**

Reports.

(a) **QUIET TECHNOLOGY REQUIREMENTS.**—Within 12 months after the date of the enactment of this Act, the Administrator shall designate reasonably achievable requirements for fixed-wing and helicopter aircraft necessary for such aircraft to be considered as employing quiet aircraft technology for purposes of this section. If the Administrator determines that the Administrator will not be able to make such designation before the last day of such 12-month period, the Administrator shall transmit to Congress a report on the reasons for not meeting such time period and the expected date of such designation.

Regulations.

(b) **ROUTES OR CORRIDORS.**—In consultation with the Director and the advisory group established under section 805, the Administrator shall establish, by rule, routes or corridors for commercial air tour operations (as defined in section 40126(e)(4) of title 49, United States Code) by fixed-wing and helicopter aircraft that employ quiet aircraft technology for—

(1) tours of the Grand Canyon originating in Clark County, Nevada; and

(2) “local loop” tours originating at the Grand Canyon National Park Airport, in Tusayan, Arizona, provided that such routes or corridors can be located in areas that will not negatively impact the substantial restoration of natural quiet, tribal lands, or safety.

(c) **OPERATIONAL CAPS.**—Commercial air tour operations by any fixed-wing or helicopter aircraft that employs quiet aircraft technology and that replaces an existing aircraft shall not be subject to the operational flight allocations that apply to other commercial air tour operations of the Grand Canyon, provided that the cumulative impact of such operations does not increase noise at the Grand Canyon.

(d) **MODIFICATION OF EXISTING AIRCRAFT TO MEET STANDARDS.**—A commercial air tour operation by a fixed-wing or helicopter aircraft in a commercial air tour operator’s fleet on the date of the enactment of this Act that meets the requirements designated under subsection (a), or is subsequently modified to meet the requirements designated under subsection (a), may be used for commercial air tour operations under the same terms and conditions as a replacement aircraft under subsection (c) without regard to whether it replaces an existing aircraft.

(e) **MANDATE TO RESTORE NATURAL QUIET.**—Nothing in this Act shall be construed to relieve or diminish—

114 STAT. 193

(1) the statutory mandate imposed upon the Secretary of the Interior and the Administrator of the Federal Aviation Administration under Public Law 100-91 (16 U.S.C. 1a-1 note) to achieve the substantial restoration of the natural quiet and experience at the Grand Canyon National Park; and

(2) the obligations of the Secretary and the Administrator to promulgate forthwith regulations to achieve the substantial

## PUBLIC LAW 106-181—APR. 5, 2000

114 STAT. 193

restoration of the natural quiet and experience at the Grand Canyon National Park.

**SEC. 805. ADVISORY GROUP.**

49 USC 40128  
note.  
Deadline.

(a) **ESTABLISHMENT.**—Not later than 1 year after the date of the enactment of this Act, the Administrator and the Director of the National Park Service shall jointly establish an advisory group to provide continuing advice and counsel with respect to commercial air tour operations over and near national parks.

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The advisory group shall be composed of—

(A) a balanced group of—

- (i) representatives of general aviation;
- (ii) representatives of commercial air tour operators;
- (iii) representatives of environmental concerns;
- and
- (iv) representatives of Indian tribes;

(B) a representative of the Federal Aviation Administration; and

(C) a representative of the National Park Service.

(2) **EX OFFICIO MEMBERS.**—The Administrator (or the designee of the Administrator) and the Director (or the designee of the Director) shall serve as ex officio members.

(3) **CHAIRPERSON.**—The representative of the Federal Aviation Administration and the representative of the National Park Service shall serve alternating 1-year terms as chairman of the advisory group, with the representative of the Federal Aviation Administration serving initially until the end of the calendar year following the year in which the advisory group is first appointed.

