

Calendar No. 640

110TH CONGRESS
2D SESSION**S. 1143****[Report No. 110-288]**

To designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2007

Mr. NELSON of Florida (for himself and Mr. MARTINEZ) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

APRIL 10, 2008

Reported by Mr. BINGAMAN, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in *italie*]

A BILL

To designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Jupiter Inlet Light-
3 house Outstanding Natural Area Act of 2007”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) the area surrounding the Jupiter Inlet
7 Lighthouse in the State of Florida—

8 (A) is at the confluence of the Loxahatchee
9 River and the Indian River Lagoon; and

10 (B) supports significant ecological values,
11 including—

12 (i) endangered species of flora and
13 fauna; and

14 (ii) imperiled natural communities
15 rapidly vanishing in south Florida;

16 (2) the area surrounding the Lighthouse was
17 first used by Native Americans over 4,000 years
18 ago;

19 (3) Europeans made contact with the area sur-
20 rounding the Lighthouse in the 17th century;

21 (4) the Lighthouse and the associated Oil
22 House, which was constructed in 1860, are nation-
23 ally recognized historical structures that should be
24 preserved for present and future generations of peo-
25 ple in the United States;

1 (5) the Lighthouse tells an important story
2 about—

3 (A) the maritime history of southeast Flor-
4 ida;

5 (B) the prehistory and history of southeast
6 Florida; and

7 (C) the role of southeast Florida in the
8 Civil War, World War II, and the creation of
9 the National Weather Service;

10 (6) the Lighthouse is listed on the National
11 Register of Historic Places;

12 (7) the Lighthouse has been, and continues to
13 be, a physical manifestation of the commitment of
14 the Federal Government to maritime safety and se-
15 curity;

16 (8) the current operations and activities of the
17 Coast Guard at Jupiter Inlet perpetuate the commit-
18 ment described in paragraph (7);

19 (9) the Jupiter Inlet Lighthouse Outstanding
20 Natural Area—

21 (A) would make a significant addition to
22 the National Landscape Conservation System
23 administered by the Bureau of Land Manage-
24 ment; and

1 ~~(B)~~ would be the only unit of the National
2 Landscape Conservation System located east of
3 the Mississippi River;

4 ~~(10)~~ statutory protection is needed for the
5 Lighthouse and the Federal land surrounding the
6 Lighthouse to ensure that the natural and cultural
7 resources continue to be—

8 ~~(A)~~ a part of the historic, cultural, and
9 natural heritage of the United States; and

10 ~~(B)~~ a source of inspiration for the people
11 of the United States;

12 ~~(11)~~ the actions of the Federal Government to
13 protect and conserve the land and historic structures
14 associated with the Outstanding Natural Area
15 should not be construed, interpreted, or allowed to
16 diminish or control ongoing or future Coast Guard
17 operations or activities; and

18 ~~(12)~~ the Lighthouse and the Federal land sur-
19 rounding the Lighthouse represent a true partner-
20 ship of the highest order in which collaboration is,
21 and would continue to be, an everyday reality lead-
22 ing to successful management and land stewardship
23 by the Bureau of Land Management, Palm Beach
24 County, Florida, the Town of Jupiter, Florida, the
25 Village of Tequesta, Florida, the Loxahatchee River

1 Historical Society, and the Coast Guard (collectively
 2 known as the “Jupiter Working Group”) and other
 3 partners.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

6 (1) **COMMANDANT.**—The term “Commandant”
 7 means the Commandant of the Coast Guard.

8 (2) **LIGHTHOUSE.**—The term “Lighthouse”
 9 means the Jupiter Inlet Lighthouse located in Palm
 10 Beach County, Florida.

11 (3) **LOCAL PARTNERS.**—The term “Local Part-
 12 ners” includes—

- 13 (A) Palm Beach County, Florida;
- 14 (B) the Town of Jupiter, Florida;
- 15 (C) the Village of Tequesta, Florida; and
- 16 (D) the Loxahatchee River Historical Soci-
 17 ety.

