

XVI. NATIONAL RESERVES

1. City of Rocks

PUBLIC LAW 100-696—NOV. 18, 1988

102 STAT. 4571

Public Law 100-696  
100th Congress

An Act

To provide for the designation and, conservation of certain lands in the States of Arizona and Idaho, and for other purposes.

Nov. 18, 1988  
[S. 2840]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act be cited as the "Arizona-Idaho Conservation Act of 1988".*

Arizona-Idaho  
Conservation  
Act of 1988.

\* \* \* \* \*

TITLE II—CITY OF ROCKS NATIONAL RESERVE

102 STAT. 4573

ESTABLISHMENT OF CITY OF ROCKS NATIONAL RESERVE

SEC. 201. (a) There is hereby established the City of Rocks National Reserve (hereinafter referred to as the "reserve"), in order to preserve and protect the significant historical and cultural resources; to manage recreational use; to protect and maintain scenic quality; and to interpret the nationally significant values of the reserve.

Historic  
preservation.  
16 USC 460yy.

(b) The reserve shall include approximately fourteen thousand three hundred and twenty acres as depicted on the map entitled "Boundary Map, City of Rocks National Reserve, Idaho" numbered P30-80,005 and dated October 1987. The map shall be on file in the offices of the National Park Service, Department of the Interior and the Offices of the Governor, State of Idaho.

(c) Within six months after the enactment of this title, the Secretary of the Interior (hereinafter in this title referred to as the "Secretary") shall file a legal description of the reserve designated under this section with the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate. Such legal description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such legal description and in the map referred to in subsection (b). The legal description shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior and the offices of the Governor of the State of Idaho.

102 STAT. 4574

Public  
information.

## PLAN AND MANAGEMENT OF RESERVE

State and local  
governments.  
16 USC 460yy-1.

SEC. 202. (a) To achieve the purpose of this title, the Secretary, acting through the National Park Service, in cooperation with appropriate State and Federal agencies, local units of government and local residents shall formulate a comprehensive plan for the protection, preservation, and interpretation of the reserve. The plan shall identify those areas or zones within the reserve which would most appropriately be devoted to—

- (1) public use and development;
- (2) historic and natural preservation; and
- (3) private use subject to appropriate local ordinances designed to protect the historic rural setting.

(b) Within eighteen months following the date of enactment of this section, the Secretary shall transmit the plan to the President of the Senate and the Speaker of the House of Representatives and to the Governor of the State of Idaho.

(c) At such time as the State or appropriate units of local government having jurisdiction over land use within the reserve have enacted ordinances or established regulations which in the judgment of the Secretary will protect and preserve the historic and natural features of the area in accordance with the comprehensive plan, the Secretary shall, pursuant to cooperative agreement—

- (1) transfer management and administration over all or any part of the property acquired under subsection (d) of this section to the State or appropriate units of local government;
- (2) provide technical assistance to such State or units of local government in the management, protection, and interpretation of the reserve; and

Grants.

- (3) make periodic grants, which shall be supplemental to any other funds to which the grantee may be entitled under any other provision of law, to such State or local unit of government to carry out the purposes of this title.

(d)(1) The Secretary is authorized to acquire such lands and interests as he determines are necessary to accomplish the purposes of this title by donation, purchase with donated funds, or appropriated funds, or exchange, except that the Secretary may not acquire the fee simple title to any land without the consent of the owner. The Secretary shall, in addition, give prompt and careful consideration to any offer made by an individual owning property within the reserve to sell such property, if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship.

102 STAT. 4575

(2) Lands and waters, and interests therein, within the boundaries of the reserve which were administered by the Forest Service, United States Department of Agriculture or the Bureau of Land Management, Department of the Interior prior to the date of enactment of this title are hereby transferred to the administrative jurisdiction of the Secretary to be administered by the National Park Service in accordance with this title.

(3) Lands and interest therein so acquired shall, so long as responsibility for management and administration remains with the United States, be administered by the Secretary subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and in a manner consistent with the purpose of this title.

(e) If, after the transfer of management and administration of any lands pursuant to subsection (c) of this section, the Secretary determines that the reserve is not being managed in a manner consistent with the purposes of this title, he shall so notify the appropriate officers of the State or local unit of government to which such transfer was made and provide for a one hundred and eighty-day period in which the transferee may make such modifications in applicable laws, ordinances, rules, and procedures as will be consistent with such purposes. If, upon the expiration of such one hundred and eighty-day period, the Secretary determines that such modifications have not been made or are inadequate, he shall withdraw the management and administration from the transferee and he shall manage such lands in accordance with the provisions of this title.

