

# Union Calendar No. 327

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1922

**[Report No. 110-536, Part I]**

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.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 2007

Mr. MAHONEY of Florida introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, 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

MARCH 3, 2008

Additional sponsors: Mr. HASTINGS of Florida and Mr. KLEIN of Florida

MARCH 3, 2008

Reported from the Committee on Natural Resources with amendments

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

MARCH 3, 2008

Committee on Transportation and Infrastructure discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on April 18, 2007]

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## A BILL

To designate the Jupiter Inlet Lighthouse and the sur-

rounding 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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. DEFINITIONS.**

7       *In this Act:*

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

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

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

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

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

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

18                   (D) *the Loxahatchee River Historical Soci-*  
19 *ety.*

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



1 *Federal land surrounding the Lighthouse for the benefit of*  
2 *present generations and future generations of people in the*  
3 *United States, while—*

4           (1) *allowing certain recreational and research*  
5 *activities to continue in the Outstanding Natural*  
6 *Area; and*

7           (2) *ensuring that Coast Guard operations and*  
8 *activities are unimpeded within the boundaries of the*  
9 *Outstanding Natural Area.*

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

12           (1) *the Office of the Director of the Bureau of*  
13 *Land Management; and*

14           (2) *the Eastern States Office of the Bureau of*  
15 *Land Management in the State of Virginia.*

16       (d) *WITHDRAWAL.—*

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

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

1           (B) location, entry, and patent under the  
2           public land mining laws; and

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

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

9           (A) the Executive Order dated October 22,  
10           1854;

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

13           (C) Public Land Order No. 7202 (61 Fed.  
14           Reg. 29758).

15 **SEC. 4. MANAGEMENT PLAN.**

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

22           (1) provide long-term management guidance for  
23           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, the Loxahatchee*  
9           *River Historical Society, and other partners; 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        *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 shall, 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—*

18 *(A) donation;*

19 *(B) exchange with a willing party; or*

20 *(C) purchase from a willing seller.*

21 *(3) ADDITIONS TO THE OUTSTANDING NATURAL*  
22 *AREA.—Any land or interest in land adjacent to the*  
23 *Outstanding Natural Area acquired by the United*  
24 *States after the date of enactment of this Act under*

1        *paragraph (1) shall be added to, and administered as*  
2        *part of, the Outstanding Natural Area.*

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

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

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

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

18        *(g) FUTURE DISPOSITION OF COAST GUARD FACILI-*  
19        *TIES.—If the Commandant determines, after the date of en-*  
20        *actment of this Act, that Coast Guard facilities within the*  
21        *Outstanding Natural Area exceed the needs of the Coast*  
22        *Guard, the Commandant may relinquish the facilities to*  
23        *the Secretary without removal, subject only to any environ-*  
24        *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.”.

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