

APPENDIXES

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SIEUR DE MONTS NATIONAL MONUMENT,¹ MAINE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

[No. 1339—July 8, 1916—39 Stat. 1785]

WHEREAS, the Hancock County Trustees of Public Reservations, State of Maine, did, on the 10th day of June, 1916, pursuant to the Act of Congress entitled, "An Act for the Preservation of American Antiquities", approved June 8, 1906, (34 Stat., 225), by their certain deed of conveyance, properly executed in writing and acknowledged, give, grant and convey to the United States of America the following described lands at that time held by them in private ownership and being located upon Mount Desert Island in the State of Maine, and bounded and particularly described as follows, to wit:

Beginning at a large hemlock tree in the west line of land of Charles C. Burrill, said tree marking the southwest corner of the Humphrey Stanwood Lot, so called; thence south six degrees thirty minutes west, but everywhere following the west line of said land of Burrill, one thousand three hundred and thirty-eight feet, more or less, to the southwest corner of said land of Burrill; thence on same course, south six degrees thirty minutes west, following the west line of land formerly of John B. and Charles T. How, now of George B. Dorr, four hundred and twelve and five-tenths feet to an iron bolt set in the ledge and a cross cut in the ledge on Kebo Mountain, said bolt marking the southwest corner of said land of Dorr; thence, following the south line of said land of Dorr, south eighty-three degrees thirty minutes east six hundred and forty-five feet to a cedar stake driven in the ground; thence south seven degrees five minutes east five hundred and ninety-eight feet to a cedar stake driven in the ground; thence south fifteen degrees east five hundred and ninety-two and five-tenths feet to a cedar stake driven in the ground; thence south two degrees thirty minutes east four hundred and forty feet; thence south ten degrees east four hundred and ninety-seven feet to a stake and stones; thence south twenty-four degrees thirty minutes east three hundred and fifty-seven feet to a stake driven in the ground; thence south five degrees thirty minutes west one hundred and ninety-four feet to a stake driven in the ground; thence south thirty minutes east six hundred and ninety-two feet to a stake driven in the ground; thence south fifty-two degrees forty-five minutes east to the west side line of the Kane Memorial Path, so-called; thence southerly, but always following the western side line of said Kane Memorial Path, to its intersection with the Ladder Path, so-called; thence southerly and easterly, but everywhere following the western and southern side lines of said Ladder Path, to an iron bolt driven in the ground at a point one rod westerly of the western side line of the Otter

¹ Monument established as the Lafayette National Park by act of Feb. 26, 1919 (40 Stat. 1178). Subsequently changed to Acadia National Park by act of Jan. 19, 1929 (45 Stat. 1083). See Vol. 1, page 215.

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Creek Road; thence northerly, but everywhere parallel with and one rod distant from said Otter Creek Road, to the southern line of said Kane Memorial Path; thence at right angles easterly to the center of said Otter Creek Road; thence northerly, by said Otter Creek Road, to an iron bolt at the junction of line of land of Morrell and the eastern line of said Road; thence south thirty degrees thirty minutes east, but everywhere following said land of Morrell two hundred and fifty feet, more or less, to an iron pipe driven in the ground; thence south eighty degrees ten minutes east, but everywhere following the southerly line of said land of Morrell and land of Dorr two thousand five hundred and thirty-four and four-tenths feet, passing through an iron pipe driven in the ground marking the southwest corner of land of George B. Dorr, to a stake driven in the ground; thence north eighty-one degrees twenty minutes east, following said land of said Dorr, one hundred and fifty-six and seventy-five one-hundredths feet to a stake driven in the ground; thence north seventy-three degrees east, still following said land of Dorr, two hundred and eighty-seven and twenty-six one-hundredths feet to a stake driven in the ground; thence north nine degrees fifty-five minutes east, still following said land of Dorr, seven hundred and forty-four and ninety-seven one-hundredths feet to a stake driven in the ground; thence north fifteen degrees thirty minutes east, still following said land of Dorr, three hundred and twenty-five and five one-hundredths feet to a stake driven in the ground; thence north fifty-five minutes east, still following said land of Dorr, two hundred and fourteen and ninety-nine one-hundredths feet to the southern line of the Quarry Road, so-called; thence south sixty-five degrees twenty-three minutes east one hundred and ninety-nine and ninety-eight one-hundredths feet to a stake driven in the ground; thence south twenty-one degrees twenty minutes west, following land of said Dorr; four hundred and ninety-five feet to a stake driven in the ground; thence south eighty-seven degrees east, following said land of Dorr, three hundred and sixty and eight-five one-hundredths feet to a stone set in the ground marking the northwest corner of land of Bowler; thence south nineteen degrees fifteen minutes west, eight hundred and sixty-nine and eighty-eight one-hundredths feet to a stone set in the ground in the line between land of Bingham Estate and said Bowler; thence continuing same course, to wit, south nineteen degrees fifteen minutes west one hundred and eighty-one and seventeen one-hundredths feet to a pine tree marked for a corner; thence south seven degrees east, but everywhere following the western line of said Bingham land three hundred and eighty-seven and forty-two one hundredths feet, more or less, to the most northerly corner of that certain lot described as conveyed in the deed from Daniel W. Brewer to the Trustees of the Bingham Estate, dated October 23, 1882, and recorded in the Hancock County Maine Registry of Deeds in Book 185, Page 169; thence in a general southwesterly direction, but everywhere following the northwesterly line of said lot so described as conveyed in said deed from Brewer to Trustees of the Bingham Estate, to the northerly line of land formerly of Charles T. How, later of Brunnow; thence south eighty-three degrees east to a stake and stones marking the northwest corner of land of Brunnow, said stake and stones being six hundred and seventy-four feet north eighty-three degrees west from the Schooner Head Road; thence south thirty-three degrees thirty minutes west one hundred and two feet to a poplar tree; thence south sixty-eight degrees west one hundred and nineteen feet to a stake and stones; thence south seven degrees east three hundred and twenty-five feet to a stake and stones marking the southwest corner of

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said land of Brunnow; thence north eighty degrees forty-five minutes east, following the southern line of said land of Brunnow, eight hundred and sixty feet, more or less, to the Schooner Head Road; thence south five degrees west, but following said Schooner Head Road, six hundred and thirty-six and twenty-five one-hundredths feet, more or less, to the north line of land of Bliss; thence south seventy-three degrees twenty minutes west eight hundred and fifty-five and six-tenths feet to a piece of iron pipe driven in the ground; thence south sixty degrees west thirty-nine and six-tenths feet to a piece of iron pipe driven in the ground; thence south fifty degrees forty minutes west forty-two and nine-tenths feet to a piece of iron pipe driven in the ground; thence south forty-three degrees twenty-eight minutes west forty six and one-tenth feet to a piece of iron pipe driven in the ground; thence south thirty-nine degrees sixteen minutes west forty-four and two-tenths feet to a piece of iron pipe driven in the ground; thence south thirty-eight degrees ten minutes west forty-seven and eight-tenths feet to a piece of iron pipe driven in the ground; thence south thirty-six degrees fifty minutes west three hundred and thirty-two and six-tenths feet to a piece of iron pipe driven in the ground; thence south twenty-six degrees twenty-six minutes west one hundred and thirty-two and two-tenths feet to a piece of iron pipe driven in the ground; thence south twenty-five degrees twenty-four minutes west one hundred and nineteen and seven-tenths feet to a piece of iron pipe driven in the ground; thence south twenty-three degrees two minutes west fifty-five and eight-tenths feet to a piece of iron pipe driven in the ground; thence south fifteen degrees thirty minutes west sixty and eight-tenths feet to a piece of iron pipe driven in the ground; thence south twelve degrees twenty-six minutes west two hundred and seven and eight-tenths feet to a piece of iron pipe driven in the ground; thence south four degrees fourteen minutes west forty-three and four-tenths feet to a piece of iron pipe driven in the ground; thence south thirty-two minutes west forty and five-tenths feet to a piece of iron pipe driven in the ground; thence south twenty-three degrees eight minutes east thirty-four feet to a piece of iron pipe driven in the ground; thence south forty-seven degrees twenty-four minutes east thirty-nine and eight-tenths feet to a piece of iron pipe driven in the ground; thence south fifty-eight degrees twenty-four minutes east thirty-four and seven-tenths feet to a piece of iron pipe driven in the ground; thence south sixty-three degrees fifty-two minutes east three hundred and twenty-two and three-tenths feet to a piece of iron pipe driven in the ground; thence south seventy-three degrees forty minutes east one hundred and fifteen and nine-tenths feet to a piece of iron pipe driven in the ground; thence south eighty-four degrees four minutes east one hundred and five and seven-tenths feet to a piece of iron pipe driven in the ground; thence south seventy-six degrees thirty-four minutes east seventy-one and four-tenths feet to a piece of iron pipe driven in the ground; thence south sixty-one degrees twenty-six minutes east one hundred and seventy-one and two-tenths feet to a piece of iron pipe driven in the ground; thence north eighty-six degrees ten minutes east sixty-five and one-tenth feet to a piece of iron pipe driven in the ground; thence north seventy degrees twenty-four minutes east eighty-two and nine-tenths feet to a piece of iron pipe driven in the ground; thence north eighty-one degrees twenty minutes east seventy-eight and seven-tenths feet to a piece of iron pipe driven in the ground; thence south seventy-six degrees ten minutes east one hundred and thirty-one and five-tenths feet to a piece of iron pipe driven in the ground; thence south sixty-two degrees forty-five minutes east one hundred and eighty-three and seven-tenths feet to a piece

