Public Law 97-335
97th Congress

An Act

Relating to the establishment of a permanent boundary for that portion of the Acadia National Park as lies within the town of Isle au Haut, Maine.

Oct. 15, 1982
[S. 1777]

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

Acadia National Park, Maine, boundary establishment.
16 USC 341 note.

(1) there are significant scenic, educational, natural, and cultural resources in the town of Isle au Haut, Maine;

(2) due to the isolated location and traditional resource-based economy of the town's island community, these resources are fragile and deserving of conservation and protection through both public and private efforts; and

(3) both residents of the town and visitors to the Acadia National Park will benefit from the establishment of a permanent boundary for the park and the management of parklands on a limited entry, low intensity basis.

Public inspection.
16 USC 341 note.

SEC. 2. Notwithstanding any other provision of law, the permanent boundary of Acadia National Park lying within the town of Isle au Haut, Maine, is hereby established to include only those lands and interests therein as are depicted on the map entitled "Boundary Map, Acadia National Park, Town of Isle au Haut, Maine", numbered 123-80003 and dated October 1981, which map is on file and available for public inspection in the offices of the Department of the Interior and at the Registry of Deeds for Hancock and Knox Counties, Maine.

Land acquistion.
16 USC 341 note.

SEC. 3. (a) Within the boundary established by section 2, and as indicated on the map referenced therein, the Secretary of the Interior (hereinafter referred to as "the Secretary") is authorized to acquire lands and interests therein by donation or exchange. The Secretary is authorized and directed to acquire by donation, purchase with donated or appropriated funds, or exchange the tract known as the Hamilton lot in Duck Harbor. No later than one hundred and eighty days from enactment hereof, the Secretary shall convey to the town of Isle au Haut all right, title and interest of the United States in and to those lands under the jurisdiction of the Secretary which lie outside the boundary established by section 2 and within the town of Isle au Haut, subject only to such covenants running with the land as the Secretary and the town agree are necessary to preserve the general character of such lands, which shall include covenants to maintain forever in their natural condition (excepting the cutting of fire trails and the extinguishment of fires) lands above three hundred feet above the mean high water level: *Provided, however,* That such covenants with respect to lands above three hundred feet and below four hundred feet shall permit the gathering and removal of dead and fallen timber.

Land conveyance.

Enforcement.

(b) Notwithstanding any other provisions of this Act, the Secretary is also authorized to accept by donation, as a coholder for enforcement purposes only, a limited enforcement interest in con-

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servation easements on lands outside the boundary established by section 2 hereof and within the town of Isle au Haut which may from time to time be donated to the Isle au Haut Land Conservation Trust, a trust established under the laws of the State of Maine. The Superintendent of Acadia National Park is hereby authorized to serve as an ex officio trustee of such trust.

Parkland preservation. 16 USC 341 note.

SEC. 4. (a) The management and use of parklands on Isle au Haut shall not interfere with the maintenance of a viable local community with a traditional resource-based economy outside the boundary of the park. To the maximum extent practicable, no development or plan for the convenience of park visitors shall be undertaken which would be incompatible with the preservation of the flora and fauna or the physiographic conditions now prevailing, and every effort shall be exerted to maintain and preserve this portion of the park in as nearly its present state and condition as possible. In recognition of the special fragility and sensitivity of the park's resources, visitation shall be strictly limited to assure negligible adverse impact on such resources, to conserve the character of the town and to protect the quality of the visitor experience.

Report.

(b) In furtherance of the purpose of subsection (a) of this section, the Secretary shall prepare a report establishing carrying capacities for the Isle au Haut portion of Acadia National Park. The report shall be prepared and the carrying capacities established with public participation and in consultation with the town of Isle au Haut and other interested parties.

Report to congressional committees.

(c) The Secretary shall transmit the report to the Energy and Natural Resources Committee of the Senate and the Interior and Insular Affairs Committee of the House of Representatives no later than six months from the date of enactment of this Act. The Secretary shall begin implementing the carrying capacities contained in the report sixty days after the report has been transmitted to the committees.

Review and revision.

(d) Carrying capacities established pursuant to this section shall be reviewed, and if necessary revised, every five years. Any revision in such carrying capacity shall be made in accordance with the procedures set forth in subsections (b) and (c) of this section.

(e) Until such time as a carrying capacity limitation is established and implemented pursuant to subsections (b) and (c) of this section, the Secretary shall take such temporary measures as are necessary to assure that visitation does not exceed the average annual visitation for the period 1979 to 1981.

SEC. 5. There are hereby authorized to be appropriated after October 1, 1982, such sums as may be necessary to carry out the provisions of this Act.

Appropriation authorization.
16 USC 341 note.

Approved October 15, 1982.

LEGISLATIVE HISTORY—S. 1777:

SENATE REPORT No. 97-425 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 128 (1982):
June 10, considered and passed Senate.
Sept. 30, considered and passed House.