(c) **DUTIES.**—The advisory group shall provide advice, information, and recommendations to the Administrator and the Director—

(1) on the implementation of this title and the amendments made by this title;

(2) on commonly accepted quiet aircraft technology for use in commercial air tour operations over a national park or tribal lands, which will receive preferential treatment in a given air tour management plan;

(3) on other measures that might be taken to accommodate the interests of visitors to national parks; and

(4) at the request of the Administrator and the Director, safety, environmental, and other issues related to commercial air tour operations over a national park or tribal lands.

(d) **COMPENSATION; SUPPORT; FACILITATION.**—

(1) **COMPENSATION AND TRAVEL.**—Members of the advisory group who are not officers or employees of the United States, while attending conferences or meetings of the group or otherwise engaged in its business, or while serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(2) **ADMINISTRATIVE SUPPORT.**—The Federal Aviation Administration and the National Park Service shall jointly furnish to the advisory group clerical and other assistance.

114 STAT. 194

(3) NONAPPLICATION OF FACAs.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the advisory group.

\* \* \* \* \*

Deadlines.  
49 USC 40128  
note.

**SEC. 807. REPORTS.**

(a) OVERFLIGHT FEE REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall transmit to Congress a report on the effects overflight fees are likely to have on the commercial air tour operation industry. The report shall include, but shall not be limited to—

(1) the viability of a tax credit for the commercial air tour operators equal to the amount of any overflight fees charged by the National Park Service; and

(2) the financial effects proposed offsets are likely to have on Federal Aviation Administration budgets and appropriations.

(b) QUIET AIRCRAFT TECHNOLOGY REPORT.—Not later than 2 years after the date of the enactment of this Act, the Administrator and the Director of the National Park Service shall jointly transmit a report to Congress on the effectiveness of this title in providing incentives for the development and use of quiet aircraft technology.

49 USC 40128  
note.

**SEC. 808. METHODOLOGIES USED TO ASSESS AIR TOUR NOISE.**

Any methodology adopted by a Federal agency to assess air tour noise in any unit of the national park system (including the Grand Canyon and Alaska) shall be based on reasonable scientific methods.

\* \* \* \* \*

Approved April 5, 2000.

**LEGISLATIVE HISTORY—H.R. 1000 (S. 82) (S. 1467):**

HOUSE REPORTS: Nos. 106-167 and Pt. 2 (Comm. on Transportation and Infrastructure) and 106-513 (Comm. of Conference).

SENATE REPORTS: No. 106-9 accompanying S. 82 (Comm. on Commerce, Science, and Transportation).

**CONGRESSIONAL RECORD:**

Vol. 145 (1999): June 15, considered and passed House.  
Oct. 5, considered and passed Senate, amended, in lieu of S. 82.

Vol. 146 (2000): Mar. 8, Senate agreed to conference report.  
Mar. 15, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):  
Apr. 5, Presidential statement.



PUBLIC LAW 106-249—JULY 26, 2000

114 STAT. 619

Public Law 106-249  
106th Congress

An Act

To direct the Secretary of the Interior to convey the Griffith Project to the Southern Nevada Water Authority.

July 26, 2000  
[S. 986]

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

Griffith Project  
Prepayment and  
Conveyance Act.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Griffith Project Prepayment and Conveyance Act”.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) The term “Authority” means the Southern Nevada Water Authority, organized under the laws of the State of Nevada.

(2) The term “Griffith Project” means the Robert B. Griffith Water Project, authorized by and constructed pursuant to the Southern Nevada Water Project Act, Public Law 89-292, as amended (commonly known as the “Southern Nevada Water Project Act”) (79 Stat. 1068), including pipelines, conduits, pumping plants, intake facilities, aqueducts, laterals, water storage and regulatory facilities, electric substations, and related works and improvements listed pursuant to “Robert B. Griffith Water Project (Formerly Southern Nevada Water Project), Nevada: Southern Clark County, Lower Colorado Region Bureau of Reclamation”, on file at the Bureau of Reclamation and all interests in land acquired under Public Law 89-292, as amended.