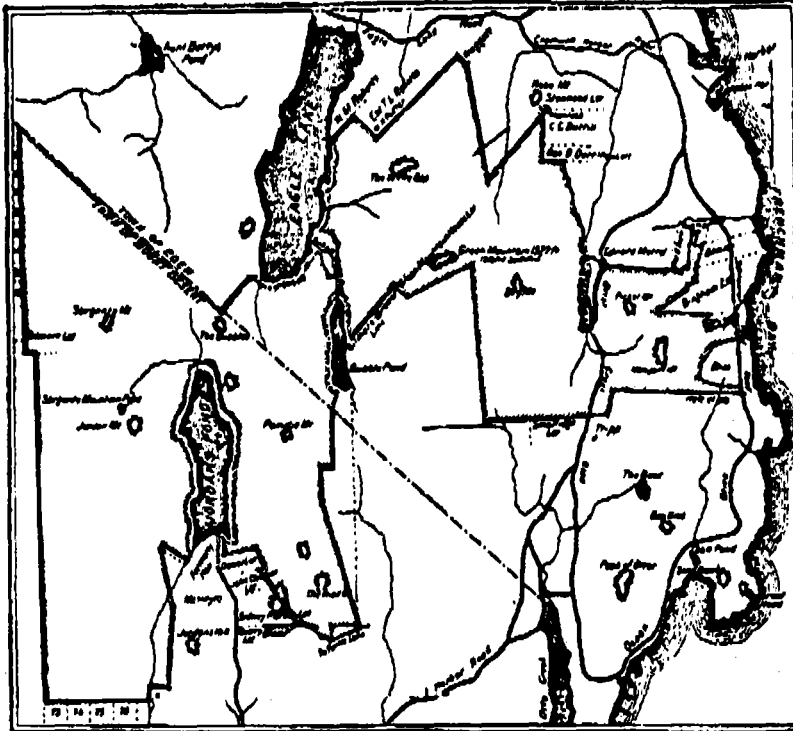
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of iron pipe driven in the ground; thence south sixty-nine degrees fifty-eight minutes east fifty-two and eight-tenths feet to a piece of iron pipe driven in the ground; thence north forty-four degrees forty-five minutes east thirty-nine and three-tenths feet to a piece of iron pipe driven in the ground on the west side of the Schooner Head Road; thence following the west side of said road southerly to a stone post set in the ground in the north line of land of Hale et als; thence north eighty-four degrees west four thousand seven hundred and fifty feet to a stake and stones; thence southerly nine hundred and ten feet to a point north eighty-eight degrees east from a stake driven in the ground in the east side of the Otter Creek Road, marking the northeast corner of the Timothy Smallidge Lot, so-called; thence south eighty-eight degrees west six hundred and ninety-seven and nine-tenths feet to said stake; thence continuing same course, to wit, south eighty-eight degrees west, following said Smallidge lot, to the southwest corner of the lot described as conveyed in the deed from Daniel W. Brewer to Fountain & Serenus H. Rodick, dated April 21, 1883, and recorded in said Registry of Deeds Book 187, page 510; thence north, following the west line of said land so conveyed by Brewer to Rodick, to the southeast corner of the Green Mountain House Lot, so-called, said corner being marked by a bolt set in the ledge near the edge of a steep bluff on the southerly slope of Green Mountain and also marked by a cross cut in the ledge; thence south sixty-seven degrees thirty minutes west two thousand five hundred and eighty-nine feet to an iron bolt set in the ledge on the westerly slope of the western ridge of said Mountain, also marked by a cross cut in the ledge; thence north forty-nine degrees thirty minutes west six hundred and sixty feet to an iron bolt set in the ledge and a cross cut in the ledge near said bolt, said point being in the Gilmore-Brewer division line, or Deane line, so-called; thence following said Gilmore-Brewer division line south forty-five degrees west to a point one hundred and fifty feet easterly of the eastern shore of Bubble Pond or Turtle Lake; thence northerly, but everywhere parallel with and one hundred and fifty feet distant from said eastern shore of Bubble Pond, or Turtle Lake, to a stake driven in the ground; thence south fifty-two degrees west to a point one hundred and fifty feet westerly from the western shore of said Pond; thence southerly, but everywhere parallel with and one hundred and fifty feet distant from the western shore of said Pond to a stake driven in the ground near the southern end of Bubble Pond; thence southwesterly to a point on the town line between the towns of Eden and Mount Desert, said point being seven hundred and fifty feet at right angles westerly from the eastern line of the Benjamin and Enoch Spurling lot, or Jordan Purchase, so-called; thence south four degrees west, parallel with and seven hundred and fifty feet distant from said eastern line of said Spurling Lot, or Jordan Purchase, two thousand one hundred and thirty feet; thence westerly, at right angles to said last described line four hundred and seventy-five feet; thence southerly, at right angles to said last described line twelve hundred feet; thence southeasterly to a copper bolt set in a ledge on the eastern slope of the Eastern Triad Mountain; thence south thirteen degrees fifty-five minutes east one thousand two hundred and sixty-six and thirty-seven one-hundredths feet to a copper bolt in a point of ledge; thence south forty-one degrees fifty minutes west one hundred and seventy-seven and thirty-seven one-hundredths feet to an iron bolt set in a ledge marking the northeast corner of the lot of J. & C. H. Clement; thence westerly, but everywhere following the northerly line of said Clement Lot, to the northwest corner thereof; thence southerly, but everywhere following the westerly line of said Clement Lot, to the

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SIEUR de MONTS NATIONAL MONUMENT
Mount Desert Island
MAINE

Embracing the island summit and about five thousand acres of adjacent lands
Monument Boundary



DEPARTMENT OF THE INTERIOR
Franklin K. Lane, Secretary

northerly side of the road leading to Turtle Lake; thence southwesterly, but everywhere following the northern side line of said road, forty-five feet, more or less, to a stone post in the side of said road; thence north eighty-one degrees twenty-three minutes west, passing through two iron bolts set in a bowlder in line of land of Helen P. Dane, and everywhere following same, four hundred and seventy-five and seventy-five one-hundredths feet to a stone post set in the ground; thence north twenty-eight degrees forty-six minutes west, still following said Dane line, three hundred and forty-five and two-tenths feet to an iron bolt in a bowlder; thence north sixty-one degrees thirty-nine minutes west, everywhere following said Dane line, six hundred and thirty-five and eight-tenths feet to an iron bolt in a bowlder; thence south fifty-eight degrees fifty-eight minutes west, but everywhere following said Dane line, six hundred and forty-two and eight-tenths feet to a stone post set in the ground; thence north eighty-seven degrees forty-five minutes west, but everywhere following said Dane line, eight hundred and

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thirty-three feet, to a stone post set in the ground; thence north thirty-five degrees fifty-six minutes east, following the easterly line of the so-called Candage Quarry Lot, one hundred and fifty and one-tenth feet to a stone post set in the ground; thence north eleven degrees thirty-nine minutes east, but everywhere following the eastern line of said Quarry Lot, two hundred and forty-nine and one-tenth feet to a stone post marking the northeastern corner of said Quarry Lot, said stone post at said northeastern corner being distant ten hundred and eighty-seven feet, measuring south eighty-two degrees thirty minutes east, from the intersection of the southerly line of the Sidney P. Bracy Lot, called also the Candage Lot, with the center of the town road leading to Jordan's Pond; thence turning and running easterly, bounded northerly by said Bracy or Candage Lot, to the southeast corner of said Bracy or Candage Lot; thence generally northerly, bounded westerly by said Bracy or Candage Lot, the John Clement Lot and the Hannah A. Bracy (widow) Dower Lot, to the northeast corner of said Dower Lot; thence south seventy degrees west, but always following the northern line of said Dower Lot, one thousand three hundred and three and five-tenths feet to the south-east corner of land formerly of Charles T. How; thence north four degrees east, following said How's east line, seven hundred and forty-two feet, more or less, to a point one hundred and fifty feet distant from the southerly shore of Jordan Pond; thence easterly, northerly, westerly and southerly, but everywhere parallel with and one hundred and fifty feet distant from the short of said Jordan Pond, to a point one hundred and fifty feet from the intersection of the shore line of the water of said Pond with the westerly line of the strip of land two rods wide taken and condemned for a pipe line by the Seal Harbor Water Supply Company by its condemnation proceedings of December 22, 1896, and according to its plans and descriptions of that date filed in the Registry of Deeds for Hancock County; thence south twenty-five degrees fifty minutes west; but everywhere following the westerly line of said strip so taken and condemned for a pipe line to its intersection with the northerly line of the lot of land taken and condemned for dams, reservoirs and other necessary buildings for the said Water Company by its condemnation aforesaid, and according to its plans and descriptions filed as aforesaid; thence north fifty-two degrees forty minutes west, but everywhere following the northerly line of said lot taken and condemned for dams and other purposes above mentioned, to the stone post marking the northwestern corner of said lot; thence south seventeen degrees twenty minutes west, but everywhere following the westerly line of said lot, one hundred and six and forty-one hundredths feet to the stone post marking its southwestern corner; thence in a southerly direction to Station Eighteen plus Seventy-eight in the centre line of the old location of the water pipe line of the Seal Harbor Water Supply Company according to the condemnation aforesaid; thence southwesterly, but everywhere following the centre line of said old location, being the centre line of a strip two rods wide marked at its angles by stone posts in the outside lines of said strip twenty-one hundred and two feet, more or less, to Station Thirty-nine plus Eighty in said centre line of said old location; thence diverging from said pipe line location and running south six degrees forty-one minutes west one thousand four hundred and forty-three feet to the Hannah H. Bracy north line, called also the widow Jordan's Dower Lot; thence north eighty-six degrees forty-five minutes west, but everywhere following the northerly side line of said Dower Lot to its northwest corner; thence south ten degrees thirty minutes west, but everywhere following the westerly line of said Dower Lot, five

