donors of the oil, gas, or other minerals, or their successors, heirs, devisees, or assigns.

Administration.

SEC. 4. The Guadalupe Mountains National Park shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

Availability of certain funds.

SEC. 5. Any funds available for the purpose of administering the five thousand six hundred and thirty-two acres of lands previously donated to the United States in Culberson County, Texas, shall upon establishment of the Guadalupe Mountains National Park pursuant to this Act be available to the Secretary for purposes of such park.

Appropriation.

SEC. 6. There are hereby authorized to be appropriated such sums, but not more than $1,800,000 in all, as may be necessary for the acquisition of lands and interest in lands, and not more than $10,362,000, as may be necessary for the development of the Guadalupe Mountains National Park.

Approved October 15, 1966.

Public Law 89-668

October 15, 1966
[H. R. 8678]

AN ACT

To establish in the State of Michigan the Pictured Rocks National Lakeshore, and for other purposes.

Pictured Rocks National Lakeshore, Mich. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve for the benefit, inspiration, education, recreational use, and enjoyment of the public a significant portion of the diminishing shoreline of the United States and its related geographic and scientific features, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to take appropriate action, as herein provided, to establish in the State of Michigan the Pictured Rocks National Lakeshore.

SEC. 2. The area comprising that particular land and water depicted on the map identified as "Proposed Pictured Rocks National Lakeshore, United States Department of the Interior, National Park Service, Boundary Map, NL–PR–7100A, July 1966", which is on file and available for public inspection in the office of the National Park Service of the Department of the Interior, is hereby designated for establishment as the Pictured Rocks National Lakeshore. An exact copy of such map shall be filed for publication in the Federal Register within thirty days following the date of enactment of this Act.

Publication in Federal Register.

SEC. 3. As soon as practicable after the date of enactment of this Act and following the acquisition by the Secretary of an acreage within the boundaries of the area which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Pictured Rocks National Lakeshore by publication of notice thereof in the Federal Register.

Pictured Rocks National Lakeshore Advisory Commission.

SEC. 4. (a) There is hereby established a Pictured Rocks National Lakeshore Advisory Commission. Said commission shall terminate ten years after the date the lakeshore is established pursuant to this Act.

(b) The commission shall be composed of five members, each appointed for a term of two years by the Secretary, as follows:

(1) Two members to be appointed from recommendations made by the county in which the lakeshore is situated;

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(2) Two members to be appointed from recommendations made by the Governor of the State of Michigan; and

(3) One member to be designated by the Secretary.

(c) The Secretary shall designate one member to be chairman. Any vacancy in the commission shall be filled in the same manner in which the original appointment was made.

(d) Members of the commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the commission in carrying out its responsibilities under this Act on vouchers signed by the chairman.

(e) The Secretary or his designee shall, from time to time, consult with the commission with respect to the matters relating to the development of the Pictured Rocks National Lakeshore.

Hunting and fishing.

SEC. 5. In administering the lakeshore the Secretary shall permit hunting and fishing on lands and waters under his jurisdiction in accordance with the applicable laws of the United States and of Michigan. The Secretary, after consultation with the Michigan Department of Conservation, may designate zones and establish periods where and when no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment. The Secretary shall, after consultation with such department, issue regulations, consistent with this section, as he may determine necessary to carry out the purposes of this section.

Administration.

SEC. 6. (a) The administration, protection, and development of the Pictured Rocks National Lakeshore shall be exercised by the Secretary, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

(b) In the administration, protection, and development of the lakeshore, the Secretary shall prepare and implement a land and water use management plan, which shall include specific provision for—

(1) development of facilities to provide the benefits of public recreation, including a scenic shoreline drive;

(2) protection of scenic, scientific, and historic features contributing to public enjoyment; and

(3) such protection, management, and utilization (subject to the provisions of sections 9 and 10 of this Act) of renewable natural resources, including forage and forest products, as in the judgment of the Secretary is consistent with, and does not significantly impair public recreation and protection of scenic, scientific, and historic features contributing to public enjoyment.

SEC. 7. Nothing in this Act shall be construed as prohibiting any governmental jurisdiction in the State of Michigan from assessing taxes upon any interest in real estate retained under the provisions of section 11 of this Act to the owner of such interest.

Acquisition of property, etc.

SEC. 8. (a) The Secretary is authorized, subject to the limitations, conditions, and restrictions imposed by this Act, to acquire the land, water, and other property, and improvements thereon, and any interests therein (including easements) within the boundary described in section 2 of this Act by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or condemnation; except that such authority to acquire by condemnation shall be exercised only in the manner and to the extent specifically authorized in this Act.

(b) In exercising his authority to acquire property under this Act, the Secretary shall give immediate and careful consideration to any offer made by an individual owning property within the lakeshore to sell such property to the Secretary. In considering any such offer, the Secretary shall take into consideration any hardship to the owner which might result from any undue delay in acquiring his property.