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

(4) The term “Acquired Land(s)” means all interests in land, including fee title, right(s)-of-way, and easement(s), acquired by the United States from non-Federal sources by purchase, donation, exchange, or condemnation pursuant to Public Law 89-292, as amended for the Griffith Project.

(5) The term “Public Land” means lands which have never left Federal ownership and are under the jurisdiction of the Bureau of Land Management.

(6) The term “Withdrawn Land” means Federal lands which are withdrawn from settlement, sale, location of minerals, or entry under some or all of the general land laws and are reserved for a particular public purpose pursuant to Public Law 89-292, as amended, under the jurisdiction of the Bureau of Reclamation, or are reserved pursuant to Public Law 88-639 under the jurisdiction of the National Park Service.

**SEC. 3. CONVEYANCE OF GRIFFITH PROJECT.**

(a) IN GENERAL.—In consideration of the Authority assuming from the United States all liability for administration, operation, maintenance, and replacement of the Griffith Project and subject to the prepayment by the Authority of the Federal repayment amount of \$121,204,348 (which amount shall be increased to reflect any accrued unpaid interest and shall be decreased by the amount of any additional principal payments made by the Authority after September 15, 1999, prior to the date on which prepayment occurs), the Secretary shall, pursuant to the provisions of this Act—

(1) convey and assign to the Authority all of the right, title, and interest of the United States in and to improvements and facilities of the Griffith Project in existence as of the date of this Act;

(2) convey and assign to the Authority all of the right, title, and interest of the United States to Acquired Lands that were acquired for the Griffith Project; and

(3) convey and assign to the Authority all interests reserved and developed as of the date of this Act for the Griffith Project in lands patented by the United States.

(b) Pursuant to the authority of this section, from the effective date of conveyance of the Griffith Project, the Authority shall have a right-of-way at no cost across all Public Land and Withdrawn Land—

(1) on which the Griffith Project is situated; and

(2) across any Federal lands as reasonably necessary for the operation, maintenance, replacement, and repair of the Griffith Project, including existing access routes.

Rights-of-way established by this section shall be valid for as long as they are needed for municipal water supply purposes and shall not require payment of rental or other fee.

Deadline.

(c) Within twelve months after the effective date of this Act—

(1) the Secretary and the Authority shall agree upon a description of the land subject to the rights-of-way established by subsection (b) of this section; and

(2) the Secretary shall deliver to the Authority a document memorializing such rights-of-way.

(d) REPORT.—If the conveyance under subsection (a) has not occurred within twelve months after the effective date of this Act, the Secretary shall submit to Congress a report on the status of the conveyance.

**SEC. 4. RELATIONSHIP TO EXISTING CONTRACTS.**

The Secretary and the Authority may modify Contract No. 7-07-30-W0004 and other contracts and land permits as necessary to conform to the provisions of this Act.

**SEC. 5. RELATIONSHIP TO OTHER LAWS AND FUTURE BENEFITS.**

(a) If the Authority changes the use or operation of the Griffith Project, the Authority shall comply with all applicable laws and regulations governing the changes at that time.

Effective date.

(b) On conveyance of the Griffith Project under section 3 of this Act, the Act of June 17, 1902 (43 U.S.C. 391 et seq.), and all Acts amendatory thereof or supplemental thereto shall not apply to the Griffith Project. Effective upon transfer, the lands and facilities transferred pursuant to this Act shall not be entitled to receive any further Reclamation benefits pursuant to the Act of June 17,

## PUBLIC LAW 106-249—JULY 26, 2000

114 STAT. 621

1902, and all Acts amendatory thereof or supplemental thereto attributable to their status as a Federal Reclamation Project, and the Griffith Project shall no longer be a Federal Reclamation Project.