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hundred and ninety-four feet, more or less, to a stake in the northern line of the Shore or Settlers' Lots, it being also the southwestern corner of said Dower Lot; thence north eighty-five degrees forty-five minutes west, everywhere following the northern line of the said Settlers' Lots and the southern line of the Jordan Purchase, so called, three thousand nine hundred and forty-three and five-tenths feet, more or less, to the southwesterly corner of said Jordan Purchase at the northwesterly corner of Settler's Lot No. 73 on the old Peters Plan; thence north four degrees forty-five minutes east, but everywhere following the westerly line of said Jordan Purchase thirteen thousand two hundred and thirty-three feet, more or less, to an iron bolt marking the northwestern corner of said Jordan Purchase, being the southern line of the Southwest Valley, or Gilmore Lot, said westerly line of the Jordan Purchase being marked throughout its length by iron bolts; thence westerly, following the southern line of said Southwest Valley or Gilmore Lot, four hundred and twelve and five-tenths feet to the southwest corner thereof; thence northerly, by the head line of the shore lots, to said town line; thence south forty-five degrees east, following said town line; to the southwesterly corner of Lot No. 4, according to the survey and plan made by A. P. Goodell in October A. D. 1880, said plan being recorded in the Registry of Deeds for said Hancock County; thence northerly and easterly, but always following said Lot No. 4, to a point one hundred and fifty feet distant from the shore of Eagle Lake; thence easterly and northerly, but everywhere parallel with and one hundred and fifty feet distant from said shore of Eagle Lake to a point one hundred and fifty feet distant from the Bubble Pond Brook; thence easterly, but everywhere parallel with and one hundred and fifty feet distant from said Bubble Pond Brook to the road leading to Bubble Pond; thence by said road, by the four next following courses and distances, first, south eight degrees five minutes east two hundred and two and twelve one-hundredths feet; thence south eleven degrees forty minutes east ninety-nine and ninety-nine one-hundredths feet; thence south twenty-five degrees twenty minutes east one hundred and forty-nine and ninety-eight one-hundredths feet; thence south thirteen degrees thirty-six minutes east two hundred and eighty-three and eight-tenths feet to a stake driven in the ground; thence diverging from said road and crossing said brook north eighty-nine degrees forty minutes east three hundred and thirty-nine and nine-tenths feet; thence north eight degrees thirty-five minutes west one hundred and fifteen and five-tenths feet; thence north eight degrees twenty minutes west one hundred and twenty-five and four-tenths feet; thence north one degree fifteen minutes west one hundred and thirteen and thirty-five one-hundredths feet; thence north ten degrees thirty minutes west one hundred and thirty-two feet; thence north six degrees fifty minutes east one hundred and sixty-eight and ninety-six one-hundredths feet; thence north fourteen degrees east one hundred and eighty-two and forty-nine one-hundredths feet; thence north fourteen degrees west one hundred and thirty-eight and ninety-three one-hundredths feet; thence north nine degrees west three hundred and fifty-one and ninety-one one-hundredths feet; thence south seventy-four degrees thirty minutes west to a point one hundred and fifty feet distant from the shore of Eagle Lake; thence northerly, but everywhere parallel with and one hundred and fifty feet distant from said shore of Eagle Lake to the southeastern line of land of W. M. Roberts; thence north fifty-two degrees thirty minutes east, but everywhere following the southeasterly line of said land of Roberts one thousand two hundred and seventy and five-tenths feet, more or less, to an iron bolt at a corner of land of the Estate of T. L. Roberts;

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thence south thirty-seven degrees thirty minutes east, but everywhere following the southwest line of said Roberts Estate and land now or formerly of William H. Puffer one thousand one hundred and fifty-five feet, more or less, to a stone post at the southwest corner of said land of Puffer, thence north fifty-two degrees thirty minutes east, but always following the southeasterly line of land now or formerly of Puffer et als, being lot No. 56 on said Peters Plan, to the Thomas Wasgatt Lot, so called; thence south thirty-seven degrees thirty minutes east, following said Wasgatt Lot, to land formerly of the Heirs of Benjamin Ash, now of the Rodick Realty Company; thence south two degrees thirty minutes west, but always following said land of the Rodick Realty Company five thousand seven hundred and thirty-five feet to said Brewer-Gilmore Division Line, or Deane Line; thence north forty-five degrees east, always following said land of Rodick Realty Company, et als, three thousand eight hundred and fifty-two and seventy-five one-hundredths feet, more or less, to the hemlock tree, the place of beginning, and

WHEREAS, the said conveyance has been accepted by the Secretary of the Interior in the manner and for the purposes prescribed in said act of Congress, and

WHEREAS, the said lands embrace about five thousand acres adjacent to and including the summit of Mount Desert Island, which island was discovered by Samuel de Champlain and upon which he first landed when, acting under the authority of Sieur de Monts, he explored and described the present New England coast, an exploration and discovery of great historic interest. The topographic configuration, the geology, the fauna and the flora of the island, largely embraced within the limits of the Monument, also, are of great scientific interest,

NOW, THEREFORE, I, Woodrow Wilson, President of the United States of America, by virtue of the power and authority in me vested by Section 2 of said Act of Congress, do hereby declare and proclaim that the said lands hereinbefore described and which are located within the irregular tract and fully delineated on the diagram hereto attached and made a part hereof, are hereby reserved and set apart as a National Monument, to be known and recognized as the Sieur de Monts National Monument.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy or remove any of the features or objects included within the boundaries of this Monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 8th day of July in the year of our Lord one thousand nine hundred and sixteen, and of the [SEAL] Independence of the United States the one hundred and forty-first.

WOODROW WILSON.

By the President:

FRANK L. POLK,

Acting Secretary of State.

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An Act To establish the Lafayette National Park in the State of Maine, approved February 26, 1919 (40 Stat. 1173)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tracts of land, easements, and other real estate heretofore known as the Sieur de Monts National Monument, situated on Mount Desert Island, in the county of Hancock and State of Maine, established and designated as a national monument under the Act of June eighth, nineteen hundred and six, entitled "An Act for the preservation of American antiquities," by presidential proclamation of July eighth, nineteen hundred and sixteen, is hereby declared to be a national park and dedicated as a public park for the benefit and enjoyment of the people under the name of the Lafayette National Park, under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for Sieur de Monts National Monument. (U.S.C., title 16, sec. 341.)

Lafayette National Park, Maine, Sieur de Monts National Monument, changed to.

Sec. 2. That the administration, protection, and promotion of said Lafayette National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provision of the Act of August twenty-fifth, nineteen hundred and sixteen, entitled "An Act to establish a National Park Service, and for other purposes," and Acts additional thereto or amendatory thereof. (U.S.C., title 16, sec. 342.)

Administration by National Park Service. Vol. 29, p. 222. See p. 9.

Sec. 3. That the Secretary of the Interior is hereby authorized, in his discretion, to accept in behalf of the United States such other property on said Mount Desert Island, including lands, easements, buildings, and moneys, as may be donated for the extension or improvement of said park. (U.S.C., title 16, sec. 343.)

Acceptance of donated lands, etc.

An Act To provide for the extension of the boundary limits of the Lafayette National Park in the State of Maine and for change of name of said park to the Acadia National Park, approved January 19, 1929 (45 Stat. 1063)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-

LAWS FOR NAT. PARK SERVICE, PARKS, & MONUMENTS

Lafayette National Park, Maine.

Acceptance authorized of lands, etc., donated for extension thereof.

sembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to accept in behalf of the United States lands, easements, and buildings, as may be donated for the extension of the Lafayette National Park, lying within the bounds of Hancock County within which the park is situated, together with such islands in Knox County adjoining, as lie to the east and south of the main ship channel through Penobscot Bay, which complete the archipelago of which Mount Desert Island, whereon the park is situated, forms the dominant and largest unit. (U.S.C., 6th supp., title 16, sec. 342a.)

