Public Law 98-357
98th Congress

An Act

To establish a boundary for the Black Canyon of the Gunnison National Monument, and for other purposes.

July 13, 1984
[H.R. 3825]

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

Conservation.
National Park System.

SECTION 1. (a) The Congress finds that—

(1) the Black Canyon of the Gunnison National Monument (hereafter in this Act referred to as the "Monument") is an integral and widely recognized part of the national park system, and possesses outstanding recreational opportunities and natural characteristics of high value which, if properly managed, contribute as an enduring resource for the benefit of the American people;

(2) the preservation of these valuable resources is significantly threatened by increased development activity and the subdivision of adjacent private lands;

(3) the Monument does not have a boundary established by legislation; and

(4) it is in the best interest of the United States to establish the boundary of the Monument so as to encompass the lands described as being within the Monument and those private lands posing the most immediate threat to the visual quality of the area.

(b) The purpose of this Act is to establish a boundary for the Monument in order to promote, perpetuate, and preserve the character of the land and to preserve scenic and historic resources.

Public availability.
16 USC 431 note.

SEC. 2. (a) The boundary of the Monument shall be as generally depicted on the map entitled "Boundary Map, Black Canyon of the Gunnison National Monument", dated February 1984, and numbered 144-80,010-B, which shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior and in the office of the Park Superintendent, Black Canyon of the Gunnison National Monument.

(b) Not later than six months after the date of enactment of this Act, the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") shall file a legal description of the revised boundary with the Committee on Interior and Insular Affairs of the House of Representatives and 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 Act, except that corrections of clerical and typographical errors in such legal description (and in the map referred to in subsection (a)) may be made. Such legal descriptions shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior.

SEC. 3. (a) The Secretary is authorized to acquire lands or interests therein within the boundary of the Monument by donation, exchange, or purchase with donated or appropriated funds. The Secre-

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tary may acquire less than fee interests in such lands in cases where such interest will adequately protect the visual quality, natural, or cultural resources of the Monument: *Provided,* That the Secretary shall not acquire lands in fee interest unless the owner of such land concurs with such action.

(b) All lands under the administrative jurisdiction of the Secretary within the boundary of the Monument as of the date of enactment of this Act, shall be transferred to the administrative jurisdiction of the National Park Service to be administered as a part of the Monument.

(c) Upon request by a landowner, and if determined by the Secretary that such action would not be detrimental to the visual resources of the Monument, the Secretary shall permit as a condition of the acquisition of any less than fee interest in land under this Act—

(1) livestock grazing to continue at the levels and locations customarily exercised by the owner of such land prior to August 1, 1983, and

(2) commonly accepted operation and maintenance practices supporting livestock grazing to continue to be allowed, including the maintenance of domestic, livestock and agricultural water conveyance systems, and the construction and maintenance of required fencing and stock ponds.

(d) Subject to valid existing rights, federally owned lands and interests therein within the Monument are withdrawn from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, from operation of the Geothermal Steam Act of 1970, and from disposition under the public land laws.

30 USC 1001 note.

SEC. 4. The Secretary shall administer the Monument in accordance with the provisions of this Act and the provisions of law generally applicable to units of the National Park System including the Acts of August 25, 1916 (39 Stat. 535), and August 21, 1935 (49 Stat. 666).

43 USC 1457.
16 USC 461.

SEC. 5. Effective October 1, 1984, there is hereby authorized to be appropriated to the Department of the Interior such sums as may be necessary to carry out the provisions of this Act.

Effective date.
Appropriation authorization.

Approved July 13, 1984.

LEGISLATIVE HISTORY—H.R. 3825:

HOUSE REPORT No. 98-608 (Comm. on Interior and Insular Affairs).
CONGRESSIONAL RECORD, Vol. 130 (1984):
Mar. 5, considered and passed House.
June 28, considered and passed Senate.