(c) Nothing in this Act shall transfer or affect Federal ownership, rights, or interests in Lake Mead National Recreation Area associated lands, nor affect the authorities of the National Park Service to manage Lake Mead National Recreation Area including lands on which the Griffith Project is located consistent with the Act of August 25, 1916 (39 Stat. 535), Public Law 88-639, October 8, 1964 (78 Stat. 1039), or any other applicable legislation, regulation, or policy.

(d) Nothing in this Act shall affect the application of Federal reclamation law to water delivered to the Authority pursuant to any contract with the Secretary under section 5 of the Boulder Canyon Project Act.

(e) Effective upon conveyance of the Griffith Project and acquired interests in land under section 3 of this Act, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on its prior ownership of the conveyed property.

Effective date.

Approved July 26, 2000.

---

LEGISLATIVE HISTORY—S. 986:

HOUSE REPORTS: No. 106-717 (Comm. on Resources).

SENATE REPORTS: No. 106-173 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Nov. 19, considered and passed Senate.

Vol. 146 (2000): July 10, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

July 29, Presidential statement.



116 STAT. 1994

PUBLIC LAW 107-282—NOV. 6, 2002

Public Law 107-282  
107th Congress

An Act

Nov. 6, 2002  
[H.R. 5200]

To establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.

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

Clark County  
Conservation of  
Public Land and  
Natural  
Resources Act of  
2002.  
16 USC  
460qqq note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Clark County Conservation of Public Land and Natural Resources Act of 2002”.

\* \* \* \* \*

116 STAT. 1999

TITLE II—WILDERNESS AREAS

**SEC. 201. FINDINGS.**

The Congress finds that—

(1) public land in the County contains unique and spectacular natural resources, including—

(A) priceless habitat for numerous species of plants and wildlife; and

(B) thousands of acres of pristine land that remain in a natural state;

(2) continued preservation of those areas would benefit the County and all of the United States by—

(A) ensuring the conservation of ecologically diverse habitat;

(B) conserving primitive recreational resources; and

(C) protecting air and water quality.

**SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.**

16 USC 1132  
note.

(a) ADDITIONS.—The following land in the State is designated as wilderness and as components of the National Wilderness Preservation System:

\* \* \* \* \*

(2) BLACK CANYON WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 17,220 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Black Canyon Wilderness”.

(3) BRIDGE CANYON WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 7,761 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Bridge Canyon Wilderness”.

(4) ELDORADO WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 31,950 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated

October 1, 2002, which shall be known as the “Eldorado Wilderness”.

(5) IRETEBA PEAKS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 32,745 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Ireteba Peaks Wilderness”.

(6) JIMBILNAN WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 18,879 acres, as generally depicted on the map entitled “Muddy Mountains”, dated October 1, 2002, which shall be known as the “Jimbilnan Wilderness”.

\* \* \* \* \*

(11) MUDDY MOUNTAINS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of land managed by the Bureau of Land Management, comprising approximately 48,019 acres, as generally depicted on the map entitled “Muddy Mountains”, dated October 1, 2002, which shall be known as the “Muddy Mountains Wilderness”.

(12) NELLIS WASH WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 16,423 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Nellis Wash Wilderness”.

\* \* \* \* \*

(14) PINTO VALLEY WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 39,173 acres, as generally depicted on the map entitled “Muddy Mountains”, dated October 1, 2002, which shall be known as the “Pinto Valley Wilderness”.

116 STAT. 2001

\* \* \* \* \*

(17) SPIRIT MOUNTAIN WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 33,518 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Spirit Mountain Wilderness”.

\* \* \* \* \*

(b) BOUNDARY.—

(1) LAKE OFFSET.—The boundary of any portion of a wilderness area designated by subsection (a) that is bordered by Lake Mead, Lake Mohave, or the Colorado River shall be 300 feet inland from the high water line.

(2) ROAD OFFSET.—The boundary of any portion of a wilderness area designated by subsection (a) that is bordered by a road shall be at least 100 feet from the edge of the road to allow public access.