Name changed to Acadia National Park.

Proviso. Water Power Act not applicable. Vol. 41, p. 1082.

SEC. 2. That the area now within the Lafayette National Park, together with such additions as may hereafter be made thereto, shall be known as the Acadia National Park, under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Lafayette National Park: *Provided*, That the provisions of the Act of June 10, 1920, entitled "An Act to create a Federal Power Commission, to provide for the improvement of navigation, the development of water power, the use of the public lands in relation thereto, and to repeal section 18 of the Rivers and Harbors Appropriation Act, approved August 8, 1917, and for other purposes," shall not apply to or extend to any lands now or hereafter included in said park. (U.S.C., 6th supp., title 16, sec. 342b.)

An Act To authorize the transfer of the former naval radio station, Seawall, Maine, as an addition to the Acadia National Park, approved May 23, 1930 (46 Stat. 377)

Acadia National Park, Maine.

Lands added to. Vol. 40, p. 1178, amended. See p. 515. Vol. 45, p. 1082. See p. 514.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Interior as an addition to the Acadia National Park, established under the Act of February 26, 1919 (40 Stat. 1178), as amended by the Act of January 19, 1929 (Public, Numbered 667, Seventieth Congress), all that tract of land containing two hundred and twenty-three acres, more or less, with improvements thereon, comprising the former naval radio station at Seawall, town of Southwest Harbor, Hancock County, Maine, said tract being no longer needed for naval purposes. (U.S.C., 6th supp., title 16, sec. 342a.)

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An Act To authorize the transfer of the Green Lake Fish Cultural Station in Hancock County, Maine, as an addition to Acadia National Park, approved May 29, 1935 (49 Stat. 312)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
That the Secretary of Commerce be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Interior as an addition to the Acadia National Park, established under the Act of February 26, 1919 (40 Stat. 1178), and Acts supplemental thereto, all that tract of land containing eight hundred and twenty acres, more or less, with improvements thereon if any, comprising the abandoned Green Lake Fish Cultural Station, in Hancock County, Maine, said tract being no longer needed for fish-cultural purposes: *Provided,* That such action shall be in full recognition of any outstanding lease, license, or permit, affecting said land.

Green Lake Fish Cultural Station, Maine.

Transfer of, to Acadia National Park authorized. 49 Stat. 1178; 45 Stat. 1083.

Outstanding leases, permits, etc., recognized.

An Act To authorize the transfer of the Otter Cliffs Radio Station on Mount Desert Island in the State of Maine as an addition to the Acadia National Park, and for other purposes, approved August 24, 1935 (49 Stat. 795)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
That upon the removal of the Otter Cliffs Radio Station and its relocation on lands within the Acadia National Park as authorized by the Act of April 22, 1932 (47 Stat. 91), the Secretary of the Navy be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Interior as an addition to the Acadia National Park all that tract of land containing approximately twelve acres on Mount Desert Island in the State of Maine now occupied by and used by the Navy Department for the purposes of the said Otter Cliffs Radio Station, and the Secretary of the Interior shall be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Navy for naval radio purposes the site of the relocated radio station, with the buildings and improvements thereon, and such surrounding area

Otter Cliffs Radio Station, Mount Desert Island, Maine.

Transfer of, as addition to Acadia National Park. 47 Stat. 126.

Jurisdiction.

II. NATIONAL PARKS - ACADIA

Approval of design of buildings, etc.

Bridge across the inlet to the Black Woods, authorized.

as may be agreed upon by the Secretary of the Interior and the Secretary of the Navy: *Provided*, That the Secretary of the Interior shall retain the right to approve the design of the buildings and structures to be placed thereon including any additions or alterations to the present radio station.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to construct or cause to be constructed in connection with and as a part of the road system of the Acadia National Park, a bridge or causeway and approaches thereto across the inlet or bay lying between the Otter Cliffs and the Black Woods, in the State of Maine, at a point which he may designate as most suitable to the interests of the Federal Government.

Excerpt from "An Act To authorize the disposition of recreational demonstration projects, and for other purposes," approved June 8, 1942 (56 Stat. 327)

Addition of designated projects to other areas.

Provided.

SEC. 2. From and after the date of this Act, the lands acquired for the Acadia, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Hope-well Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named above, subject to all laws, rules, and regulations applicable to the respective areas to which such recreational demonstration projects are added: *Provided*, That within six months after the date of this Act the Secretary of the Interior shall file with The National Archives a map of each recreational demonstration project enumerated in this section. (16 U.S.C. sec. 459s.)

II. LEGISLATION RELATING TO NATIONAL PARKS

1. Acadia National Park

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Home Owners' Loan Corporation tract, addition to park.....	
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An Act Providing for the transfer of certain property from the Home Owners' Loan Corporation to the United States for national-park purposes, approved December 22, 1944 (58 Stat. 914)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Home Owners' Loan Corporation (herein called the "Corporation") is authorized and directed to convey and transfer to the United States of America, upon the terms and conditions provided in section 4 hereof, all right, title, and interest vested in the Corporation, at the date of such conveyance and transfer, in and to real property and interests therein in the county of Hancock, State of Maine, acquired by the Corporation through the foreclosure of that certain mortgage deed, dated October 20, 1933, executed to the Corporation by Percy B. Russell and Florence L. Russell, and appearing in book 642, page 389, of the Registry of Deeds of Hancock County, State of Maine.

HOLC.
Conveyance of
certain prop-
erty in Han-
cock County,
Maine.

SEC. 2. The Secretary of the Interior, for and on behalf of the United States of America, is authorized and directed to accept the conveyance and transfer of such property without regard to the provisions of section 355, as amended, section 1136, as amended, and section 3709 of the Revised Statutes (except the last paragraph of said section 355, as amended, which shall be applicable hereto), or any other provision of law. The Secretary of the Interior is further authorized and directed to pay all necessary fees, charges, and expenses in connection with such conveyance and transfer.

Acceptance on
behalf of U.S.

40 U.S.C. § 255;
10 U.S.C.
§ 1339; 41
U.S.C. § 6.

SEC. 3. Upon the conveyance and transfer of such property as herein provided, it shall be used and administered by the Secretary of the Interior solely for

Property to
become part of
Acadia Na-
tional Park.

II. NATIONAL PARKS—ACADIA

national-park purposes, and it shall be deemed to constitute a part of the Acadia National Park.

Cancellation of
HOLC bonds.

Sec. 4. Any other provision of law to the contrary notwithstanding, the Secretary of the Treasury shall, upon such conveyance and transfer and in lieu of any other payment by the United States to the Corporation as consideration for the conveyance and transfer of such property, cancel bonds of the Corporation, in the principal sum of \$18,000, purchased by the Secretary of the Treasury under or by reason of the provisions set forth in section 4 of the Home Owners' Loan Act of 1933, approved June 13, 1933 (48 Stat. 128), as amended (which bonds are hereby made available to the Secretary of the Treasury for the purposes of this section), and all sums due and unpaid upon or in connection with such bonds at the time of such cancellation and discharge, together with any accrued interest: *Provided*, That the Secretary of the Treasury and the Corporation are authorized and directed to make adjustments on their books and records, as may be necessary to carry out the purposes of this Act. (16 U.S.C. § 343b.)

12 U.S.C.
§ 1463; Supp.
III, § 1463.

Adjustments
on books and
records.

An Act To transfer jurisdiction of certain lands comprising a portion of Acadia National Park, Maine, from the Department of the Interior to the Department of the Navy, and for other purposes, approved July 30, 1947 (61 Stat. 519)

Acadia
National Park,
Maine.
Transfer of
jurisdiction.

Approval of
design of
buildings, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That control and jurisdiction over the following-described lands now comprising a portion of the Acadia National Park, in the State of Maine, are hereby transferred from the Department of the Interior to the Department of the Navy: *Provided*, That the Secretary of the Interior shall retain the right to approve the design of the buildings and structures to be placed thereon.

All that certain tract or parcel of land on Big Moose Island, Winter Harbor, Maine, which is bounded southerly and easterly by a chain link security fence, and northerly and westerly by the waters of Pond Island Cove and Frenchman Bay, and which is more particularly described as beginning at a point on the shore at the high-water mark of Frenchman Bay on the south-westerly side of Big Moose Island, so called, thence following the chain link security fence as now erected by the three following courses and distances: North no degrees five minutes west one hundred and fifty-three feet; thence north thirty degrees twenty-four minutes east one hundred and fifty-seven and seven-tenths feet; thence south eighty-nine degrees nine minutes east one thousand four hundred and fifty-five and three-tenths feet to a point and angle in the said security fence which bears north thirty-

II. NATIONAL PARKS—ACADIA

four degrees fifty-four minutes west and is fifty feet distant at right angles from a point in the center line of the National Park Service road known as the Big Moose Island Road; thence turning to the left and following the said security fence in a general northerly direction but everywhere parallel with and fifty feet distant from the center line of the said Big Moose Island Road three thousand five hundred feet more or less to the high-water mark on the shore of Pond Island Cove; thence in a generally westerly and southerly direction but everywhere following the high-water mark of Pond Island Cove and Frenchman Bay seven thousand four hundred and seventy feet more or less to the place of beginning; except that portion thereof, containing twenty-five and ninety-six one-hundredths acres, which was transferred to the jurisdiction of the Department of the Navy pursuant to the Act of August 24, 1935 (ch. 644, 49 Stat. 795); the lands herein described containing one hundred and fifty-one and eighty-six one-hundredths acres after excluding the excepted portion.