(f) Congress finds that there are unique circumstances with respect to the water and water related resources within the Reserve designated by this title. The Congress recognizes that the management of this area may be transferred to the State of Idaho, that the State has committed to providing the water necessary to fulfill the purposes of this title, and that there is little or no water or water-related resources that require the protection of a Federal reserved water right. Nothing in this title, nor any action taken pursuant thereto, shall constitute either an express or implied reservation of water or water right for any purpose: *Provided*, That the United States shall retain that reserved water right which is associated with the initial establishment and withdrawal of the national forest lands which will be transferred to the Reserve under this title.

Water.

(g) Subject to valid existing rights, Federal lands and interests therein, within the reserve, are hereby withdrawn from disposition under the public land laws and from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, and from operation of the Geothermal Steam Act of 1970, as amended.

(h) There is hereby authorized to be appropriated not to exceed \$2,000,000 to carry out the provisions of this title.

Appropriation authorization.

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Approved November 18, 1988.

102 STAT. 4612

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**LEGISLATIVE HISTORY**—S. 2840 (S. 252) (S. 2352) (H.R. 4519):  
**HOUSE REPORTS:** No. 100-744, Pt. 1, accompanying H.R. 4519 (Comm. on Interior and Insular Affairs) and Pt. 2 (Comm. on Veterans' Affairs).  
**SENATE REPORTS:** No. 100-525 accompanying S. 252 (Comm. on Energy and Natural Resources), No. 100-553 accompanying S. 2352 (Comm. on Energy and Natural Resources), and No. 100-539 accompanying H.R. 4519 (Comm. on Energy and Natural Resources).  
**CONGRESSIONAL RECORD**, Vol. 134 (1988):  
 July 27, H.R. 4519 considered and passed House.  
 Oct. 13, S. 2840 considered and passed Senate.  
 Oct. 20, considered and passed House, amended. Senate concurred in House amendments.

104 STAT. 1915

PUBLIC LAW 101-512—NOV. 5, 1990

Public Law 101-512  
101st Congress

An Act

Nov. 5, 1990  
[H.R. 5769]

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1991, and for other purposes.

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

\* \* \* \* \*  
TITLE I—DEPARTMENT OF THE INTERIOR

104 STAT. 1920 \* \* \* \* \* NATIONAL PARK SERVICE

104 STAT. 1923 \* \* \* \* \* ADMINISTRATIVE PROVISIONS

16 USC 460yy-1 note. . . . *Provided further,* That with respect to lands and waters under the jurisdiction of the Secretary of the Interior within the City of Rocks National Reserve established by title II of Public Law 100-696, the Secretary shall hereafter permit hunting in accordance with the otherwise applicable laws of the United States and the State of Idaho, except that he may designate zones where and periods when no hunting may be permitted for reasons of public safety, administration, floral and faunal protection and management, or public use and enjoyment: . . .

104 STAT. 1977 \* \* \* \* \* Approved November 5, 1990.

LEGISLATIVE HISTORY—H.R. 5769:  
HOUSE REPORTS: No. 101-789 (Comm. on Appropriations) and No. 101-971 (Comm. of Conference).  
SENATE REPORTS: No. 101-534 (Comm. on Appropriations).  
CONGRESSIONAL RECORD, Vol. 136 (1990):  
Oct. 12, 15, considered and passed House.  
Oct. 22-24, considered and passed Senate, amended.  
Oct. 27, House and Senate agreed to conference report,  
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 26 (1990):  
Nov. 5, Presidential statement.

**2. Pinelands**

PUBLIC LAW 100-486—OCT. 13, 1988

102 STAT. 2429

Public Law 100-486  
100th Congress

**An Act**

To authorize the Secretary of the Interior to provide for the development and operation of a visitor and environmental education center in the Pinelands National Reserve, in the State of New Jersey.

Oct. 13, 1988  
[S. 1165]

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

SECTION 1. PINELANDS INTERPRETATIVE AND EDUCATIONAL PROGRAM;  
INTERIOR DEPARTMENT STUDY AND RECOMMENDATIONS.