18 (4) **MANAGEMENT PLAN.**—The term “manage-
 19 ment plan” means the management plan developed
 20 under section 5(a).

21 (5) **MAP.**—The term “map” means the map en-
 22 titled “Jupiter Inlet Lighthouse: Outstanding Nat-
 23 ural Area” and dated February 2007.

24 (6) **OUTSTANDING NATURAL AREA.**—The term
 25 “Outstanding Natural Area” means the Jupiter

1 Inlet Lighthouse Outstanding Natural Area estab-
 2 lished by section 4(a).

3 ~~(7) PUBLIC LAND.~~—The term “public land”
 4 has the meaning given the term “public lands” in
 5 section 103(e) of the Federal Land Policy and Man-
 6 agement Act of 1976 (43 U.S.C. 1702(e)).

7 ~~(8) SECRETARY.~~—The term “Secretary” means
 8 the Secretary of the Interior.

9 ~~(9) STATE.~~—The term “State” means the State
 10 of Florida.

11 **SEC. 4. ESTABLISHMENT OF THE JUPITER INLET LIGHT**
 12 **HOUSE OUTSTANDING NATURAL AREA.**

13 ~~(a) ESTABLISHMENT.~~—Subject to valid existing
 14 rights, there is established for the purposes described in
 15 subsection (b) the Jupiter Inlet Lighthouse Outstanding
 16 Natural Area, the boundaries of which are depicted on the
 17 map.

18 ~~(b) PURPOSES.~~—The purposes of the Outstanding
 19 Natural Area are to protect, conserve, and enhance the
 20 unique and nationally important historic, natural, cul-
 21 tural, scientific, educational, scenic, and recreational val-
 22 ues of the Federal land surrounding the Lighthouse for
 23 the benefit of present generations and future generations
 24 of people in the United States, while—

1 (1) allowing certain recreational and research
2 activities to continue in the Outstanding Natural
3 Area; and

4 (2) ensuring that Coast Guard operations and
5 activities are unimpeded within the boundaries of
6 the Outstanding Natural Area.

7 (c) AVAILABILITY OF MAP.—The map shall be on file
8 and available for public inspection in—

9 (1) the Office of the Director of the Bureau of
10 Land Management; and

11 (2) the Eastern States Office of the Bureau of
12 Land Management in the State of Virginia.

13 (d) WITHDRAWAL.—

14 (1) IN GENERAL.—Subject to valid existing
15 rights, section 7, and any existing withdrawals under
16 the Executive orders and public land order described
17 in paragraph (2), the Federal land and any interests
18 in the Federal land included in the Outstanding
19 Natural Area are withdrawn from—

20 (A) all forms of entry, appropriation, or
21 disposal under the public land laws;

22 (B) location, entry, and patent under the
23 public land mining laws; and

1 (C) operation of the mineral leasing and
 2 geothermal leasing laws and the mineral mate-
 3 rials laws.

4 (2) DESCRIPTION OF EXECUTIVE ORDERS.—
 5 The Executive orders and public land order de-
 6 scribed in paragraph (1) are—

7 (A) the Executive Order dated October 22,
 8 1854;

9 (B) Executive Order No. 4254 (June 12,
 10 1925); and

11 (C) Public Land Order No. 7202 (61 Fed.
 12 Reg. 29758).

13 **SEC. 5. MANAGEMENT PLAN.**

14 (a) IN GENERAL.—Not later than 3 years after the
 15 date of enactment of this Act, the Secretary, in consulta-
 16 tion with the Commandant, shall develop a comprehensive
 17 management plan in accordance with section 202 of the
 18 Federal Land Policy and Management Act of 1976 (43
 19 U.S.C. 1712) to—

20 (1) provide long-term management guidance for
 21 the public land in the Outstanding Natural Area;
 22 and

23 (2) ensure that the Outstanding Natural Area
 24 fulfills the purposes for which the Outstanding Nat-
 25 ural Area is established.