Sec. 2. The Secretary of the Navy is authorized and directed to retransfer jurisdiction over the property described in section 1 of this Act to the Secretary of the Interior in the event such property hereafter becomes surplus to the needs of the Department of the Navy, in which event it again shall become a part of Acadia National Park. (16 U.S.C. § 342 nota.)

Retransfer of
jurisdiction.

An Act Relating to the exchange of certain private and Federal properties within the authorized boundaries of Acadia National Park, in the State of Maine, and for other purposes, approved September 7, 1949 (63 Stat. 691)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of consolidating Federal holdings of land within Acadia National Park, the Secretary of the Interior is hereby authorized to accept, on behalf of the United States, approximately fifty-eight acres of non-Federal land within the authorized park boundaries, such land to be conveyed to the United States without cost by Mr. John D. Rockefeller, Junior. Upon acceptance of title thereto by the United States, such property shall be subject to all laws and regulations applicable to the park. In exchange for the conveyance to the United States of the aforesaid property, the Secretary of the Interior is authorized to convey to Mr. John D. Rockefeller, Junior, or to such agency as he may designate, for purposes of the Jackson Memorial Laboratory, Bar Harbor, Maine, approximately five acres of federally owned land within the park adjacent to the laboratory properties. (16 U.S.C. § 343c.)

Acadia
National Park,
Maine.
Exchange of
lands.

II. NATIONAL PARKS—ACADIA

An Act To authorize the conveyance, for school purposes, of certain land in Acadia National Park to the town of Tremont, Maine, and for other purposes, approved August 1, 1959 (64 Stat. 333)

Tremont,
Maine.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, in his discretion, is hereby authorized to convey without consideration, but under such terms and conditions as he may deem advisable, to the town of Tremont, Hancock County, Maine, for school purposes, eight and forty-five one-hundredths acres of land, more or less, situate between Marsh Creek and Marsh Road on Mount Desert Island, Hancock County, Maine, now a part of Acadia National Park.

An Act To exclude certain lands from Acadia National Park, Maine, and to authorize their disposal as surplus Federal property, approved July 24, 1956 (70 Stat. 597)

Acadia
National Park,
Maine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land in Acadia National Park, State of Maine, comprising approximately three hundred acres and identified as the "Green Lake Fish Hatchery Tract" is hereby excluded from Acadia National Park, and the said tract is authorized to be disposed of in accordance with the laws relating to the disposition of Federal property. (16 U.S.C. § 343d.)

Public Law 97-335
97th Congress

An Act

Relating to the establishment of a permanent boundary for that portion of the Acadia National Park as lies within the town of Isle au Haut, Maine.

Oct. 15, 1982
[S. 1777]

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

Acadia National
Park, Maine,
boundary
establishment.
16 USC 341 note.

(1) there are significant scenic, educational, natural, and cultural resources in the town of Isle au Haut, Maine;

(2) due to the isolated location and traditional resource-based economy of the town's island community, these resources are fragile and deserving of conservation and protection through both public and private efforts; and

(3) both residents of the town and visitors to the Acadia National Park will benefit from the establishment of a permanent boundary for the park and the management of parklands on a limited entry, low intensity basis.

SEC. 2. Notwithstanding any other provision of law, the permanent boundary of Acadia National Park lying within the town of Isle au Haut, Maine, is hereby established to include only those lands and interests therein as are depicted on the map entitled "Boundary Map, Acadia National Park, Town of Isle au Haut, Maine", numbered 123-80003 and dated October 1981, which map is on file and available for public inspection in the offices of the Department of the Interior and at the Registry of Deeds for Hancock and Knox Counties, Maine.

Public
inspection.
16 USC 341 note.

SEC. 3. (a) Within the boundary established by section 2, and as indicated on the map referenced therein, the Secretary of the Interior (hereinafter referred to as "the Secretary") is authorized to acquire lands and interests therein by donation or exchange. The Secretary is authorized and directed to acquire by donation, purchase with donated or appropriated funds, or exchange the tract known as the Hamilton lot in Duck Harbor. No later than one hundred and eighty days from enactment hereof, the Secretary shall convey to the town of Isle au Haut all right, title and interest of the United States in and to those lands under the jurisdiction of the Secretary which lie outside the boundary established by section 2 and within the town of Isle au Haut, subject only to such covenants running with the land as the Secretary and the town agree are necessary to preserve the general character of such lands, which shall include covenants to maintain forever in their natural condition (excepting the cutting of fire trails and the extinguishment of fires) lands above three hundred feet above the mean high water level: *Provided, however,* That such covenants with respect to lands above three hundred feet and below four hundred feet shall permit the gathering and removal of dead and fallen timber.

Land acquisition.
16 USC 341 note.

Land
conveyance.

(b) Notwithstanding any other provisions of this Act, the Secretary is also authorized to accept by donation, as a coholder for enforcement purposes only, a limited enforcement interest in con-

Enforcement.

ervation easements on lands outside the boundary established by section 2 hereof and within the town of Isle au Haut which may from time to time be donated to the Isle au Haut Land Conservation Trust, a trust established under the laws of the State of Maine. The Superintendent of Acadia National Park is hereby authorized to serve as an ex officio trustee of such trust.

Parkland
preservation.
16 USC 341 note.

SEC. 4. (a) The management and use of parklands on Isle au Haut shall not interfere with the maintenance of a viable local community with a traditional resource-based economy outside the boundary of the park. To the maximum extent practicable, no development or plan for the convenience of park visitors shall be undertaken which would be incompatible with the preservation of the flora and fauna or the physiographic conditions now prevailing, and every effort shall be exerted to maintain and preserve this portion of the park in as nearly its present state and condition as possible. In recognition of the special fragility and sensitivity of the park's resources, visitation shall be strictly limited to assure negligible adverse impact on such resources, to conserve the character of the town and to protect the quality of the visitor experience.

Report.

(b) In furtherance of the purpose of subsection (a) of this section, the Secretary shall prepare a report establishing carrying capacities for the Isle au Haut portion of Acadia National Park. The report shall be prepared and the carrying capacities established with public participation and in consultation with the town of Isle au Haut and other interested parties.

Report to
congressional
committees.

(c) The Secretary shall transmit the report to the Energy and Natural Resources Committee of the Senate and the Interior and Insular Affairs Committee of the House of Representatives no later than six months from the date of enactment of this Act. The Secretary shall begin implementing the carrying capacities contained in the report sixty days after the report has been transmitted to the committees.

Review and
revision.

(d) Carrying capacities established pursuant to this section shall be reviewed, and if necessary revised, every five years. Any revision in such carrying capacity shall be made in accordance with the procedures set forth in subsections (b) and (c) of this section.

(e) Until such time as a carrying capacity limitation is established and implemented pursuant to subsections (b) and (c) of this section, the Secretary shall take such temporary measures as are necessary to assure that visitation does not exceed the average annual visitation for the period 1979 to 1981.

SEC. 5. There are hereby authorized to be appropriated after October 1, 1982, such sums as may be necessary to carry out the provisions of this Act.

Appropriation
authorization.
16 USC 341 note.

Approved October 15, 1982.

LEGISLATIVE HISTORY—S. 1777:

SENATE REPORT No. 97-425 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 128 (1982):

June 10, considered and passed Senate.

Sept. 30, considered and passed House.

Public Law 99-420
99th Congress

An Act

To establish a permanent boundary for the Acadia National Park in the State of Maine, and for other purposes.

Sept. 25, 1986
'S. 720]

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

TITLE I

SEC. 101. BOUNDARIES OF ACADIA NATIONAL PARK.

In order to protect and conserve the land and water resources of Acadia National Park in the State of Maine (hereinafter in this title referred to as "the Park"), and to facilitate the administration of the Park, the boundary depicted on the map entitled "Acadia National Park Boundary Map", numbered 123-80011, and dated May 1986 (hereinafter in this title referred to as "the map") is hereby established as the permanent boundary for the Park. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and it shall be made available to the Registry of Deeds for Hancock and Knox Counties, Maine.

Conservation.
Public
information.
16 USC 341 note.

SEC. 102. LANDS WITHIN BOUNDARIES.

(a) The Secretary of the Interior (hereinafter in this title referred to as "the Secretary") is authorized to acquire lands and interests therein within the boundaries of the Park by donation, exchange (in accordance with this section), or purchase with donated or appropriated funds, except that—

Gifts and
property.
16 USC 341 note.