116 STAT. 2001

PUBLIC LAW 107-282—NOV. 6, 2002

## (c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of each wilderness area designated by subsection (a) with the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—Each map and legal description shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map or legal description.

Public inspection.

(3) AVAILABILITY.—Each map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management, National Park Service, or Forest Service, as applicable.

(d) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas designated in this section are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

116 STAT. 2002

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

**SEC. 203. ADMINISTRATION.**

(a) MANAGEMENT.—Subject to valid existing rights, each area designated as wilderness by this title shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior with respect to lands administered by the Secretary of the Interior.

\* \* \* \* \*

(c) INCORPORATION OF ACQUIRED LANDS AND INTERESTS.—Any land or interest in land within the boundaries of an area designated as wilderness by this title that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the wilderness area within which the acquired land or interest is located.

(d) WATER RIGHTS.—

(1) FINDINGS.—Congress finds that—

(A) the lands designated as Wilderness by this Act are within the Mojave Desert, are arid in nature, and include ephemeral streams;

(B) the hydrology of the lands designated as wilderness by this Act is locally characterized by complex flow patterns and alluvial fans with impermanent channels;

(C) the subsurface hydrogeology of the region is characterized by ground water subject to local and regional flow gradients and artesian aquifers;

(D) the lands designated as wilderness by this Act are generally not suitable for use or development of new

PUBLIC LAW 107-282—NOV. 6, 2002

116 STAT. 2002

water resource facilities and there are no actual or proposed water resource facilities and no opportunities for diversion, storage, or other uses of water occurring outside such lands that would adversely affect the wilderness or other values of such lands; and

(E) because of the unique nature and hydrology of these desert lands designated as wilderness by this Act and the existence of the Clark County Multi-Species Habitat Conservation Plan it is possible to provide for proper management and protection of the wilderness, perennial springs and other values of such lands in ways different from those used in other legislation.

(2) STATUTORY CONSTRUCTION.—

(A) Nothing in this Act shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the lands designated as Wilderness by this Act.

116 STAT. 2003

(B) Nothing in this Act shall affect any water rights in the State of Nevada existing on the date of the enactment of this Act, including any water rights held by the United States.

(C) Nothing in this subsection shall be construed as establishing a precedent with regard to any future wilderness designations.

(D) Nothing in this Act shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State of Nevada and other States.

(E) Nothing in this subsection shall be construed as limiting, altering, modifying, or amending the Clark County Multi-Species Habitat Conservation Plan (MSHCP) with respect to the lands designated as Wilderness by this Act including the MSHCP's specific management actions for the conservation of perennial springs.

(3) NEVADA WATER LAW.—The Secretary shall follow the procedural and substantive requirements of the law of the State of Nevada in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the wilderness areas designated by this Act.

(4) NEW PROJECTS.—

(A) As used in this paragraph, the term “water resource” facility means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, and other water diversion, storage, and carriage structures. The term “water resource” facility does not include wildlife guzzlers.

(B) Except as otherwise provided in this Act, on and after the date of the enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within the wilderness areas designated by this Act.

**SEC. 204. ADJACENT MANAGEMENT.**

(a) IN GENERAL.—Congress does not intend for the designation of wilderness in the State pursuant to this title to lead to the creation of protective perimeters or buffer zones around any such wilderness area.

(b) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness designated under this title shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

**SEC. 205. MILITARY OVERFLIGHTS.**

Nothing in this title restricts or precludes—

(1) low-level overflights of military aircraft over the areas designated as wilderness by this title, including military overflights that can be seen or heard within the wilderness areas;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the wilderness areas.

116 STAT. 2004

**SEC. 206. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.**

Nothing in this Act shall be construed to diminish the rights of any Indian Tribe. Nothing in this Act shall be construed to diminish tribal rights regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food-gathering activities.

\* \* \* \* \*

116 STAT. 2005

**SEC. 208. WILDLIFE MANAGEMENT.**

(a) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the wilderness areas designated by this title.