1 (b) ~~CONSULTATION; PUBLIC PARTICIPATION.~~—The
2 management plan shall be developed—

3 ~~(1) in consultation with appropriate Federal,~~
4 ~~State, county, and local government agencies; the~~
5 ~~Commandant, the Local Partners, the Loxahatchee~~
6 ~~River Historical Society; and other partners; and~~

7 ~~(2) in a manner that ensures full public partici-~~
8 ~~pation.~~

9 (c) ~~EXISTING PLANS.~~—The management plan shall,
10 to the maximum extent practicable, be consistent with ex-
11 isting resource plans, policies, and programs.

12 (d) ~~INCLUSIONS.~~—The management plan shall in-
13 clude—

14 ~~(1) objectives and provisions to ensure—~~

15 ~~(A) the protection and conservation of the~~
16 ~~resource values of the Outstanding Natural~~
17 ~~Area; and~~

18 ~~(B) the restoration of native plant commu-~~
19 ~~nities and estuaries in the Outstanding Natural~~
20 ~~Area; with an emphasis on the conservation and~~
21 ~~enhancement of healthy, functioning ecological~~
22 ~~systems in perpetuity;~~

23 ~~(2) objectives and provisions to maintain or~~
24 ~~recreate historic structures;~~

1 ~~(3)~~ an implementation plan for a program of in-
 2 terpretation and public education about the natural
 3 and cultural resources of the Lighthouse, the public
 4 land surrounding the Lighthouse, and associated
 5 structures;

6 ~~(4)~~ a proposal for administrative and public fa-
 7 cilities to be developed or improved that—

8 (A) are compatible with achieving the re-
 9 source objectives for the Outstanding Natural
 10 Area described in section 6(a)(1)(B); and

11 (B) would accommodate visitors to the
 12 Outstanding Natural Area;

13 ~~(5)~~ natural and cultural resource management
 14 strategies for the Outstanding Natural Area, to be
 15 developed in consultation with appropriate depart-
 16 ments of the State, the Local Partners, and the
 17 Commandant, with an emphasis on resource con-
 18 servation in the Outstanding Natural Area and the
 19 interpretive, educational, and long-term scientific
 20 uses of the resources; and

21 ~~(6)~~ recreational use strategies for the Out-
 22 standing Natural Area, to be prepared in consulta-
 23 tion with the Local Partners, appropriate depart-
 24 ments of the State, and the Coast Guard, with an
 25 emphasis on passive recreation.

1 (e) ~~INTERIM PLAN.~~—Until a management plan is
 2 adopted for the Outstanding Natural Area, the Jupiter
 3 Inlet Coordinated Resource Management Plan (including
 4 any updates or amendments to the Jupiter Inlet Coordi-
 5 nated Resource Management Plan) shall be in effect.

6 **SEC. 6. MANAGEMENT OF THE JUPITER INLET LIGHT-**
 7 **HOUSE OUTSTANDING NATURAL AREA.**

8 (a) ~~MANAGEMENT.~~—

9 (1) ~~IN GENERAL.~~—The Secretary, in consulta-
 10 tion with the Local Partners and the Commandant,
 11 shall manage the Outstanding Natural Area—

12 (A) as part of the National Landscape
 13 Conservation System; and

14 (B) in a manner that conserves, protects,
 15 and enhances the unique and nationally impor-
 16 tant historical, natural, cultural, scientific, edu-
 17 cational, scenic, and recreational values of the
 18 Outstanding Natural Area, including an empha-
 19 sis on the restoration of native ecological sys-
 20 tems.

21 (2) ~~LIMITATION.~~—In managing the Out-
 22 standing Natural Area, the Secretary shall not take
 23 any action that precludes, prohibits, or otherwise af-
 24 fects the conduct of ongoing or future Coast Guard

1 operations or activities on lots 16 and 18, as de-
 2 picted on the map.