(c) Any property or interests therein, owned by the State of Michigan, or any political subdivisions thereof, may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act.

(d) The Secretary shall make every reasonable effort to acquire property through negotiation and purchase. Where agreement is not reached and condemnation proceedings are filed, the owner of such property shall be paid the fair market value thereof as determined in such proceedings.

(e) Nothing in this Act shall be construed to prohibit the use of condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances.

(f) In exercising his authority to acquire property by exchange the Secretary may accept title to any non-Federal property within the area designated by section 2 of this Act for inclusion in the lakeshore, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction within the State of Michigan which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal or, if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

Preservation of shoreline, etc.

SEC. 9. (a) The area hereinafter described in subsection (b) of this section is hereby established as an inland buffer zone in order to stabilize and protect the existing character and uses of the lands, waters, and other properties within such zone for the purpose of preserving the setting of the shoreline and lakes, protecting the watersheds and streams, and providing for the fullest economic utilization of the renewable resources through sustained yield timber management and other resource management compatible with the purposes of this Act.

"Inland buffer zone."

(b) As used in this Act, the term "inland buffer zone" means that part of the lakeshore delineated as such on the map identified as "Proposed Pictured Rocks National Lakeshore, United States Department of the Interior, National Park Service, Boundary Map, NL–PR–7100A, July, 1966". The Secretary shall file the map with the Office of the Federal Register, and it may also be examined in the Offices of the Department of the Interior.

Boundary map, filing with Federal Register.

SEC. 10. The Secretary shall be prohibited from acquiring by condemnation any (1) improved property within the inland buffer zone, or (2) property within the inland buffer zone during all times when, in his judgment, such property is being used (A) for the growing and harvesting of timber under a scientific program of selective cutting and forest management, or (B) for commercial purposes, if such commercial purposes are the same such purposes for which such property is being used on December 31, 1964, so long as the use of such improved or other property would further the purposes of this Act and such use does not impair the usefulness and attractiveness of the lakeshore.

"Improved property."

(b) As used in this Act, the term "improved property" shall mean any one-family dwelling on which construction was begun before December 31, 1964, together with so much of the land on which the

dwelling is situated (such land being in the same ownership as the dwelling) as shall be reasonably necessary for the enjoyment of the dwelling.

Noncommercial residency provisions.

SEC. 11. (a) Any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain, for a term of not to exceed twenty-five years, or for a term ending at the death of such owner or owners, the right of use and occupancy of such property for any residential purpose which is not incompatible with the purposes of this Act or which does not impair the usefulness and attractiveness of the area designated for inclusion. The Secretary shall pay to the owner the value of the property on the date of such acquisition, less the value on such date of the right retained by the owner. Where any such owner retains a right of use and occupancy as herein provided, such right during its existence may be conveyed or leased for noncommercial residential purposes in accordance with the provisions of this section.

(b) Any deed or other instrument used to transfer title to property, with respect to which a right of use and occupancy is retained under this section, shall provide that such property shall not be used for any purpose which is incompatible with purposes of this Act, or which impairs the usefulness and attractiveness of the lakeshore and if it should be so used, the Secretary shall have authority to terminate such right. In the event the Secretary exercises his power of termination under this subsection he shall pay to the owner of the right terminated an amount equal to the value of that portion of such right which remained unexpired on the date of such termination.

Leasing authority.

(c) Any land acquired by the Secretary under this Act on which there is situated a cottage or hunting lodge which, on December 31, 1964, was under lease to any lessee or lessees shall, if such lease is in effect on the date such land is so acquired, be acquired by the Secretary subject to such lease and the right of such lessee or lessees to continue using the property covered by such lease in accordance with the provisions thereof. Upon the expiration of such lease, the Secretary shall have the authority to enter into a lease with such lessee or lessees authorizing them to continue using such cottage or lodge (as the case may be) for a term of not to exceed twenty-five years, or for a term ending at the death of such lessee or lessees, subject to such conditions as may be prescribed by the Secretary.

Zoning bylaws.

SEC. 12. The Secretary shall, at the request of any township or county in or adjacent to the lakeshore affected by this Act, assist and consult with the appropriate officers and employees of such township or county in establishing zoning bylaws. Such assistance may include payments to the county or township for technical aid.

SEC. 13. The Secretary shall furnish to any interested person requesting the same a certificate indicating, with respect to any property which the Secretary has been prohibited from acquiring by condemnation in accordance with provisions of this Act, that such authority is prohibited and the reasons therefor.

Appropriation.

SEC. 14. There are hereby authorized to be appropriated not more than $6,873,000 for the acquisition of lands and interests in land in connection with, and not more than $6,348,000 for development of, the Pictured Rocks National Lakeshore.

Approved October 15, 1966.