Public Law 97-405
97th Congress

An Act

Jan. 3, 1983
[S. 625]

To revise the boundary of Voyageurs National Park in the State of Minnesota, and for other purposes.

Voyageurs National Park, Minn. Boundary revision.
84 Stat. 1970.
16 USC 160.
16 USC 160a-1.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the establishment of the Voyageurs National Park in the State of Minnesota, and for other purposes", approved January 8, 1971 (84 Stat. 1971), is amended—

(1) in section 102 by striking out "The" after "SEC. 102." and inserting in lieu thereof "(a) Except as provided in subsection (b) of this section, the";

16 USC 160a-1.

(2) by inserting after section 102(a), as redesignated by paragraph (1), the following new subsection:

"(b)(1) In addition to such revisions as the Secretary may make in the boundaries of the park from time to time pursuant to other provisions of law, the Secretary may, according to the provisions of subsection (a)—

"(A) delete approximately 782 acres in the Neil Point area of the park;

"(B) add approximately 180 acres in the Black Bay Narrows areas of the park;

"(C) add approximately 18.45 acres owned by the State of Minnesota at the Kabetogama Forestry Station;

"(D) add approximately 120 acres owned by the State of Minnesota, being a strip of land through that portion of section 1, township 68 north, range 20 west, fourth principal meridian, which is parallel to and 400 feet on both sides of the unimproved road extending northward from the Ash River Trail as such road crosses each section; and

"(E) subject to the provisions of paragraph (2), delete approximately 1,000 acres at Black Bay and convey such lands to the State of Minnesota.

Public inspection.

All of the aforementioned boundary changes if accomplished shall be accomplished such that the boundary of the park shall conform to that generally depicted on the drawing entitled "Boundary, Voyageurs National Park, United States Department of the Interior, National Park Service", numbered 172-80, 008-MWR, and dated November 1981, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

Land conveyances, conditions.

"(2) The Secretary may not delete or convey the lands referred to in paragraph (1)(E) unless, prior to or simultaneously with such deletion or conveyance and in consideration of such conveyance, the State of Minnesota—

"(A) tenders a conveyance of the lands described in paragraph (1) (C) and (D) to the United States by such instrument and in such manner as are satisfactory to the Secretary, including but not limited to lease or easement: *Provided,* That if the interest

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conveyed is a lease or easement, the State of Minnesota shall substitute therefore a transfer of all right, title, and interest in the land by June 30, 1987: *Provided further,* That if the State does not transfer all right, title, and interest in such lands by June 30, 1987, the land described in paragraph 1(E) shall revert to the United States for administration by the Secretary as part of the park; and

Land reversion to U.S.

"(B) enters into a recordable agreement satisfactory to the Secretary which provides that—

"(i) the State has established a wildlife management area in the area authorized to be deleted and conveyed to the State by paragraph (1)(E);

"(ii) the State has prepared a plan acceptable to the Secretary to manage all the waters of and State lands riparian to Black Bay (including all of the State-owned lands and waters of Rainy Lake) to preserve the natural resources of the area so as to complement to the fullest extent possible the purposes for which the park was established;

"(iii) the State shall not transfer any right, title, or interest in, or control over, any land described in paragraph (1)(E) to any person other than the Secretary; and

"(iv) the State shall permit access by the Secretary at reasonable times to the land described in paragraph (1)(E).

"(3) If at any time the State fails to comply with the material requirements of the agreement referred to in paragraph (2)(B), all right, title, and interest in the land described in paragraph (1)(E) shall revert to the United States for administration by the Secretary as part of the park. Such reversion shall take effect upon the delivery by the Secretary of notice to the State respecting such failure to comply without further notice or requirement for physical entry by the Secretary unless an action for judicial review is brought in the United States Court of Appeals for the appropriate circuit within ninety days following such notice. In any such action the court may issue such orders as are appropriate to carry out the requirements of this subsection.";

Agreement requirements, State noncompliance.

Judicial review.

(3) by adding after the last sentence of section 301(b) the following new sentence: "The President shall, no later than June 1, 1983, advise the United States Senate and House of Representatives of his recommendations with respect to the suitability or nonsuitability as wilderness of any area within the park."; and

Presidential recommendations to Congress. 16 USC 160f.

(4) in section 401—

(A) by inserting "(a)" after "SEC. 401.";

(B) by striking out "$26,014,000" and inserting in lieu thereof "$38,314,000"; and

Appropriations authorization. 16 USC 160k.

(C) by adding at the end the following new subsections:

"(b) The Secretary shall, in cooperation with other Federal, State, and local governmental entities and private entities experienced in the fields of outdoor recreation and visitor services, develop and implement a comprehensive plan for visitor use and overnight visitor facilities for the park. The plan shall set forth methods of achieving an appropriate level and type of visitation in order that the resources of the park and its environs may be interpreted for, and used and enjoyed by, the public in a manner consistent with the purposes for which the park was established. Such plan may include appropriate informational and educational messages and materials.

Visitor use and facilities plan.

In the development and implementation of such plan the Secretary may expend funds donated or appropriated for the purposes of this subsection. Effective October 1, 1983, there is authorized to be appropriated for the purposes of this subsection not to exceed $250,000, to remain available until expended.

Study, report to Congress.

"(c) The Secretary is directed to study existing road access to the park and to report to Congress on the impact of park-related use of those roads and to report specific recommendations on improvements necessary to insure adequate road access to the park. The Secretary is directed to report, within one year of the date of enactment of the Act which appropriates funds authorized under this subsection, to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate. Effective October 1, 1983, there is authorized to be appropriated for the purposes of this subsection not to exceed $75,000.

16 USC 460*l*-9.

"(d) For purposes of section 7(a)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9(a)(3)), the statutory ceilings on appropriations established by this section shall be deemed to be statutory ceilings contained in a provision of law enacted prior to the convening of the Ninety-fifth Congress.

Approved January 3, 1983.

LEGISLATIVE HISTORY—S. 625 (H.R. 846):

HOUSE REPORT No. 97-871 accompanying H.R. 846 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 97-423 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 128 (1982):
June 10, considered and passed Senate.
Sept. 29, H.R. 846 considered and passed House; proceedings vacated and S. 625, amended, passed in lieu.
Oct. 1, Senate concurred in House amendments with amendments.
Dec. 14, House concurred in certain Senate amendments and in another with an amendment.
Dec. 16, Senate agreed to House amendment.