

106TH CONGRESS  
2D SESSION

# H. R. 4299

To require Federal agencies responsible for managing Federal lake projects to pursue strategies for enhancing recreational experiences of the public at such lakes, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2000

Mr. DEAL of Georgia introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committees on Transportation and Infrastructure, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To require Federal agencies responsible for managing Federal lake projects to pursue strategies for enhancing recreational experiences of the public at such lakes, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Recreation  
5   Lakes Act”.

### 6   **SEC. 2. FINDINGS AND PURPOSES.**

7       (a) FINDINGS.—The Congress finds the following:

1           (1) Lakes created by Federal dam projects have  
2       become powerful magnets for diverse recreation ac-  
3       tivities, drawing hundreds of millions of visits annu-  
4       ally and generating tens of billions of dollars in eco-  
5       nomic benefits.

6           (2) Recreational opportunities are provided at  
7       such lakes, on surrounding lands, and on down-  
8       stream waters, by Federal agencies and through  
9       partnerships among Federal, State, and local gov-  
10      ernment agencies and private persons.

11      (b) PURPOSES.—The purposes of this Act are the fol-  
12     lowing:

13           (1) To require Federal agencies responsible for  
14       management of lakes created by Federal dam  
15       projects to pursue strategies for enhancing rec-  
16       reational experiences at such lakes.

17           (2) To direct Federal agencies to utilize creative  
18       management of lakes created by Federal dam  
19       projects that optimizes both recreational opportuni-  
20       ties and other purposes of such projects, including  
21       the provision of agricultural and municipal water  
22       supplies, flood control and navigation benefits, and  
23       production of hydroelectric power, as applicable.

24     **SEC. 3. DEFINITIONS.**

25       In this Act:

1           (1) COUNCIL.—The term “Council” means the  
2       Federal Lakes Recreation Leadership Council, an  
3       interdepartmental coordinating body established by a  
4       memorandum of agreement among the Secretary of  
5       Agriculture, the Secretary of the Army, the Sec-  
6       retary of the Interior, and the Chairman of the Ten-  
7       nessee Valley Authority dated October 27, 1999.

8           (2) FEDERAL MANMADE LAKE.—The term  
9       “Federal manmade lake” means—

10           (A) any impoundment or diversion of water  
11       that is part of a water resources project oper-  
12       ated, maintained, or constructed by any Federal  
13       agency and that has a maximum storage capac-  
14       ity of 50 acre feet or more; and

15           (B) any water downstream of such an im-  
16       poundment or diversion.

17           (3) FEDERAL LAKE MANAGEMENT AGENCY.—  
18       The term “Federal lake management agency” means  
19       any Federal agency that manages a Federal man-  
20       made lake.

21           (4) NATIONAL DEMONSTRATION LAKES.—The  
22       term “National Demonstration Lake” means a fed-  
23       eral manmade lake that is designated as a National  
24       Demonstration Lake in accordance with section 6.

1           (5) RECREATION.—The term “recreation”  
2 means—

3           (A) any water-related recreational activity  
4 that may take place on or in a Federal man-  
5 made lake, including boating, swimming, fish-  
6 ing, sailing, and diving;

7           (B) any water-related recreational activity  
8 that may take place below the impoundment  
9 creating a Federal manmade lake, including  
10 rafting, kayaking, canoeing, and fishing; and

11           (C) any recreational activities that take  
12 place on federally managed lands in the vicinity  
13 of the Federal manmade lake, including fishing  
14 and wildlife-related activities, that are allowed  
15 under existing land management plans.

16 **SEC. 4. RECREATION AS AUTHORIZED PURPOSE OF ALL**  
17 **FEDERAL MANMADE LAKE PROJECTS.**

18           (a) IN GENERAL.—The head of each Federal lake  
19 management agency shall—

20           (1) treat recreation as an authorized purpose of  
21 each Federal manmade lake that is managed by the  
22 agency; and

23           (2) give recreation appropriate attention in all  
24 agency decisions and policies relating to such Fed-  
25 eral manmade lakes.

