

Calendar No. 132

106TH CONGRESS
1ST SESSION**S. 109****[Report No. 106–62]**

To improve protection and management of the Chattahoochee River National
Recreation Area in the State of Georgia.

IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

Mr. COVERDELL (for himself and Mr. CLELAND) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

JUNE 7, 1999

Reported by Mr. MURKOWSKI, with amendments

[Omit the part struck through and insert the part printed in *italie*]**A BILL**

To improve protection and management of the Chattahoochee
River National Recreation Area in the State of Georgia.

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. FINDINGS AND PURPOSES.**

4 (a) FINDINGS.—Congress finds that—

1 (1) the Chattahoochee River National Recre-
2 ation Area in the State of Georgia is a nationally
3 significant resource;

4 (2) the Chattahoochee River National Recre-
5 ation Area has been adversely affected by land use
6 changes occurring inside and outside the recreation
7 area;

8 (3) the population of the metropolitan Atlanta
9 area continues to expand northward, leaving dwin-
10 dling opportunities to protect the scenic, rec-
11 reational, natural, and historical values of the 2,000-
12 foot-wide corridor adjacent to each bank of the
13 Chattahoochee River and its impoundments in the
14 48-mile segment known as the “area of national con-
15 cern”;

16 (4) the State of Georgia has enacted the Metro-
17 politan River Protection Act to ensure protection of
18 the corridor located within 2,000 feet of each bank
19 of the Chattahoochee River, or the corridor located
20 within the 100-year floodplain, whichever is larger;

21 (5) the corridor located within the 100-year
22 floodplain includes the area of national concern;

23 (6) since establishment of the Chattahoochee
24 River National Recreation Area, visitor use of the

1 recreation area has shifted dramatically from water-
2 borne to water-related and land-based activities;

3 (7) the State of Georgia and political subdivi-
4 sions of the State along the Chattahoochee River
5 have indicated willingness to join in a cooperative ef-
6 fort with the United States to link existing units of
7 the recreation area through a series of linear cor-
8 ridors to be established within the area of national
9 concern and elsewhere on the river; and

10 (8) if Congress appropriates funds in support of
11 the cooperative effort described in paragraph (7),
12 funding from the State, political subdivisions of the
13 State, private foundations, corporate entities, private
14 individuals, and other sources will be available to
15 fund more than half the estimated cost of the coop-
16 erative effort.

17 (b) PURPOSES.—The purposes of this Act are—

18 (1) to increase the level of protection of the
19 open spaces within the area of national concern
20 along the Chattahoochee River and to enhance vis-
21 itor enjoyment of the open spaces by adding land-
22 based linear corridors to link existing units of the
23 recreation area;

24 (2) to ensure that the Chattahoochee River Na-
25 tional Recreation Area is managed to standardize

acquisition, planning, design, construction, and operation of the linear corridors; and

(3) to authorize the appropriation of Federal funds to cover a portion of the costs of the Federal, State, local, and private cooperative effort to add additional areas to the recreation area so as to establish a series of linear corridors linking existing units of the recreation area and to protect other open spaces of the Chattahoochee River corridor.

SEC. 2. AMENDMENTS TO CHATTAHOOCHEE RIVER NATIONAL RECREATION AREA ACT.

(a) BOUNDARIES.—Section 101 of the Act entitled “An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes”, approved August 15, 1978 (16 U.S.C. 460ii), is amended—

(1) in the third sentence, by inserting after “numbered CHAT–20,003, and dated September 1984,” the following: “and on the maps entitled ‘Chattahoochee River National Recreation Area Interim Boundary Map #1’, ‘Chattahoochee River National Recreation Area Interim Boundary Map #2’, and ‘Chattahoochee River National Recreation Area Interim Boundary Map #3’, and dated August 6, 1998,”;

1 (2) by striking the fourth sentence and insert-
 2 ing the following: “After July 1, 1999, the Secretary
 3 of the Interior (referred to in this Act as the ‘Sec-
 4 retary’) may modify the boundaries of the recreation
 5 area to include other land within the river corridor
 6 of the Chattahoochee River by submitting a revised
 7 map or other boundary description to Congress. The
 8 revised boundaries shall take effect on the date that
 9 is 180 days after the date of submission unless,
 10 within the 180-day period, Congress enacts a Joint
 11 Resolution disapproving the revised boundaries. The
 12 revised map or other boundary description shall be
 13 prepared by the Secretary after consultation with af-
 14 fected landowners, the State of Georgia, and af-
 15 fected political subdivisions of the State.”; and

16 (2) by striking the fourth sentence and inserting
 17 the following: “No sooner than 180 days after the date
 18 of enactment of this Act, the Secretary of the Interior
 19 (hereinafter referred to as the ‘Secretary’) may modify
 20 the boundaries of the recreation area to include other
 21 land within the Chattahoochee River corridor by sub-
 22 mitting a revised map or other boundary description
 23 to the Committee on Energy and Natural Resources
 24 of the United States Senate and the Committee on Re-
 25 sources of the United States House of Representatives.

