Public Law 96-520
96th Congress

An Act

To provide that a certain portion of Lake Erie shall be declared nonnavigable.

Dec. 12, 1980
[H.R. 8228]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That portion of the Erie Basin in the Buffalo Harbor lying within the following described area is hereby declared to be not a navigable water of the United States within the meaning of the Constitution and the laws of the United States:

Lake Erie, nonnavigable portion.
33 USC 59q.

All that piece or parcel of land, situate, lying and being in the city of Buffalo, County of Erie, State of New York, being part of outer lots 2, 4, 6, 8, 10, 12, and 14, 3, 5, 7, 9, 11, and 15, Buffalo Village, township 11, range 8 of the Holland Land Company's survey and also being part of the New York State Mile Strip Reservation, lots 4, 5, 14, and 15, and the abandoned rights-of-way of Georgia Street (66 feet wide), Erie Street (99 feet wide) and River Street (60 feet wide), and Genesee Street (99 feet wide):

Description.

Beginning at the point of intersection of the northerly right-of-way line of Erie Street (99 feet wide) with the westerly blue line of the former Erie Canal, now the westerly line of P.S.C. grade crossing elimination case numbered 5472;

thence south 60 degrees 59 minutes 41 seconds west along said northerly right-of-way of Erie Street, 200.19 feet to a point;

thence continuing along said northerly right-of-way, the following courses and distances, south 14 degrees 39 minutes 13 seconds west 6.89 feet to a point;

thence south 61 degrees 00 minutes 11 seconds west 35.15 feet to a point of curvature;

thence along a curve to the left of 195.0 feet radius an arc distance of 154.86 feet to a point of tangency;

thence south 15 degrees 30 minutes 00 seconds west 333.34 feet to a point of curvature;

thence along a curve to the right of 273.0 feet radius, an arc distance of 367.28 feet to a point of tangency, said point being in the northerly right-of-way of the Marina Access Road;

thence continuing along said right-of-way line, the following courses and distances north 87 degrees 25 minutes 00 seconds west 241.90 feet to a point of curvature;

thence along a curve to the right of 1,493.00 feet radius an arc distance of 141.14 feet to a point of reverse curvature;

thence along a curve to the left of 487.26 feet radius an arc distance of 139.90 feet to a point of tangency;

thence south 81 degrees 32 minutes 59 seconds west 59.44 feet to a point;

thence north 08 degrees 43 minutes 10 seconds west along a line 266.54 feet to a point on the waters edge of the Erie Basin as now existing;

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thence along the following courses and distances along said Erie Basin north 69 degrees 52 minutes 33 seconds east along a line 139.85 feet to a point;
thence north 61 degrees 05 minutes 54 seconds east along a line 255.80 feet to a point;
thence north 15 degrees 47 minutes 39 seconds west along a line 74.47 feet to a point;
thence north 88 degrees 38 minutes 07 seconds west along a line 120.08 feet to a point;
thence north 48 degrees 37 minutes 57 seconds west along a line 78.12 feet to a point;
thence north 18 degrees 38 minutes 10 seconds west along a line 113.53 feet to a point;
thence north 41 degrees 22 minutes 02 seconds east along a line 77.56 feet to a point;
thence north 61 degrees 21 minutes 56 seconds east along a line 277.91 feet to a point;
thence north 28 degrees 37 minutes 56 seconds west along a line 65.59 feet to a point;
thence south 69 degrees 22 minutes 05 seconds west along a line 205.24 feet to a point;
thence north 53 degrees 38 minutes 06 seconds west along a line 120.28 feet to a point;
thence north 13 degrees 35 minutes 39 seconds west along a line 348.76 feet to a point;
thence north 14 degrees 50 minutes 41 seconds east along a line 39.52 feet to a point;
thence north 36 degrees 39 minutes 44 seconds east along a line 69.55 feet to a point;
thence north 61 degrees 47 minutes 02 seconds east along a line 20.14 feet to a point;
thence south 38 degrees 59 minutes 02 seconds east along a line 5.68 feet to a point;
thence north 60 degrees 15 minutes 46 seconds east along a line 116.70 feet to a point;
thence north 28 degrees 41 minutes 22 seconds west along a line 71.77 feet to a point;
thence south 61 degrees 01 minutes 06 seconds west along a line 116.16 feet to a point;
thence south 40 degrees 01 minutes 24 seconds west along a line 3.54 feet to a point;
thence south 61 degrees 38 minutes 00 seconds west along a line 26.80 feet to a point;
thence south 78 degrees 35 minutes 17 seconds west along a line 62.24 feet to a point;
thence north 57 degrees 34 minutes 24 seconds west along a line 155.64 feet to a point;
thence south 41 degrees 52 minutes 34 seconds west along a line 210.98 feet to a point;
thence south 72 degrees 42 minutes 05 seconds west along a line 58.68 feet to a point;
thence north 48 degrees 06 minutes 56 seconds west along a line 92.12 feet to a point;
thence north 11 degrees 03 minutes 41 seconds east along a line 60.10 feet to a point;
thence north 41 degrees 51 minutes 30 seconds east along a line 277.79 feet to a point;