3 (b) USES.—Subject to valid existing rights and see-
 4 tion 7, the Secretary shall only allow uses of the Out-
 5 standing Natural Area that the Secretary, in consultation
 6 with the Commandant and Local Partners, determines
 7 would likely further—

8 (1) the purposes for which the Outstanding
 9 Natural Area is established;

10 (2) the Federal Land Policy and Management
 11 Act of 1976 (43 U.S.C. 1701 et seq.); and

12 (3) other applicable laws.

13 (c) COOPERATIVE AGREEMENTS.—To facilitate im-
 14 plementation of the management plan and to continue the
 15 successful partnerships with local communities and other
 16 partners, the Secretary shall, in accordance with section
 17 307(b) of the Federal Land Management Policy and Man-
 18 agement Act of 1976 (43 U.S.C. 1737(b)), enter into co-
 19 operative agreements with the appropriate Federal, State,
 20 county, other local government agencies, and other part-
 21 ners (including the Loxahatchee River Historical Society)
 22 for the long-term management of the Outstanding Natural
 23 Area

24 (d) RESEARCH ACTIVITIES.—To continue successful
 25 research partnerships, pursue future research partner-

1 ships, and assist in the development and implementation
 2 of the management plan, the Secretary may, in accordance
 3 with section 307(a) of the Federal Land Policy and Man-
 4 agement Act of 1976 (43 U.S.C. 1737(a)), authorize the
 5 conduct of appropriate research activities in the Out-
 6 standing Natural Area for the purposes described in sec-
 7 tion 4(b).

8 (c) ACQUISITION OF LAND.—

9 (1) IN GENERAL.—Subject to paragraph (2),
 10 the Secretary may acquire for inclusion in the Out-
 11 standing Natural Area any State or private land or
 12 any interest in State or private land that is—

13 (A) adjacent to the Outstanding Natural
 14 Area; and

15 (B) identified in the management plan as
 16 appropriate for acquisition.

17 (2) MEANS OF ACQUISITION.—Land or an in-
 18 terest in land may be acquired under paragraph (1)
 19 only by—

20 (A) donation;

21 (B) exchange with a willing party; or

22 (C) purchase from a willing seller.

23 (3) ADDITIONS TO THE OUTSTANDING NAT-
 24 URAL AREA.—Any land or interest in land adjacent
 25 to the Outstanding Natural Area acquired by the

1 United States after the date of enactment of this
 2 Act under paragraph (1) shall be added to, and ad-
 3 ministered as part of, the Outstanding Natural
 4 Area.

5 (f) LAW ENFORCEMENT ACTIVITIES.—Nothing in
 6 this Act, the management plan, or the Jupiter Inlet Co-
 7 ordinated Resource Management Plan (including any up-
 8 dates or amendments to the Jupiter Inlet Coordinated Re-
 9 source Management Plan) precludes, prohibits, or other-
 10 wise affects—

11 (1) any maritime security, maritime safety, or
 12 environmental protection mission or activity of the
 13 Coast Guard;

14 (2) any border security operation or law en-
 15 forcement activity by the Department of Homeland
 16 Security or the Department of Justice; or

17 (3) any law enforcement activity of any Fed-
 18 eral, State, or local law enforcement agency in the
 19 Outstanding Natural Area.

20 (g) FUTURE DISPOSITION OF COAST GUARD FACILI-
 21 TIES.—If the Commandant determines, after the date of
 22 enactment of this Act, that Coast Guard facilities within
 23 the Outstanding Natural Area exceed the needs of the
 24 Coast Guard, the Commandant may relinquish the facili-

1 ties to the Secretary without removal, subject only to any
 2 environmental remediation that may be required by law.