(b) MANAGEMENT ACTIVITIES.—In furtherance of the purposes and principles of the Wilderness Act, management activities to maintain or restore fish and wildlife populations and the habitats to support such populations may be carried out within wilderness areas designated by this title where consistent with relevant wilderness management plans, in accordance with appropriate policies such as those set forth in Appendix B of House Report 101-405, including the occasional and temporary use of motorized vehicles, if such use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values and accomplish those purposes with the minimum impact necessary to reasonably accomplish the task.

(c) EXISTING ACTIVITIES.—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)) and in accordance with appropriate policies such as those set forth in Appendix B of House Report 101-405, the State may continue to use aircraft, including helicopters, to survey, capture, transplant, monitor, and provide water for wildlife populations, including bighorn sheep, and feral stock, horses, and burros.

(d) WILDLIFE WATER DEVELOPMENT PROJECTS.—Subject to subsection (f), the Secretary shall, authorize structures and facilities, including existing structures and facilities, for wildlife water development projects, including guzzlers, in the wilderness areas designated by this title if—

(1) the structures and facilities will, as determined by the Secretary, enhance wilderness values by promoting healthy, viable and more naturally distributed wildlife populations; and

(2) the visual impacts of the structures and facilities on the wilderness areas can reasonably be minimized.

(e) HUNTING, FISHING, AND TRAPPING.—The Secretary may designate by regulation areas in consultation with the appropriate State agency (except in emergencies), in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the wilderness areas designated by this title.

(f) COOPERATIVE AGREEMENT.—No later than one year after the date of enactment of this Act, the Secretary shall enter into a cooperative agreement with the State of Nevada. The cooperative agreement shall specify the terms and conditions under which the State (including a designee of the State) may use wildlife management activities in the wilderness areas designated by this title.

Deadline.

**SEC. 209. WILDFIRE MANAGEMENT.**

Consistent with section 4 of the Wilderness Act (16 U.S.C. 1133), nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) to manage wildfires in the wilderness areas designated by this title.

**SEC. 210. CLIMATOLOGICAL DATA COLLECTION.**

116 STAT. 2006

Subject to such terms and conditions as the Secretary may prescribe, nothing in this title precludes the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas designated by this title if the facilities and access to the facilities are essential to flood warning, flood control, and water reservoir operation activities.

**SEC. 211. NATIONAL PARK SERVICE LANDS.**

To the extent any of the provisions of this title are in conflict with laws, regulations, or management policies applicable to the National Park Service for Lake Mead National Recreation Area, those laws, regulations, or policies shall control.

**TITLE III—TRANSFERS OF ADMINISTRATIVE JURISDICTION**

\* \* \* \* \*

**SEC. 302. TRANSFER OF ADMINISTRATIVE JURISDICTION TO NATIONAL PARK SERVICE.**

16 USC 460n-1 note.

(a) IN GENERAL.—Administrative jurisdiction over the parcel of land described in subsection (b) is transferred from the Bureau of Land Management to the National Park Service for inclusion in the Lake Mead National Recreation Area.

(b) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (a) is the approximately 10 acres of Bureau of Land

116 STAT. 2006

PUBLIC LAW 107-282—NOV. 6, 2002

Management land, as depicted on the map entitled “Eldorado/Spirit Mountain” and dated October 1, 2002.

(c) USE OF LAND.—The parcel of land described in subsection (b) shall be used by the National Park Service for administrative facilities.

\* \* \* \* \*

116 STAT. 2019

Approved November 6, 2002.

---

LEGISLATIVE HISTORY—H.R. 5200 (S. 2612):

HOUSE REPORTS: No. 107-750 (Comm. on Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Oct. 16, considered and passed House.

Oct. 17, considered and passed Senate.