thence north 48 degrees 31 minutes 25 seconds west along a line 246.32 feet to a point;
thence south 41 degrees 58 minutes 24 seconds west along a line 340.29 feet to a point;
thence south 73 degrees 49 minutes 18 seconds west along a line 57.42 feet to a point;
thence north 48 degrees 06 minutes 07 seconds west along a line 92.12 feet to a point;
thence north 11 degrees 06 minutes 02 seconds east along a line 60.09 feet to a point;
thence north 41 degrees 52 minutes 59 seconds east along a line 229.52 feet to a point;
thence north 39 degrees 01 minutes 22 seconds west along a line 1060.30 feet to a point in the northerly boundary of abandoned Georgia Street (66 feet wide);
thence north 55 degrees 22 minutes 10 seconds east along said boundary 895.12 feet to a point in the westerly blue line of the former Erie Canal;
thence south 36 degrees 07 minutes 00 seconds east along said blue line 66.02 feet to a point;
thence south 55 degrees 22 minutes 10 seconds west 6.0 feet to a point;
thence south 36 degrees 07 minutes 00 seconds east 377.01 feet to a point;
thence north 55 degrees 22 minutes 10 seconds east 6.0 feet to a point in the said blue line;
thence on the following courses and distances along said blue line south 36 degrees 07 minutes 00 seconds east 1,144.41 feet to a point;
thence south 53 degrees 53 minutes 03 seconds west 2.65 feet to a point;
thence south 36 degrees 07 minutes 10 seconds east 192.43 feet to a point;
thence south 36 degrees 24 minutes 34 seconds east 100.03 feet to a point;
thence south 36 degrees 26 minutes 22 seconds east 310.03 feet to a point;
thence south 40 degrees 25 minutes 16 seconds east 227.11 feet to a point in the north line of the former Peacock Slip numbered 1;
thence south 27 degrees 10 minutes 49 seconds east 99.66 feet to a point in the south line of the former Peacock Slip numbered 1;
thence north 62 degrees 49 minutes 43 seconds east along said south line 40.14 feet to a point in the said blue line;
thence south 50 degrees 58 minutes 05 seconds east along said blue line 49.31 feet;
thence south 36 degrees 28 minutes 10 seconds east 382.36 feet to a point;
thence south 38 degrees 33 minutes 02 seconds east along said blue line 63.20 feet to the point or place of beginning, containing 64.48 acres, more or less.

Levees, construction.

SEC. 2. Any Federal project submitted for authorization for construction of new levees or modification of existing levees for the control of floods within the Rio Grande from Bernalillo, New Mexico, to Belen, New Mexico, shall not require raising or modification of existing bridge structures within the project area to pass river flows in excess of that the bridges can now accommodate and estimated to be 42,000 cubic feet per second.

Nonnavigable waters.
33 USC 59r.

SEC. 3. Those portions of the Trent River in the city of New Bern, county of Craven, State of North Carolina, bounded and described in Committee Print 95-56 of the Committee on Public Works and Transportation of the House of Representatives are hereby declared to be nonnavigable waters of the United States within the meaning of the laws of the United States.

Approved December 12, 1980.

LEGISLATIVE HISTORY:

CONGRESSIONAL RECORD, Vol. 126 (1980):
Sept. 30, considered and passed House; considered and passed Senate, amended.
Nov. 21, House concurred in Senate amendment.