3 **SEC. 7. EFFECT ON ONGOING AND FUTURE COAST GUARD**
 4 **OPERATIONS.**

5 Nothing in this Act, the management plan, or the Ju-
 6 piter Inlet Coordinated Resource Management Plan (in-
 7 cluding updates or amendments to the Jupiter Inlet Co-
 8 ordinated Resource Management Plan) precludes, pro-
 9 hibits, or otherwise affects ongoing or future Coast Guard
 10 operations or activities in the Outstanding Natural Area,
 11 including—

12 (1) the continued and future operation of, ac-
 13 cess to, maintenance of, and, as may be necessitated
 14 for Coast Guard missions, the expansion, enhance-
 15 ment, or replacement of, the Coast Guard High Fre-
 16 quency antenna site on lot 16;

17 (2) the continued and future operation of, ac-
 18 cess to, maintenance of, and, as may be necessitated
 19 for Coast Guard missions, the expansion, enhance-
 20 ment, or replacement of, the military family housing
 21 area on lot 18;

22 (3) the continued and future use of, access to,
 23 maintenance of, and, as may be necessitated for
 24 Coast Guard missions, the expansion, enhancement,
 25 or replacement of, the pier on lot 18;

1 (4) the existing lease of the Jupiter Inlet Light-
 2 house on lot 18 from the Coast Guard to the
 3 Loxahatchee River Historical Society; or

4 (5) any easements or other less-than-fee inter-
 5 ests in property appurtenant to existing Coast
 6 Guard facilities on lots 16 and 18.

7 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated such sums
 9 as are necessary to carry out this Act.

10 **SECTION 1. SHORT TITLE.**

11 *This Act may be cited as the “Jupiter Inlet Lighthouse*
 12 *Outstanding Natural Area Act of 2008”.*

13 **SEC. 2. DEFINITIONS.**

14 *In this Act:*

15 (1) *COMMANDANT.*—*The term “Commandant”*
 16 *means the Commandant of the Coast Guard.*

17 (2) *LIGHTHOUSE.*—*The term “Lighthouse”*
 18 *means the Jupiter Inlet Lighthouse located in Palm*
 19 *Beach County, Florida.*

20 (3) *LOCAL PARTNERS.*—*The term “Local Part-*
 21 *ners” includes—*

22 *(A) Palm Beach County, Florida;*

23 *(B) the Town of Jupiter, Florida;*

24 *(C) the Village of Tequesta, Florida; and*

1 (D) the Loxahatchee River Historical Soci-
2 ety.

3 (4) *MANAGEMENT PLAN.*—The term “manage-
4 ment plan” means the management plan developed
5 under section 4(a).

6 (5) *MAP.*—The term “map” means the map enti-
7 tled “Jupiter Inlet Lighthouse Outstanding Natural
8 Area” and dated October 29, 2007.

9 (6) *OUTSTANDING NATURAL AREA.*—The term
10 “Outstanding Natural Area” means the Jupiter Inlet
11 Lighthouse Outstanding Natural Area established by
12 section 3(a).

13 (7) *PUBLIC LAND.*—The term “public land” has
14 the meaning given the term “public lands” in section
15 103(e) of the Federal Land Policy and Management
16 Act of 1976 (43 U.S.C. 1702(e)).

17 (8) *SECRETARY.*—The term “Secretary” means
18 the Secretary of the Interior.

19 (9) *STATE.*—The term “State” means the State
20 of Florida.

21 **SEC. 3. ESTABLISHMENT OF THE JUPITER INLET LIGHT-**
22 **HOUSE OUTSTANDING NATURAL AREA.**

23 (a) *ESTABLISHMENT.*—Subject to valid existing rights,
24 there is established for the purposes described in subsection

1 *(b) the Jupiter Inlet Lighthouse Outstanding Natural Area,*
 2 *the boundaries of which are depicted on the map.*

3 *(b) PURPOSES.—The purposes of the Outstanding Nat-*
 4 *ural Area are to protect, conserve, and enhance the unique*
 5 *and nationally important historic, natural, cultural, sci-*
 6 *entific, educational, scenic, and recreational values of the*
 7 *Federal land surrounding the Lighthouse for the benefit of*
 8 *present generations and future generations of people in the*
 9 *United States, while—*

10 *(1) allowing certain recreational and research*
 11 *activities to continue in the Outstanding Natural*
 12 *Area; and*