(1) any lands or interests therein owned by the State of Maine or any political subdivision thereof may be acquired only by donation or exchange; and

(2) privately owned lands or interests therein may be acquired only with the consent of the owner thereof unless the Secretary determines that the property is being developed or proposed to be developed in a manner which is detrimental to the scenic, historical, cultural, and other values for which the Park was established.

(b)(1) Not later than 6 months after the enactment of this Act, the Secretary shall publish specific guidelines under which determinations shall be made under subsection (a)(2). The Secretary shall provide adequate opportunity for public comment on such guidelines. The guidelines shall provide for notice to the Secretary prior to commencement of any proposed development within the boundaries of the Park. The Secretary shall provide written notice to the owner of the property of any determination proposed to be made under subsection (a)(2) and shall provide the owner a reasonable opportunity to comment on such proposal.

(2) For purposes of this section, except as provided in paragraph (3), development or proposed development of private property within

the boundaries of the Park that is significantly different from, or a significant expansion of, development existing as of November 1, 1985, shall be considered by the Secretary as detrimental to the values for which the Park was established.

(3) Reconstruction or expansion of a private or commercial building shall not be treated as detrimental to the Park or as an incompatible development within the meaning of this section if such reconstruction or expansion is limited to one or more of the following:

(A) Reconstruction of an existing building.

(B) Construction of attached or accessory structural additions, which do not exceed 25 per centum of the square footage of the principal structure.

(C) Construction of reasonable support development such as roads, parking facilities, water and sewage systems, and dock facilities.

Real property.

(c)(1) The owners of any private property within the Park may, on the date of its acquisition by the Secretary and as a condition of such acquisition, retain for himself and his successors or assigns a right to use and occupancy for a definite term of not more than 25 years, or ending at the death of the owner, or his spouse, whichever is later. The owners shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value, of the right retained by the owner.

(2) Any such right retained pursuant to this subsection shall be subject to such terms and conditions as the Secretary may prescribe and may be terminated by the Secretary upon his determination and after reasonable notice to the owner thereof that such property is being used for any purpose which is incompatible with the administration of the Park or with the preservation of the resources therein. Such right shall terminate by operation of law upon notification to the owner by the Secretary and tendering to the owner the amount equal to the fair market value of that portion which remains unexpired.

(d)(1) In exercising his authority to acquire lands by exchange pursuant to this title, the Secretary may accept title to non-Federal property located within the the boundary of the Park and may convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary which lies outside said boundary and depicted on the map. Properties so exchanged shall be approximately equal in value, as determined by the Secretary, except that the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the value of the properties exchanged.

(2) Federally owned property under jurisdiction of the Secretary referred to in paragraph (1) of this subsection which is not exchanged within 10 years after enactment of this Act, shall be conveyed to the towns in which the property is located without encumbrance and without monetary consideration, except that no town shall be eligible to receive such lands unless, within 10 years after enactment of this Act, lands within the Park boundary and owned by the town have been acquired by the Secretary.

(e) Notwithstanding any other provision of this section, lands depicted on the map referenced in section 101 and identified as 10DBH and 11DBH known as the "Bar Harbor Sewage Treatment Plant"; 14DBH known as the "New Park Street Ballfield"; and

15DBH known as the "Former Park Headquarters"; shall be conveyed by the Secretary, without monetary consideration, to the town of Bar Harbor, Maine, within 180 days following the enactment of this Act. The real property conveyed pursuant to this subsection shall be used and retained by the town for municipal and public purposes. Title to the properties conveyed pursuant to this subsection shall revert to the United States if such property or any portion thereof is conveyed by the town to another party or used for purposes other than those specified in this subsection.

(f) Notwithstanding any other provision of this section, land depicted on the map identified as 4DBH, located in the village of Town Hill, Maine, shall be conveyed by the Secretary without monetary consideration, to the town of Bar Harbor, Maine, as soon as practicable following the enactment of this Act, subject to such terms and conditions, including appropriate reversionary provisions, as will in the judgment of the Secretary provide for the development and use of such property by any town which so desires as a solid waste transfer station in accordance with a plan that is satisfactory to the town and the Secretary. The Secretary shall (subject to the availability of prior appropriations) contribute toward the cost of constructing such transfer station the lesser of—

(1) \$350,000, or

(2) 50 per centum of the cost of such construction.

(g) Notwithstanding any other provision of this section, the Secretary is authorized to acquire by donation or exchange lands or interests therein in the area identified on the map as "Schooner Head", which is outside the boundary of the park. The Secretary is further authorized to acquire conservation easements on such lands by purchase with donated or appropriated funds if he determines after written notice to the owner and after providing a reasonable opportunity to comment on such notice, that the property is being developed or proposed to be developed in a manner which is significantly different from or a significant expansion of development existing as of November 1, 1985, as defined in subsection (b) of this section.

(h)(1) The Secretary is authorized to acquire conservation easements by purchase from a willing seller or by donation on parcels of land adjacent to the Park on Schoodic Peninsula, the islands of Hancock County, and the islands of Knox County east and south of the Penobscot Ship Channel, except such islands as lie within the town of Isle au Haut, Knox County. Parcels subject to conservation easements acquired or accepted by the Secretary under this subsection must possess one or more of the following characteristics:

(A) important scenic, ecological, historic, archeological, or cultural resources;

(B) shorefront property; or

(C) largely undeveloped entire islands.

(2) Conservation easements acquired pursuant to this subsection shall—

(A) protect the respective scenic, ecological, historic, archeological, or cultural resources existing on the parcels;

(B) preserve, through setback requirements or other appropriate restrictions, the open, natural, or traditional appearance of the shorefront when viewed from the water or from other public viewpoints; or

(C) limit year-round and seasonal residential and commercial development to activities consistent with the preservation of the

Conservation.

islands' natural qualities and to traditional resource-based land use including, but not limited to, fishing, farming, silviculture, and grazing.

(3) In determining whether to accept or acquire conservation easements pursuant to this subsection, the Secretary shall consider the following factors:

(A) the resource protection benefits that would be provided by the conservation easement;

(B) the public benefit that would be provided by the conservation easement;

(C) the significance of the easement in relation to the land planning objectives of local government and regional and State agencies;

(D) the economic impact of the conservation easement on local livelihoods, activities, and government revenues; and

(E) the proximity of the parcel to the boundary of the Park and to other parcels on which the Secretary maintains conservation easements.

(4) For purposes of this subsection, the term "conservation easement" means a less-than-fee interest in land or a conservation restriction as defined in section 476 through 479-B inclusive, as amended, of title 33 of the Maine Revised Statutes of 1964, as in effect on the date of the enactment of this Act.

(5) No easement may be acquired by the Secretary under this subsection without first consulting with, and providing written notification to, the town in which the land is located and the Acadia National Park Advisory Commission established by section 103 of this title. In providing such notification, the Secretary shall indicate the manner and degree to which the easement meets the criteria provided in this subsection.

(i) Nothing in this section shall be construed to prohibit the use of condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances.

(j)(1) Notwithstanding any other provision of this section, the Secretary shall accept an offer of the following from the Jackson Laboratory (a not-for-profit corporation organized under the laws of Maine):

(A) Lands depicted on the map as 55 A ABH which are held in fee by the Jackson Laboratory.

(B) A conservation easement on lands depicted on the map identified as 55 ABH (the developed property known as "Highseas"). The easement shall prohibit subdivision of such land or any further significant development on such lands, except as permitted by the guidelines published under section 102(b)(1).

(2) Upon receipt of the lands and easement described in paragraph (1), the Secretary shall transfer to the Jackson Laboratory the lands depicted on the map as 8 DBH and 9 DBH. Any disparity in the fair market value of the lands and easement referred to in paragraph (1) and the lands described in the preceding sentence shall be equalized as provided in section 102(d)(1).

(k) For purposes of subsection (a)(2), the construction of one single family residence on Burnt Porcupine Island by the owner of the Island shall not be treated as detrimental to the scenic, historic, cultural, or other values for which the park was established if, before such construction commences, the Secretary has reviewed

and approved plans for the size, location and architectural design of the structure.

SEC. 103. ADVISORY COMMISSION.

16 USC 341 note.

(a) There is hereby established an Acadia National Park Advisory Commission (hereinafter referred to as "the Commission"). The Commission shall be composed of 16 members appointed by the Secretary as follows:

(1) 3 members at large.

(2) 3 members appointed from among individuals recommended by the Governor of Maine.

(3) 4 members, appointed from among individuals recommended by each of the four towns on the island of Mount Desert.

(4) 3 members appointed from among individuals recommended by each of the three Hancock County mainland communities of Gouldsboro, Winter Harbor, and Trenton.

(5) 3 members, appointed from among individuals recommended by each of the three island towns of Cranberry Isles, Swans Island, and Frenchboro.

(b) The terms of the Commission members shall be 3 years except that, for initial appointments under each paragraph, one member shall serve for a term of one year, and one member shall serve for a term of 2 years.

(c) The Commission shall elect its own chairman and adopt its own bylaws. Any vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(d) Members of the Commission shall serve without compensation as such, except that the Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this title.

