

101ST CONGRESS
1ST SESSION

H. R. 3782

To designate certain public lands in the State of Idaho as Craters of the Moon National Park and the Great Rift National Preserve.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 1989

Mr. STALLINGS introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To designate certain public lands in the State of Idaho as Craters of the Moon National Park and the Great Rift National Preserve.

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 "Craters of the Moon
5 National Park Act of 1989"

6 **SEC. 2. ESTABLISHMENT OF PARK AND PRESERVE.**

7 (a) **ESTABLISHMENT.**—In order to protect and preserve
8 a unique landscape and ecosystem in southeastern Idaho pos-
9 sessed outstanding volcanic features and nationally signifi-
10 cant resources for the benefit and enjoyment of the American

1 people and future generations, there is hereby established the
2 Craters of the Moon National Park (hereinafter in this Act
3 referred to as the "park"), and the Great Rift National Pre-
4 serve (hereinafter in this Act referred to as the "preserve").

5 (b) PARK.—The park shall consist of approximately
6 373,785 acres, as generally depicted on the map entitled
7 "Boundary Map, Craters of the Moon National Park, Idaho"
8 numbered _____ and dated _____.

9 (c) PRESERVE.—The preserve shall consist of approxi-
10 mately 123,040 acres, as generally depicted on the map enti-
11 tled "Boundary Map, Great Rift National Preserve, Idaho"
12 numbered _____ and dated _____.

13 (d) MAP.—(1) The maps referred to in this section shall
14 be on file and available for public inspection in the offices of
15 the National Park Service and the Bureau of Land
16 Management.

17 (2) The Secretary of the Interior (hereinafter in this Act
18 referred to as the "Secretary") shall provide copies of such
19 maps to the Governor of Idaho and to such other Federal,
20 State and local officials as may be appropriate.

21 (e) LEGAL DESCRIPTION.—Within 6 months after the
22 enactment of this Act, the Secretary shall file a legal descrip-
23 tion of the park and preserve with the Committee on Interior
24 and Insular Affairs of the United States House of Represent-
25 atives and with the Committee on Energy and Natural Re-

1 sources of the United States Senate. Such legal description
2 shall have the same force and effect as if included in this Act,
3 except that the Secretary may correct clerical and typo-
4 graphical errors in the legal description and in the maps re-
5 ferred to in subsections (b) and (c). The legal description shall
6 be on file and available for public inspection in the offices
7 referred to in subsection (d)(1).

8 (f) NATIONAL MONUMENT.—The Craters of the Moon
9 National Monument, designated on May 2, 1924, is hereby
10 abolished. Any funds available for purposes of the national
11 monument shall be available for purposes of the park and
12 preserve. Any reference in any law, map, regulation, docu-
13 ment, record, or other paper of the United States to such
14 national monument shall be hereafter deemed to be a refer-
15 ence to Craters of the Moon National Park.

16 (g) BLM LANDS.—Areas generally depicted on the
17 maps referred to in subsections (b) and (c) which were admin-
18 istered by the Bureau of Land Management before the enact-
19 ment of this Act are hereby transferred to the administrative
20 jurisdiction of the National Park Service to be administered
21 as part of the park and preserve as provided in this Act.

22 (h) EXISTING WILDERNESS AREAS.—The designation
23 before the enactment of this Act of areas within the Craters
24 of the Moon National Monument as wilderness shall continue
25 in force and effect after the enactment of this Act, and the

1 Secretary shall continue to administer such areas in accord-
2 ance with the provisions of the Wilderness Act governing
3 areas designated by that Act as wilderness.

4 **SEC. 3. PLAN AND MANAGEMENT.**

5 (a) **IN GENERAL.**—The Secretary shall administer the
6 park and preserve in accordance with this Act and with the
7 provisions of law generally applicable to units of the national
8 park system, including the Act entitled “An Act to establish
9 a National Park Service, and for other purposes,” approved
10 August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4). The Secre-
11 tary shall manage and administer the park and preserve to
12 conserve and protect the natural, scenic, geological, cultural,
13 and scientific resources of the park and preserve, including
14 wildlife, and to provide for the public use and enjoyment in
15 order to perpetuate these qualities for present and future
16 generations.

17 (b) **MANAGEMENT PLAN.**—(1) After notice and oppor-
18 tunity for public hearing, the Secretary, in cooperation with
19 appropriate State and Federal agencies, local units of govern-
20 ment, and local residents, shall prepare a comprehensive
21 management plan for protection, preservation, and interpre-
22 tation of the park and preserve.

23 (2) Within 18 months after the enactment of this Act,
24 the Secretary shall transmit the plan to the Committee on
25 Interior and Insular Affairs of the United States House of

1 Representatives and to the Committee on Energy and Natu-
2 ral Resources of the United States Senate. Such plan may be
3 amended from time to time.

