

Public Law 106-154
106th Congress

An Act

Dec. 9, 1999
[H.R. 2140]

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

16 USC 460ii
note.

SECTION 1. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—Congress finds that—

(1) the Chattahoochee River National Recreation Area in the State of Georgia is a nationally significant resource;

(2) the Chattahoochee River National Recreation Area has been adversely affected by land use changes occurring inside and outside the recreation area;

(3) the population of the metropolitan Atlanta area continues to expand northward, leaving dwindling opportunities to protect the scenic, recreational, natural, and historical values of the 2,000-foot-wide corridor adjacent to each bank of the Chattahoochee River and its impoundments in the 48-mile segment known as the “area of national concern”;

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

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

(6) since establishment of the Chattahoochee River National Recreation Area, visitor use of the recreation area has shifted dramatically from waterborne to water-related and land-based activities;

(7) the State of Georgia and political subdivisions of the State along the Chattahoochee River have indicated willingness to join in a cooperative effort with the United States to link existing units of the recreation area through a series of linear corridors to be established within the area of national concern and elsewhere on the river; and

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

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

(1) to increase the level of protection of the open spaces within the area of national concern along the Chattahoochee

River and to enhance visitor enjoyment of the open spaces by adding land-based linear corridors to link existing units of the recreation area;

(2) to ensure that the Chattahoochee River National 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,”;

(2) by striking the fourth sentence and inserting the following: “No sooner than 180 days after the date of the enactment of this sentence, the Secretary of the Interior (hereafter referred to as the ‘Secretary’) may modify the boundaries of the recreation area to include other land within the Chattahoochee River corridor by submitting a revised map or other boundary description to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives. The revised map or other boundary description shall be prepared by the Secretary after consultation with affected landowners, the State of Georgia, and affected political subdivisions of the State. The revised boundaries shall take effect 180 days after the date of submission unless, within the 180-day period, Congress enacts a joint resolution disapproving the revised boundaries.”; and

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

(b) ACQUISITION OF PROPERTY.—Section 102 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-1), is amended—

(1) in subsection (a), by inserting “from willing sellers” after “purchase”; and

(2) by striking subsection (f).

(c) COOPERATIVE AGREEMENTS.—Section 103 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-2), is amended by striking subsection (b) and inserting the following:

"(b) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the State of Georgia, political subdivisions of the State, and other entities to ensure standardized acquisition, planning, design, construction, and operation of the recreation area."

(d) FUNDING.—Section 105 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-4), is amended—

(1) by striking "SEC. 105. (a)" and inserting the following:

"SEC. 105. FUNDING SOURCES AND GENERAL MANAGEMENT PLAN.

"(a) FUNDING.—

"(1) LIMITATION ON USE OF APPROPRIATED FUNDS.—";

(2) in subsection (a)—

(A) by striking "\$79,400,000" and inserting "\$115,000,000";

(B) by striking "this Act" and inserting "this title";

and

(C) by adding at the end the following:

"(2) DONATIONS.—The Secretary may accept a donation of funds or land or an interest in land to carry out this title.

"(3) RELATION TO OTHER FUNDING SOURCES.—Funds made available under paragraph (1) are in addition to funding and the donation of land and interests in land by the State of Georgia, local government authorities, private foundations, corporate entities, and individuals for purposes of this title."; and

(3) 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.—Within 3 years after the date funds are made available, the Secretary shall submit to the committees specified in paragraph (1) a revised general management plan to provide for the protection, enhancement, enjoyment, development, and use of the recreation area.

"(B) PUBLIC PARTICIPATION.—In preparing the revised plan, the Secretary shall encourage the participation of the State of Georgia and affected political subdivisions of the State, private landowners, interested citizens, public officials, groups, agencies, educational institutions, and other entities."

(e) TECHNICAL CORRECTIONS.—Title I 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 et seq.), is amended—

- (1) in sections 102(d) and 103(a), by striking “of this Act” and inserting “of this title”; 16 USC 460ii-1, 460ii-2.
- (2) in section 104(b)— 16 USC 460ii-3.
- (A) by striking “of this Act” and inserting “of this title”;
- (B) by striking “under this Act” and inserting “under this title”;
- (C) by striking “by this Act” and inserting “by this title”; and
- (D) by striking “in this Act” and inserting “in this title”;
- (3) in section 104(d)(2), by striking “under this Act” and inserting “under this title”;
- (4) in section 105(c)(1)(A), as redesignated by subsection (d)(3), by striking “of this Act” and inserting “of this title”; 16 USC 460ii-4.
- (5) in section 106(a), by striking “in this Act” and inserting “in this title”; and 16 USC 460ii-5.
- (6) in section 106(d), by striking “under this Act” and inserting “under this title”.

Approved December 9, 1999.

LEGISLATIVE HISTORY—H.R. 2140 (S. 109):

HOUSE REPORTS: No. 106-369 (Comm. on Resources).

SENATE REPORTS: No. 106-62 accompanying S. 109 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

Oct. 18, considered and passed House.

Nov. 19, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Dec. 9, Presidential statement.