(e) The Secretary shall consult with the Commission on matters relating to the management and development of the Park, including but not limited to each of the following:

(1) The acquisition of lands and interests in lands (including conservation easements on islands).

(2) Termination of rights of use and occupancy.

(f) The Commission established under this section shall terminate 20 years after the enactment of this Act.

SEC. 104. BEAR ISLAND.

16 USC 341 note.

(a) Notwithstanding any other provision of law, Federal property located on Bear Island in the town of Cranberry Isle shall, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of the title. Such Federal property shall not be developed by the Secretary in a manner which would provide for or encourage intensive visitor use.

(b) The Secretary is authorized to make improvements to the Federal property on Bear Island as he deems appropriate for the protection of adjacent private property.

SEC. 105. TOWN OF ISLE AU HAUT.

16 USC 341 note.

The provisions of this title shall not apply to those portions of the Park lying within the Town of Isle au Haut, Maine, which lands shall continue to be governed by the provisions of Public Law 97-335.

16 USC 341 note.

16 USC 341 note. **SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**
Effective date.

(a) Effective October 1, 1986, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title, but not to exceed \$9,100,000 for acquisition of lands and interests therein.

(b) For the purposes of paragraph 7(a)(3) of the Land and Water Conservation Fund Act of 1965 as amended (16 U.S.C. 4601-9), the statutory ceiling provided in subsection (a) shall be deemed to have been enacted prior to the convening of the Ninety-fifth Congress.

16 USC 341 note. **SEC. 107. PAYMENTS TO LOCAL GOVERNMENTS.**

31 USC 6904. (a) Notwithstanding the limitation in subsection 3(d) of the Act of October 20, 1976 (90 Stat. 2662) payments in the manner provided in section 3 of that Act shall be made to the appropriate units of local government having jurisdiction over lands with the boundary of the Park. Such payments shall be made only for a period of 12 years.

(b) Payments received by the units of local government pursuant to this section shall be used only for fire protection, police protection, solid waste management, and road maintenance and improvement.

(c) Payments pursuant to this section may be made only from funds appropriated therefor. Such payments shall be in addition to and not in place of any other funds or form of Federal assistance to which the units of local government are entitled.

TITLE II

SEC. 201. CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION.

16 USC 459b-7. Section 8(a) of the Act of August 7, 1961 (Public Law 87-126; 75 Stat. 292) is amended by striking out "ten years" and substituting "30 years".

Approved September 25, 1986.

LEGISLATIVE HISTORY—S. 720:

HOUSE REPORTS: No. 99-572 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 99-198 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 131 (1985): Dec. 3, considered and passed Senate.

Vol. 132 (1986): May 5, considered and passed House, amended.

June 6, Senate concurred in House amendment with amendments.

July 24, House concurred in certain Senate amendments, in another with an amendment.

Sept. 11, Senate receded from its amendment.

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APPENDIX B: UNDERTAKINGS REQUIRING CONSULTATION UNDER SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT

The following list shows those actions requiring further consultation with the Maine historic preservation officer and the Advisory Council on Historic Preservation under section 106 of the National Historic Preservation Act of 1966, as amended, and the Programmatic Agreement of 1990.

ACTIONS

Actions directly involving historic structures and cultural landscapes:

- Rehabilitate the carriage road system.
- Construct a bridge or underpass for the carriage road and the Park Loop Road at Bubble Pond.
- Construct carriage road connectors at Paradise Hill and Wildwood Stables.
- Construct an addition to the Islesford Museum for curatorial storage.
- Rehabilitate the Baker Island lightkeeper's house.
- Rehabilitate the Park Loop Road.
- Rehabilitate the hiking trail system.
- Repair Pretty Marsh picnic shelters.

Actions requiring new construction (potential visual and archeological impacts):

- Construct a new visitor center and entrance gateway at Hulls Cove.
- Construct a new parking lot at Eagle Lake.
- Construct new trail connectors. Possible routes include
 - from Sieur de Monts to Eagle Lake carriage road
 - over Youngs Mountain between high school and Duck Brook
 - from new Eagle Lake parking lot to Aunt Betty Pond carriage road
 - from visitor center parking to Witch Hole Pond carriage road (reroute existing trail)
 - from Route 3 to Champlain Mountain (using an abandoned trail alignment)
- Expand Wildwood Stables.
- Install restrooms at Eagle Lake, Thunder Hole, Acadia Mountain, Pretty Marsh, and Lake Wood.
- Construct curatorial storage and work and office space at park headquarters.
- Replace maintenance buildings at park headquarters.
- Construct additional staff housing at Blackwoods, Seawall, and Harden farm.
- Construct office and storage addition to Schoodic ranger residence.

ADDITIONAL STUDIES REQUIRED

An inventory of historic structures was completed in 1984. Based on the inventory the National Park Service will consult with the state historic preservation officer to determine eligibility for listing structures on the National Register of Historic Places. Historic structure reports will be required for all major work on these historic structures. Cultural landscape reports and treatment plans will be required to rehabilitate cultural landscapes. Archeological surveys will be required for all projects entailing new construction. Necessary data recovery projects will be conducted when avoiding archeological resources is not possible.

APPENDIX C: VISITOR USE

Manning (1987) conducted a social science analysis of visitor needs and preferences. This appendix summarizes the portion of Manning's report that describes park visitors. Copies of the complete report are on file at the park.

Residence of Visitors

Maine	22 percent
Massachusetts	13 percent
New York	11 percent
Other states (43)	40 percent
Canada	2.5 percent
Other countries	0.3 percent

Socioeconomic Characteristics of Visitors

Education	73 percent have some college education 29 percent hold graduate degrees
Income	18 percent make \$60,000 or more annually

Age of Visitors Average age = 41

Visitor Groups

Family groups	66 percent
Friends	20 percent
Family and friends	8 percent

Groups accompanied by individual(s) with disabilities: less than 5 percent
Groups accompanied by individual(s) who do not speak English: less than 2 percent

Primary Destination of Trip to Mount Desert Island

Acadia National Park	67 percent
Bar Harbor	22 percent
Entire island	5 percent

Length of Stay on Mount Desert Island Average = seven days

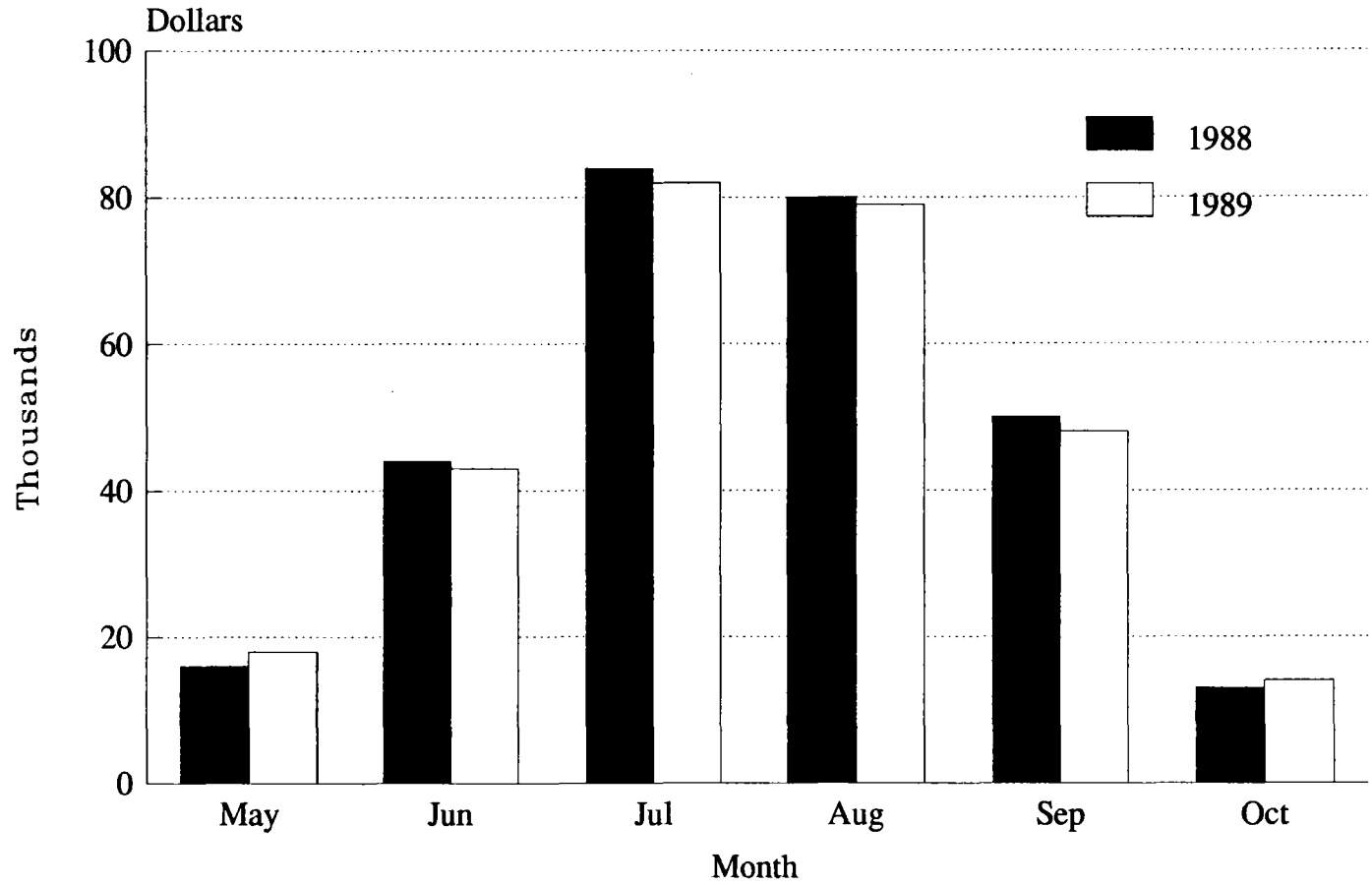
Stayed overnight	78 percent
Campgrounds	35 percent
Hotel/motel, etc.	35 percent
Private home	6 percent

Approximately 46 percent of visitors have been to Acadia National Park more than once, and of these, some return on a regular basis. The average number of previous visits to Mount Desert Island is nine.