1 (b) DOWNSTREAM WATERS.—The head of each Fed-  
2 eral agency shall, in conducting any activity relating to  
3 waters that are downstream waters of a Federal manmade  
4 lake, consider recreation uses of such waters.

5 (c) REPORTS.—

6 (1) INITIAL REPORT BY FEDERAL LAKE MAN-  
7 AGEMENT AGENCIES.—Not later than 12 months  
8 after the date of the enactment of this Act, the head  
9 of each Federal lake management agency shall sub-  
10 mit a report to the Congress and the Council that  
11 describes —

12 (A) actions taken by the agency to commu-  
13 nicate to personnel of the agency the require-  
14 ments of this Act and other laws relating to  
15 recreation use of Federal manmade lakes; and

16 (B) actions to be taken by the agency to  
17 expand recreation opportunities at Federal  
18 manmade lakes, including a schedule for taking  
19 such actions

20 (2) COUNCIL.—Not later than 36 months after  
21 the date of the enactment of this Act, and every 24  
22 months thereafter, the Council, or if the Council  
23 does not exist the head of each Federal lake man-  
24 agement agency that manages 50 or more Federal  
25 manmade lakes, shall submit a report to the Con-

1       gress describing actions take by the members of the  
2       Council or such agency, as applicable, to expand  
3       recreation opportunities at Federal manmade lakes.

4       (d) RELATIONSHIP TO OTHER LAW.—This Act does  
5       not affect—

6               (1) any other authorized purposes of any Fed-  
7       eral manmade lake;

8               (2) any contract entered into before the date of  
9       the enactment of this Act; or

10              (3) the authority of States to manage fish and  
11       wildlife.

12   **SEC. 5. RECREATION FEE DEMONSTRATION PROGRAM.**

13       Section 315 of the Land and Water Conservation  
14   Fund Act of 1965 (16 U.S.C. 460l–6a note) is amended—

15              (1) in subsection (a)—

16                      (A) by inserting “, the Bureau of Reclama-  
17       tion,” after “the National Park Service”;

18                      (B) by striking “Service) and” and insert-  
19       ing “Service),”; and

20                      (C) by inserting before “shall each” the  
21       following: “, and the Secretary of the Army  
22       (acting through the Corps of Engineers)”;

23              (2) in subsection (b) by striking “four agen-  
24       cies” and inserting “6 agencies”; and

25              (3) in subsection (e)—

1 (A) by striking “and” and inserting a  
2 comma; and

3 (B) by inserting “, and the Secretary of  
4 the Army” before “shall carry out”.

5 **SEC. 6. ESTABLISHMENT OF NATIONAL RECREATION**  
6 **LAKES DEMONSTRATION PROGRAM.**

7 (a) ESTABLISHMENT.—There is established the Na-  
8 tional Recreation Lakes Demonstration Program. The  
9 program shall consist of the conduct of activities in ac-  
10 cordance with this section at up to 20 National Dem-  
11 onstration Lakes designated in accordance with this sec-  
12 tion.

13 (b) DESIGNATION OF NATIONAL DEMONSTRATION  
14 LAKES.—

15 (1) IN GENERAL.—The head of each partici-  
16 pating Federal lake management agency under para-  
17 graph (2) may designate Federal manmade lakes  
18 that are managed by the agency as National Dem-  
19 onstration Lakes. The total number of Federal man-  
20 made lakes designated by each agency may not ex-  
21 ceed the number allocated to the agency by the  
22 Council.

23 (2) PARTICIPATING AGENCIES.—For purposes  
24 of paragraph (1), the participating Federal lake  
25 management agencies are the following:

1 (A) The Corps of Engineers.

2 (B) The Bureau of Reclamation.

3 (C) The Forest Service.

4 (D) The Bureau of Indian Affairs.

5 (E) The United States Fish and Wildlife  
6 Service.

7 (F) The National Park Service.

8 (G) The Tennessee Valley Authority.