Section 502 of the National Parks and Recreation Act of 1978 (Public Law 95-625; 16 U.S.C. 471i) is amended by adding at the end the following new subsection:

“(1) PINELANDS INTERPRETATIVE AND EDUCATIONAL PROGRAM;  
INTERIOR DEPARTMENT STUDY AND RECOMMENDATIONS.—

“(1) STUDY AND RECOMMENDATIONS FOR INTERPRETATIVE AND EDUCATIONAL PROGRAM.—For the purpose of enhancing public understanding, awareness, and appreciation with respect to the natural and cultural resources of the Pine Barrens area of New Jersey, the Secretary shall, within 9 months after the enactment of this subsection, study and recommend appropriate initiatives to provide an educational and interpretative program for the Reserve. The Secretary shall conduct such study in consultation with the planning entity and the appropriate departments and agencies of the State of New Jersey.

“(2) ITEMS INCLUDED.—The study and recommendations required by this subsection shall include, but not be limited to each of the following:

“(A) interpretative and informational materials, exhibits, films, lectures, and other devices and educational methods.

“(B) A plan to provide for educational and interpretative programs for the Reserve, considering among other things the improvement of existing facilities and interpretative programs in the Reserve, including the possible use of existing facilities such as Whitesbog, Batsto, Double Trouble State Park and Stockton State College.

“(C) The use and enhancement of existing fire towers in the Reserve to serve as observation platforms.

“(D) The appropriate role for departments and agencies of the State of New Jersey and the Federal Government in implementing the program.

“(3) STUDY OF DEVELOPMENT CREDIT BANK AND DEVELOPMENT CREDIT SYSTEM.—The Secretary is authorized and directed to study the State of New Jersey Pinelands Development Credit Bank and Pinelands Development Credit System, and to submit to the Congress within 9 months after enactment of this subsection such recommendations as the Secretary determines appropriate for improvements of the operation of the State Pinelands Development Credit Bank and the overall Pinelands Development Credit Program.

102 STAT. 2430

PUBLIC LAW 100-486—OCT. 13, 1988

“(4) STUDY OF MUNICIPAL COUNCIL.—The Secretary shall study the Pinelands Municipal Council, and submit to the Congress within 9 months after enactment of this subsection such recommendations as the Secretary determines appropriate for improvements of the operation of the council.

Appropriation  
authorization.

“(5) CONTRACTS AND AGREEMENTS.—The Secretary may enter into such contracts and agreements with the State of New Jersey and other public and private entities as may be necessary and appropriate to carry out the authorities and responsibilities of the Secretary under this subsection. For purposes of this subsection, there is authorized to be appropriated not more than \$500,000 to prepare and complete the study pursuant to paragraph (1) and \$3,000,000 to implement the recommendations of such study upon its approval by the Congress, the Federal share of which may not exceed 75 percent of the total cost.”.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

16 USC 4711.

Section 502(k) of the National Parks and Recreation Act of 1978 is amended by inserting “(1)” before the first full sentence thereof, and adding at the end thereof the following new paragraph:

“(2) In addition to other funds authorized pursuant to this subsection, there are hereby authorized to be appropriated not to exceed \$14,500,000 for land acquisition, the Federal share of which may not exceed 50 percent of the total cost. Land acquisition pursuant to this subsection shall be carried out in accordance with the requirements of subsection (h) of this section insofar as such requirements are not inconsistent with this paragraph. Such acquisitions shall also be carried out in a manner consistent with the management plan and shall include—

“(A) lands located within the preservation area of the National Reserve which is designated in the management plan;

“(B) lands that are within the areas protected by the management plan and that are threatened by adverse development or have critical ecological values; or

“(C) lands that have limited practical use because of their location in the Reserve and that are held by landowners who both own less than 50 acres in the Reserve and have exhausted existing remedies to secure relief.

Additional funds contributed by the State to the Pinelands Development Bank after enactment of this Act, not to exceed \$5,000,000, may be counted as part of the State share of land acquisition funds.”.

Approved October 13, 1988.

LEGISLATIVE HISTORY—S. 1165:

HOUSE REPORTS: No 100-933 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No 100-244 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 133 (1987): Dec. 11, considered and passed Senate.

Vol. 134 (1988): Sept. 20, considered and passed House, amended.

Sept. 30, Senate concurred in House amendment.