4 (c) GRAZING PRIVILEGES.—(1) Subject to such limita-
5 tions, conditions, or regulations as he may prescribe, the Sec-
6 retary shall permit grazing on lands within the park and pre-
7 serve to the same extent as was permitted on such lands as of
8 the enactment of this Act.

9 (2) Grazing within the park and preserve shall be ad-
10 ministered by the National Park Service, but the National
11 Park Service shall coordinate the opening and closing of
12 grazing seasons with the Bureau of Land Management which
13 manages adjacent and surrounding lands so that livestock
14 producers may continue to utilize the resource in an efficient
15 manner without unnecessary delay or interference.

16 (3) At the request of the permittee, or at the initiative of
17 the Secretary, negotiations may take place at any time with
18 holders of valid existing grazing permits and their successors
19 on land within the park and preserve, for an exchange of all
20 or part of their grazing allotments for allotments outside the
21 park and preserve provided that the exchanges do not create
22 unnecessary burdens upon the permittees for transportation
23 or trailing of livestock or transportation of feed and water.
24 No such exchange shall take place if, in the opinion of the

1 affected Federal land management agency, the exchange
2 would result in overgrazing of Federal lands.

3 (4) Existing water-related range improvements inside
4 the park and preserve may be maintained by the Secretary or
5 the persons benefiting from them, subject to reasonable regu-
6 lation by the Secretary.

7 (5) Grazing permittees shall be allowed to continue to
8 use sheep camps and off-road vehicles in their traditional
9 manner to support grazing operations. The Secretary shall
10 allow permittees to maintain shipping corrals at or near tra-
11 ditional locations of use for loading and transportation of
12 livestock.

13 (d) ACCESS ROADS.—(1) In order to provide suitable
14 access to the park and preserve and facilities and services
15 required in the operation and administration of the two areas,
16 the Secretary may select the location or locations of an en-
17 trance road or roads to such park and preserve and to points
18 of interests therein, including necessary entrance and related
19 administrative headquarters sites upon lands located outside
20 the park and preserve, and he may select a suitable location
21 or locations outside the park and preserve for connections
22 between entrance roads and between roads lying within the
23 park and preserve.

24 (2) The Secretary may construct, reconstruct, improve,
25 and maintain upon the lands or interests in lands acquired

1 pursuant to this section, or otherwise in Government owner-
2 ship, an entrance road or roads and connections of parkway
3 standards, including other structures and utilities as neces-
4 sary, and funds appropriated for the National Park Service
5 shall be available for these purposes.

6 (e) MINING LAW WITHDRAWAL.—Subject to valid ex-
7 isting rights, Federal lands within the park and preserve, and
8 interests therein, are withdrawn from disposition under the
9 public land laws of the United States and from entry or ap-
10 propriation under the mining laws of the United States, from
11 the operation of the mineral leasing laws of the United
12 States, and from operation of the Geothermal Steam Act of
13 1970.

14 (f) HUNTING IN PRESERVE.—The Secretary shall
15 permit hunting on lands within the preserve in accordance
16 with applicable Federal and State law and under regulations
17 of the Idaho Department of Fish and Game.

18 (g) COOPERATIVE AGREEMENTS.—In order to encour-
19 age unified and cost-effective interpretation of the park and
20 preserve, the Secretary is authorized to enter into coopera-
21 tive agreements with other Federal, State, local departments
22 and agencies, and universities providing for the interpretation
23 of the area and for other appropriate purposes.

24 (h) WILDERNESS STUDY AREAS.—Until otherwise di-
25 rected by Act of Congress, the rules, regulations, and other

1 requirements applicable as of the enactment of this Act to
2 wilderness study areas located within the boundaries of areas
3 generally depicted on the maps referred to in subsections (b)
4 and (c) of section 2 shall continue in force and effect with
5 respect to such areas, and the Secretary shall continue to
6 administer and manage such wilderness study areas so as to
7 maintain their potential for inclusion in the National Wilder-
8 ness Preservation System.

9 **SEC. 4. ACQUISITION OF LANDS.**

10 (a) **GENERAL AUTHORITY.**—The Secretary may ac-
11 quire land or interests in land within the boundaries of the
12 park and preserve by donation, purchase with donated or ap-
13 propriated funds, or exchange, except that—

14 (1) no such lands or interests therein may be ac-
15 quired without the consent of the owner thereof; and

16 (2) lands owned by the State of Idaho, or any po-
17 litical subdivision thereof, may be acquired only by do-
18 nation or exchange.

19 (b) **OFFERS TO SELL.**—The Secretary shall, in addition,
20 give prompt and careful consideration to any offer made by
21 an individual owning property within the park or preserve to
22 sell such property, if such individual notifies the Secretary
23 that the continued ownership of such property is causing, or
24 would result in, undue hardship.

1 SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

2 There are hereby authorized to be appropriated such

3 sums as may be necessary to carry out this Act.

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