9 (H) The Bureau of Land Management.

10 (3) CRITERIA.—The Council shall develop and  
11 issue criteria for use by participating agencies in the  
12 selecting candidates for designation as National  
13 Demonstration Lakes. The Council shall consult  
14 with participating agencies to encourage geographic  
15 and opportunity diversity.

16 (4) ALLOCATION OF LAKES.—The Council shall  
17 allocate to each participating agency under para-  
18 graph (2) a maximum number of Federal manmade  
19 lakes that the agency may designate as National  
20 Demonstration Lakes.

21 (5) EFFECTIVE PERIOD OF DESIGNATION.—A  
22 designation of a Federal manmade lake as a Na-  
23 tional Demonstration Lake shall be effective for a  
24 period specified by the agency head making the des-  
25 ignation, not to exceed 10 years.



1 (c) AUTHORIZED ACTIVITIES.—

2 (1) IN GENERAL.—Subject to paragraph (2),  
3 the head of a participating Federal lake manage-  
4 ment agency may conduct at a National Demonstra-  
5 tion Lake managed by the agency any activity to ex-  
6 periment with fees, concessions agreements, and in-  
7 novative management structures, notwithstanding  
8 any requirement or restriction under any other law.

9 (2) ENHANCEMENT OF RECREATION ACTIVI-  
10 TIES.—The head of a participating Federal lake  
11 management agency may not conduct any activity  
12 under this subsection unless the activity enhances  
13 opportunities for recreation activities that occur on  
14 a National Demonstration Lake managed by the  
15 agency or other recreation activities that occur in  
16 proximity to such a lake.

17 (d) LOCAL ADVISORY COMMITTEES.—

18 (1) IN GENERAL.—The head of a participating  
19 Federal lake management agency shall establish, for  
20 each National Demonstration Lake managed by the  
21 agency, an advisory committee comprised of State  
22 and local government and private sector representa-  
23 tives.

24 (2) FEDERAL ADVISORY COMMITTEE ACT.—The  
25 Federal Advisory Committee Act (5 U.S.C. App.)

1 shall not apply to any advisory committee estab-  
2 lished under this section.

3 (e) REPORTS.—The head of each participating Fed-  
4 eral lake management agency shall periodically report to  
5 the Congress regarding activities of the agency under this  
6 section.

7 **SEC. 7. PERIODIC REVIEW AND REVISION OF OPERATING**  
8 **POLICIES FOR FEDERAL MANMADE LAKES.**

9 The head of each Federal lake management agency  
10 shall—

11 (1) conduct a comprehensive review of its oper-  
12 ating policies for Federal manmade lakes managed  
13 by the agency, at least once every 15 years; and

14 (2) revise such policies as necessary to incor-  
15 porate new information and ensure coordinated man-  
16 agement of such lakes to produce high levels of ben-  
17 efits for all authorized purposes of the lakes.

18 **SEC. 8. REVISED COST SHARING REQUIREMENTS FOR**  
19 **RECREATION PROJECTS.**

20 (a) IN GENERAL.—Notwithstanding any other provi-  
21 sion of law, the Federal share of the costs to construct,  
22 reconstruct, or operate facilities for recreation at a Fed-  
23 eral manmade lake, including the costs of lands, may be  
24 100 percent.

1 (b) CONFORMING AMENDMENTS TO FEDERAL  
2 WATER PROJECT RECREATION ACT.—The Federal Water  
3 Project Recreation Act is amended—

4 (1) in section 2 (16 U.S.C. 460l–13)—

5 (A) in subsection (a) by striking “and to  
6 bear” and all that follows through “recre-  
7 ation,”; and

8 (B) in subsection (b)—

9 (i) by striking “recreation and”; and

10 (ii) by striking “recreation or”;

11 (2) in section 3 (16 U.S.C. 460l–14)—

12 (A) in subsection (b)(1) by striking “and  
13 will bear” the first place it appears and all that  
14 follows through “recreation,”; and

15 (B) in subsection (c) by striking paragraph  
16 (2); and

17 (3) in section 4 (16 U.S.C. 460l–15) by striking  
18 “recreation and” and all that follows through “those  
19 purposes”.