1 *The revised map or other boundary description shall*
 2 *be prepared by the Secretary after consultation with*
 3 *affected landowners, the State of Georgia, and affected*
 4 *political subdivisions of the State. The revised bound-*
 5 *aries shall take effect 180 days after the date of sub-*
 6 *mission unless, within the 180-day period, Congress*
 7 *enacts a joint resolution disapproving the revised*
 8 *boundaries.”; and*

9 (3) in the next-to-last sentence, by striking
 10 “may not exceed approximately 6,800 acres.” and
 11 inserting “may not exceed 10,000 acres.”.

12 (b) ACQUISITION OF PROPERTY.—Section 102 of the
 13 Act entitled “An Act to authorize the establishment of the
 14 Chattahoochee River National Recreation Area in the
 15 State of Georgia, and for other purposes”, approved Au-
 16 gust 15, 1978 (16 U.S.C. 460ii–1), is amended—

17 ~~(1) in the first sentence of subsection (a), by in-~~
 18 ~~serting before the period at the end the following: “,~~
 19 ~~except that land and interests in land within the Ad-~~
 20 ~~dition Area depicted on a map described in section~~
 21 ~~401 may not be acquired without the consent of the~~
 22 ~~owner”;~~ and

23 ~~(2) by striking subsection (f).~~ *is amended by*
 24 *striking subsection (f).*

1 (c) COOPERATIVE AGREEMENTS.—Section 103 of the
 2 Act entitled “An Act to authorize the establishment of the
 3 Chattahoochee River National Recreation Area in the
 4 State of Georgia, and for other purposes”, approved Au-
 5 gust 15, 1978 (16 U.S.C. 460ii–2), is amended by striking
 6 subsection (b) and inserting the following:

7 “(b) COOPERATIVE AGREEMENTS.—The Secretary
 8 may enter into cooperative agreements with the State of
 9 Georgia, political subdivisions of the State, and other enti-
 10 ties to ensure standardized acquisition, planning, design,
 11 construction, and operation of the recreation area.”.

12 (d) FUNDING.—Section 105 of the Act entitled “An
 13 Act to authorize the establishment of the Chattahoochee
 14 River National Recreation Area in the State of Georgia,
 15 and for other purposes”, approved August 15, 1978 (16
 16 U.S.C. 460ii–4), is amended—

17 (1) by striking subsection (a) and inserting the
 18 following:

19 “(a) FUNDING.—

20 “(1) AUTHORIZATION OF APPROPRIATIONS.—In
 21 addition to funding and the donation of land and in-
 22 terests in land by the State of Georgia, local govern-
 23 ment authorities, private foundations, corporate enti-
 24 ties, and individuals, and funding that may be made
 25 available as a result of the settlement of litigation,

there is authorized to be appropriated for land acquisition for the recreation area \$25,000,000 for fiscal years after fiscal year 1998.

“(2) DONATIONS.—The Secretary may accept a donation of funds or land or an interest in land to carry out this Act.”; and

(2) in subsection (c)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(B) by striking “(c) Within” and inserting the following:

“(c) GENERAL MANAGEMENT PLAN.—

“(1) INITIAL PLAN.—Within”;

(C) in paragraph (1) (as designated by subparagraph (B)), by striking “transmit to” and all that follows through “Representatives” and inserting “transmit to the Committee on Resources of the House of Representatives”; and

(D) by adding at the end the following:

“(2) REVISED PLAN.—

“(A) IN GENERAL.—~~Not later than 3 years after the date of enactment of this subparagraph,~~ *Within 3 years after the date funds are*

1 *made available*, the Secretary shall submit to
2 the committees specified in paragraph (1) a re-
3 vised general management plan to provide for
4 the protection, enhancement, enjoyment, devel-
5 opment, and use of ~~areas added to~~ the recre-
6 ation ~~area after the date of submission of the~~
7 ~~initial general management plan.~~ *area*.

8 “(B) PUBLIC PARTICIPATION.—In pre-
9 paring the revised plan, the Secretary shall en-
10 courage the participation of the State of Geor-
11 gia and affected political subdivisions of the
12 State, private landowners, interested citizens,
13 public officials, groups, agencies, educational in-
14 stitutions, and other entities.”.

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