13 *(2) ensuring that Coast Guard operations and*
 14 *activities are unimpeded within the boundaries of the*
 15 *Outstanding Natural Area.*

16 *(c) AVAILABILITY OF MAP.—The map shall be on file*
 17 *and available for public inspection in appropriate offices*
 18 *of the Bureau of Land Management.*

19 *(d) WITHDRAWAL.—*

20 *(1) IN GENERAL.—Subject to valid existing*
 21 *rights, section 6, and any existing withdrawals under*
 22 *the Executive orders and public land order described*
 23 *in paragraph (2), the Federal land and any interests*
 24 *in the Federal land included in the Outstanding Nat-*
 25 *ural Area are withdrawn from—*

1 (A) *all forms of entry, appropriation, or*
 2 *disposal under the public land laws;*

3 (B) *location, entry, and patent under the*
 4 *mining laws; and*

5 (C) *operation of the mineral leasing and*
 6 *geothermal leasing laws and the mineral mate-*
 7 *rials laws.*

8 (2) *DESCRIPTION OF EXECUTIVE ORDERS.—The*
 9 *Executive orders and public land order described in*
 10 *paragraph (1) are—*

11 (A) *the Executive Order dated October 22,*
 12 *1854;*

13 (B) *Executive Order No. 4254 (June 12,*
 14 *1925); and*

15 (C) *Public Land Order No. 7202 (61 Fed.*
 16 *Reg. 29758).*

17 **SEC. 4. MANAGEMENT PLAN.**

18 (a) *IN GENERAL.—Not later than 3 years after the*
 19 *date of enactment of this Act, the Secretary, in consultation*
 20 *with the Commandant, shall develop a comprehensive man-*
 21 *agement plan in accordance with section 202 of the Federal*
 22 *Land Policy and Management Act of 1976 (43 U.S.C. 1712)*
 23 *to—*

24 (1) *provide long-term management guidance for*
 25 *the public land in the Outstanding Natural Area; and*

1 (2) *ensure that the Outstanding Natural Area*
 2 *fulfills the purposes for which the Outstanding Nat-*
 3 *ural Area is established.*

4 (b) *CONSULTATION; PUBLIC PARTICIPATION.—The*
 5 *management plan shall be developed—*

6 (1) *in consultation with appropriate Federal,*
 7 *State, county, and local government agencies, the*
 8 *Commandant, the Local Partners, and other partners;*
 9 *and*

10 (2) *in a manner that ensures full public partici-*
 11 *pation.*

12 (c) *EXISTING PLANS.—The management plan shall, to*
 13 *the maximum extent practicable, be consistent with existing*
 14 *resource plans, policies, and programs.*

15 (d) *INCLUSIONS.—The management plan shall in-*
 16 *clude—*

17 (1) *objectives and provisions to ensure—*

18 (A) *the protection and conservation of the*
 19 *resource values of the Outstanding Natural Area;*
 20 *and*

21 (B) *the restoration of native plant commu-*
 22 *nities and estuaries in the Outstanding Natural*
 23 *Area, with an emphasis on the conservation and*
 24 *enhancement of healthy, functioning ecological*
 25 *systems in perpetuity;*

1 (2) *objectives and provisions to maintain or*
 2 *recreate historic structures;*

3 (3) *an implementation plan for a program of in-*
 4 *terpretation and public education about the natural*
 5 *and cultural resources of the Lighthouse, the public*
 6 *land surrounding the Lighthouse, and associated*
 7 *structures;*

8 (4) *a proposal for administrative and public fa-*
 9 *cilities to be developed or improved that—*

10 (A) *are compatible with achieving the re-*
 11 *source objectives for the Outstanding Natural*
 12 *Area described in section 5(a)(1)(B); and*