20 **SEC. 9. ASSISTANCE TO UNITS OF LOCAL GOVERNMENT IN**  
21 **VICINITY OF NATIONAL DEMONSTRATION**  
22 **LAKES.**

23 (a) IN GENERAL.—The head of any Federal lake  
24 management agency that manages a National Demonstra-  
25 tion Lake may carry out activities to improve communica-

1 tions and cooperation between the agency and local com-  
 2 munity interests in the vicinity of the lake with respect  
 3 to such management, including planning, advisory boards,  
 4 marketing, and other activities.

5 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
 6 are authorized to be appropriated for each fiscal year to  
 7 remain available until expended—

8 (1) to the head of each Federal lake manage-  
 9 ment agency that manages a National Demonstra-  
 10 tion Lake \$1,000,000 for each such lake to carry  
 11 out this section; and

12 (2) to the Secretary of the Interior \$2,000,000  
 13 to coordinate activities of Federal lake management  
 14 agencies under this section.

15 **SEC. 10. USE OF FEDERAL WATER PROJECT FUNDING FOR**  
 16 **MATCHING REQUIREMENTS FOR RECRE-**  
 17 **ATION PROJECTS AT NATIONAL DEMONSTRA-**  
 18 **TION LAKES.**

19 (a) FEDERAL AID IN FISH RESTORATION ACT.—The  
 20 Act of August 9, 1950 (chapter 658; 16 U.S.C. 777 et  
 21 seq.), popularly known as the Federal Aid in Fish Restora-  
 22 tion Act, is amended by striking the second section 13 and  
 23 inserting the following:

1 **“SEC. 14. APPLICATION OF FEDERAL WATER PROJECT**  
2 **SPENDING TO NON-FEDERAL SHARE OF COV-**  
3 **ERED RECREATION PROJECTS.**

4 “(a) IN GENERAL.—The use for any covered recre-  
5 ation project of amounts appropriated for a Federal water  
6 project shall be treated as payment of the non-Federal  
7 share of costs required under this Act.

8 “(b) DEFINITIONS.—In this section:

9 “(1) COVERED RECREATION PROJECT.—The  
10 term ‘covered recreation project’ means construction  
11 or reconstruction of facilities for recreation at a Na-  
12 tional Demonstration Lake that is carried out with  
13 assistance under this Act.

14 “(2) OTHER TERMS.—Each of the terms ‘Na-  
15 tional Demonstration Lake’ and ‘recreation’ has the  
16 meaning that term has in section 2 of the National  
17 Recreation Lakes Act.”.

18 (b) FEDERAL AID IN WILDLIFE RESTORATION  
19 ACT.—The Act of September 2, 1937 (chapter 899; 16  
20 U.S.C. 669 et seq.), popularly known as the Federal Aid  
21 in Wildlife Restoration Act, is amended by adding at the  
22 end the following:

1 **“SEC. 11. APPLICATION OF FEDERAL WATER PROJECT**  
2 **SPENDING TO NON-FEDERAL SHARE OF**  
3 **RECREATION PROJECTS.**

4 “(a) IN GENERAL.—The use for any covered recre-  
5 ation project of amounts appropriated for a Federal water  
6 project shall be treated as payment of the non-Federal  
7 share of costs required under this Act.

8 “(b) DEFINITIONS.—In this section:

9 “(1) COVERED RECREATION PROJECT.—The  
10 term ‘covered recreation project’ means construction  
11 or reconstruction of facilities for recreation at a Na-  
12 tional Demonstration Lake that is carried out with  
13 assistance under this Act.

14 “(2) OTHER TERMS.—Each of the terms ‘Na-  
15 tional Demonstration Lake’ and ‘recreation’ has the  
16 meaning that term has in section 2 of the National  
17 Recreation Lakes Act.”.

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