9. Lake Roosevelt

PUBLIC LAW 107-63—NOV. 5, 2001

115 STAT. 414

Public Law 107-63  
107th Congress

An Act

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

Nov. 5, 2001  
[H.R. 2217]

*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, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes, namely:

Department of the Interior and Related Agencies Appropriations Act, 2002.

TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

115 STAT. 436

\* \* \* \* \*

SEC. 114. A grazing permit or lease that expires (or is transferred) during fiscal year 2002 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa-50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority: *Provided*, That any Federal lands included within the boundary of Lake Roosevelt National Recreation Area, as designated by the Secretary of the Interior on April 5, 1990, (Lake Roosevelt Cooperative Management Agreement) that were utilized as of March 31, 1997, for grazing purposes pursuant to a permit issued by the National Park Service, the person or persons so utilizing such lands as of March 31, 1997, shall be entitled to renew said permit under such terms and conditions as the Secretary may prescribe, for the lifetime of the permittee or 20 years, whichever is less.

115 STAT. 438

115 STAT. 439

\* \* \* \* \*

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2002”.

Approved November 5, 2001.

---

LEGISLATIVE HISTORY—H.R. 2217:

HOUSE REPORTS: No. 107-103 (Comm. on Appropriations) and 107-234 (Comm. of Conference).

SENATE REPORTS: No. 107-36 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 147 (2001):

June 21, considered and passed House.

July 11, 12, considered and passed Senate, amended.

Oct. 17, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Nov. 5, Presidential statement.



**10. Santa Monica Mountains**

PUBLIC LAW 107-236—OCT. 9, 2002

116 STAT. 1483

Public Law 107-236  
107th Congress

**An Act**

To adjust the boundaries of Santa Monica Mountains National Recreation Area,  
and for other purposes.

Oct. 9, 2002  
[H.R. 640]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Santa Monica Mountains National  
Recreation Area Boundary Adjustment Act”.

Santa Monica  
Mountains  
National  
Recreation Area  
Adjustment Act.  
California.  
16 USC 1 note.

**SEC. 2. BOUNDARY ADJUSTMENT.**

Section 507(c) of the National Parks and Recreation Act of  
1978 (92 Stat. 3501; 16 U.S.C. 460kk) establishing Santa Monica  
Mountains National Recreation Area is amended—

(1) in paragraph (1), by striking “Boundary Map, Santa  
Monica Mountains National Recreation Area, California, and  
Santa Monica Mountains Zone’, numbered SMM-NRA 80,000,  
and dated May 1978” and inserting “Santa Monica Mountains  
National Recreation Area and Santa Monica Mountains Zone,  
California, Boundary Map’, numbered 80,047-C and dated  
August 2001”; and

(2) by adding the following sentence after the third sentence  
of paragraph (2)(A): “Lands within the ‘Wildlife Corridor Expans-  
ion Zone’ identified on the boundary map referred to in para-  
graph (1) may be acquired only by donation or with donated  
funds.”.

**SEC. 3. TECHNICAL CORRECTIONS.**

Section 507 of the National Parks and Recreation Act of 1978  
(92 Stat. 3501; 16 U.S.C. 460kk) establishing Santa Monica Moun-  
tains National Recreation Area is amended—

(1) in subsection (c)(1), by striking “Committee on Natural  
Resources” and inserting “Committee on Resources”;

(2) in subsection (c)(2)(B), by striking “of certain” in the  
first sentence and inserting “certain”; and

116 STAT. 1484

PUBLIC LAW 107-236—OCT. 9, 2002

(3) in subsection (n)(5), by striking “laws” in the second sentence and inserting “laws,”.

Approved October 9, 2002.

---

LEGISLATIVE HISTORY—H.R. 640:

HOUSE REPORTS: No. 170-90 (Comm. on Resources).

SENATE REPORTS: No. 107-204 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 147 (2001): June 6, considered and passed House.

Vol. 148 (2002): Aug. 1, considered and passed Senate, amended.

Sept. 24, House concurred in Senate amendment.