13 (B) *would accommodate visitors to the Out-*
 14 *standing Natural Area;*

15 (5) *natural and cultural resource management*
 16 *strategies for the Outstanding Natural Area, to be de-*
 17 *veloped in consultation with appropriate departments*
 18 *of the State, the Local Partners, and the Com-*
 19 *mandant, with an emphasis on resource conservation*
 20 *in the Outstanding Natural Area and the interpre-*
 21 *tive, educational, and long-term scientific uses of the*
 22 *resources; and*

23 (6) *recreational use strategies for the Out-*
 24 *standing Natural Area, to be prepared in consultation*
 25 *with the Local Partners, appropriate departments of*

1 *the State, and the Coast Guard, with an emphasis on*
 2 *passive recreation.*

3 *(e) INTERIM PLAN.—Until a management plan is*
 4 *adopted for the Outstanding Natural Area, the Jupiter Inlet*
 5 *Coordinated Resource Management Plan (including any*
 6 *updates or amendments to the Jupiter Inlet Coordinated*
 7 *Resource Management Plan) shall be in effect.*

8 **SEC. 5. MANAGEMENT OF THE JUPITER INLET LIGHTHOUSE**
 9 **OUTSTANDING NATURAL AREA.**

10 *(a) MANAGEMENT.—*

11 *(1) IN GENERAL.—The Secretary, in consultation*
 12 *with the Local Partners and the Commandant, shall*
 13 *manage the Outstanding Natural Area—*

14 *(A) as part of the National Landscape Con-*
 15 *servation System; and*

16 *(B) in a manner that conserves, protects,*
 17 *and enhances the unique and nationally impor-*
 18 *tant historical, natural, cultural, scientific, edu-*
 19 *cational, scenic, and recreational values of the*
 20 *Outstanding Natural Area, including an empha-*
 21 *sis on the restoration of native ecological sys-*
 22 *tems.*

23 *(2) LIMITATION.—In managing the Outstanding*
 24 *Natural Area, the Secretary shall not take any action*
 25 *that precludes, prohibits, or otherwise affects the con-*

1 *duct of ongoing or future Coast Guard operations or*
 2 *activities on lots 16 and 18, as depicted on the map.*

3 *(b) USES.—Subject to valid existing rights and section*
 4 *6, the Secretary shall only allow uses of the Outstanding*
 5 *Natural Area that the Secretary, in consultation with the*
 6 *Commandant and Local Partners, determines would likely*
 7 *further—*

8 *(1) the purposes for which the Outstanding Nat-*
 9 *ural Area is established;*

10 *(2) the Federal Land Policy and Management*
 11 *Act of 1976 (43 U.S.C. 1701 et seq.); and*

12 *(3) other applicable laws.*

13 *(c) COOPERATIVE AGREEMENTS.—To facilitate imple-*
 14 *mentation of the management plan and to continue the suc-*
 15 *cessful partnerships with local communities and other part-*
 16 *ners, the Secretary may, in accordance with section 307(b)*
 17 *of the Federal Land Management Policy and Management*
 18 *Act of 1976 (43 U.S.C. 1737(b)), enter into cooperative*
 19 *agreements with the appropriate Federal, State, county,*
 20 *other local government agencies, and other partners (includ-*
 21 *ing the Loxahatchee River Historical Society) for the long-*
 22 *term management of the Outstanding Natural Area*

23 *(d) RESEARCH ACTIVITIES.—To continue successful*
 24 *research partnerships, pursue future research partnerships,*
 25 *and assist in the development and implementation of the*

1 *management plan, the Secretary may, in accordance with*
 2 *section 307(a) of the Federal Land Policy and Management*
 3 *Act of 1976 (43 U.S.C. 1737(a)), authorize the conduct of*
 4 *appropriate research activities in the Outstanding Natural*
 5 *Area for the purposes described in section 3(b).*

6 *(e) ACQUISITION OF LAND.—*

7 *(1) IN GENERAL.—Subject to paragraph (2), the*
 8 *Secretary may acquire for inclusion in the Out-*
 9 *standing Natural Area any State or private land or*
 10 *any interest in State or private land that is—*

11 *(A) adjacent to the Outstanding Natural*
 12 *Area; and*

13 *(B) identified in the management plan as*
 14 *appropriate for acquisition.*

15 *(2) MEANS OF ACQUISITION.—Land or an inter-*
 16 *est in land may be acquired under paragraph (1)*
 17 *only by donation, exchange, or purchase from a will-*
 18 *ing seller with donated or appropriated funds.*

19 *(3) ADDITIONS TO THE OUTSTANDING NATURAL*
 20 *AREA.—Any land or interest in land adjacent to the*
 21 *Outstanding Natural Area acquired by the United*
 22 *States after the date of enactment of this Act under*
 23 *paragraph (1) shall be added to, and administered as*
 24 *part of, the Outstanding Natural Area.*

1 (f) *LAW ENFORCEMENT ACTIVITIES*.—*Nothing in this*
 2 *Act, the management plan, or the Jupiter Inlet Coordinated*
 3 *Resource Management Plan (including any updates or*
 4 *amendments to the Jupiter Inlet Coordinated Resource*
 5 *Management Plan) precludes, prohibits, or otherwise af-*
 6 *fects—*

7 (1) *any maritime security, maritime safety, or*
 8 *environmental protection mission or activity of the*
 9 *Coast Guard;*

10 (2) *any border security operation or law enforce-*
 11 *ment activity by the Department of Homeland Secu-*
 12 *rity or the Department of Justice; or*

13 (3) *any law enforcement activity of any Federal,*
 14 *State, or local law enforcement agency in the Out-*
 15 *standing Natural Area.*

16 (g) *FUTURE DISPOSITION OF COAST GUARD FACILI-*
 17 *TIES*.—*If the Commandant determines, after the date of en-*
 18 *actment of this Act, that Coast Guard facilities within the*
 19 *Outstanding Natural Area exceed the needs of the Coast*
 20 *Guard, the Commandant may relinquish the facilities to*
 21 *the Secretary without removal, subject only to any environ-*
 22 *mental remediation that may be required by law.*

1 **SEC. 6. EFFECT ON ONGOING AND FUTURE COAST GUARD**
 2 **OPERATIONS.**

3 *Nothing in this Act, the management plan, or the Ju-*
 4 *piter Inlet Coordinated Resource Management Plan (in-*
 5 *cluding updates or amendments to the Jupiter Inlet Coordi-*
 6 *nated Resource Management Plan) precludes, prohibits, or*
 7 *otherwise affects ongoing or future Coast Guard operations*
 8 *or activities in the Outstanding Natural Area, including—*

9 *(1) the continued and future operation of, access*
 10 *to, maintenance of, and, as may be necessitated for*
 11 *Coast Guard missions, the expansion, enhancement,*
 12 *or replacement of, the Coast Guard High Frequency*
 13 *antenna site on lot 16;*

14 *(2) the continued and future operation of, access*
 15 *to, maintenance of, and, as may be necessitated for*
 16 *Coast Guard missions, the expansion, enhancement,*
 17 *or replacement of, the military family housing area*
 18 *on lot 18;*

19 *(3) the continued and future use of, access to,*
 20 *maintenance of, and, as may be necessitated for Coast*
 21 *Guard missions, the expansion, enhancement, or re-*
 22 *placement of, the pier on lot 18;*

23 *(4) the existing lease of the Jupiter Inlet Light-*
 24 *house on lot 18 from the Coast Guard to the*
 25 *Loxahatchee River Historical Society; or*

1 (5) *any easements or other less-than-fee interests*
2 *in property appurtenant to existing Coast Guard fa-*
3 *cilities on lots 16 and 18.*

4 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

5 *There are authorized to be appropriated such sums as*
6 *are necessary to carry out this Act.*

Amend the title so as to read: “A bill to designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape Conservation System, and for other purposes.”.

Calendar No. 640

110TH CONGRESS
2^D Session

S. 1143

[Report No. 110-288]

A BILL

To designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, and for other purposes.

APRIL 10, 2008

Reported with an amendment and an amendment to the title