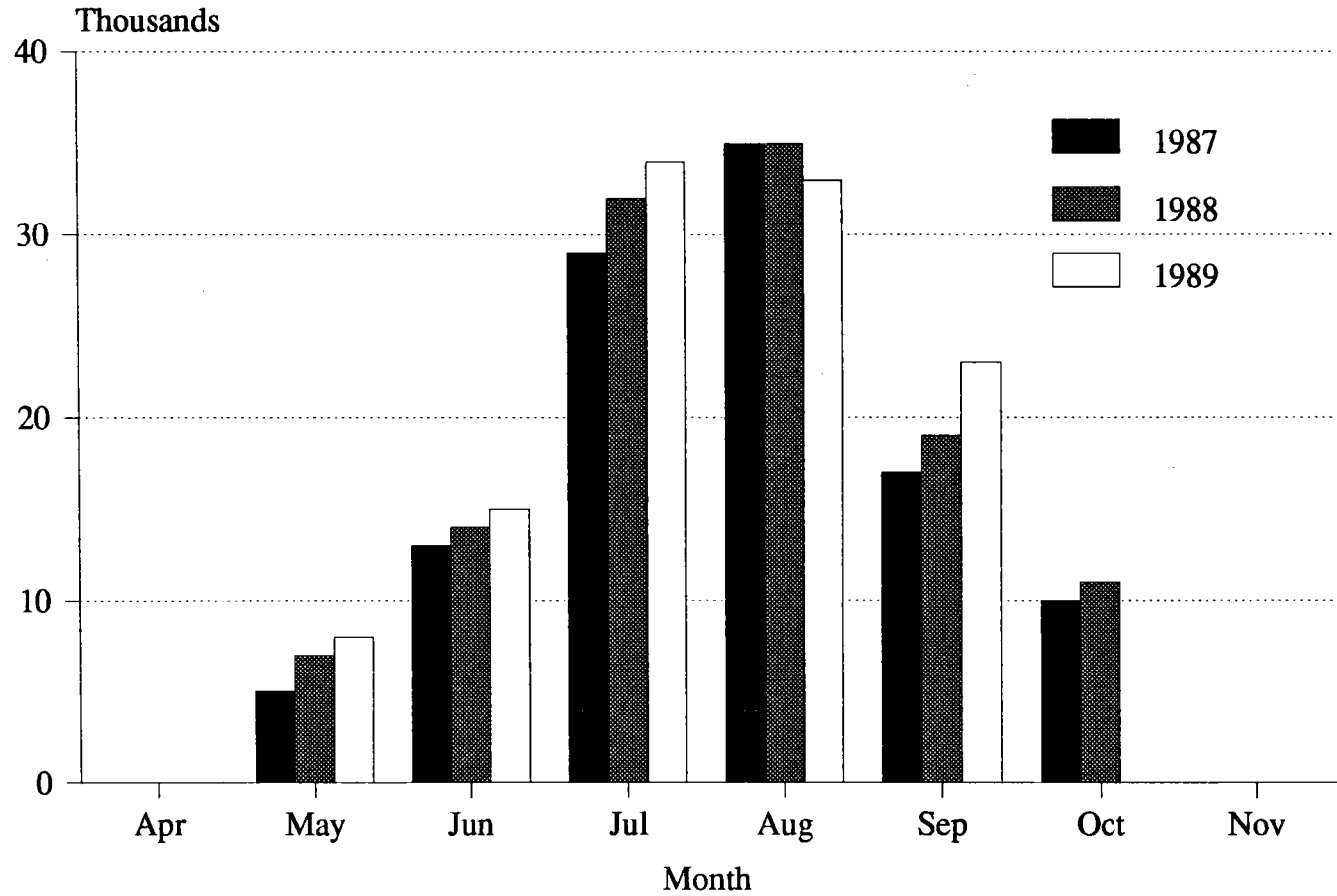
Means of Transportation

Private car	90 percent
RV	5 percent
Bus	1 percent

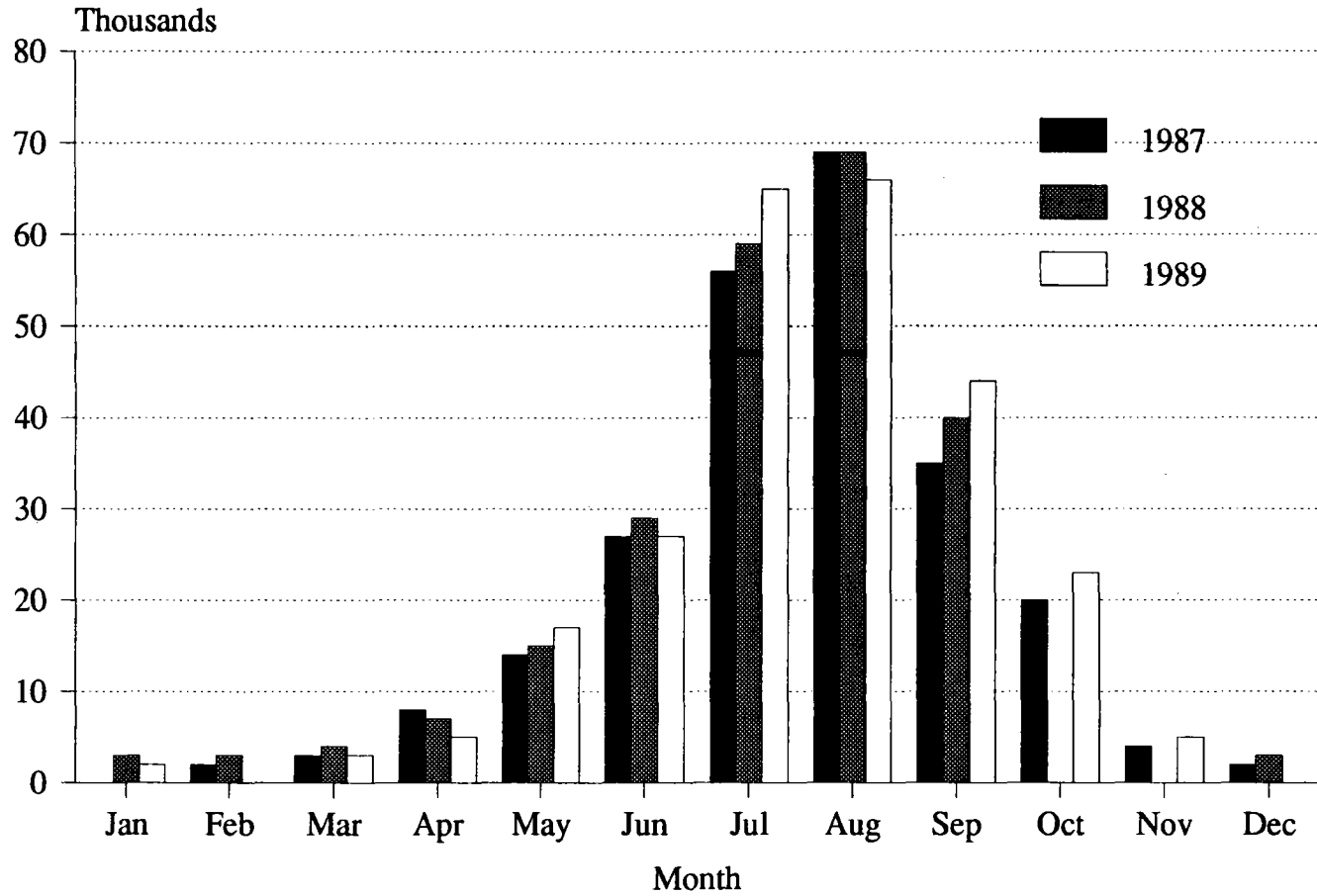
Blackwoods Campground Collections Acadia National Park



Fee Station Count Autos, Bikes, & Annual/Eagle Passes

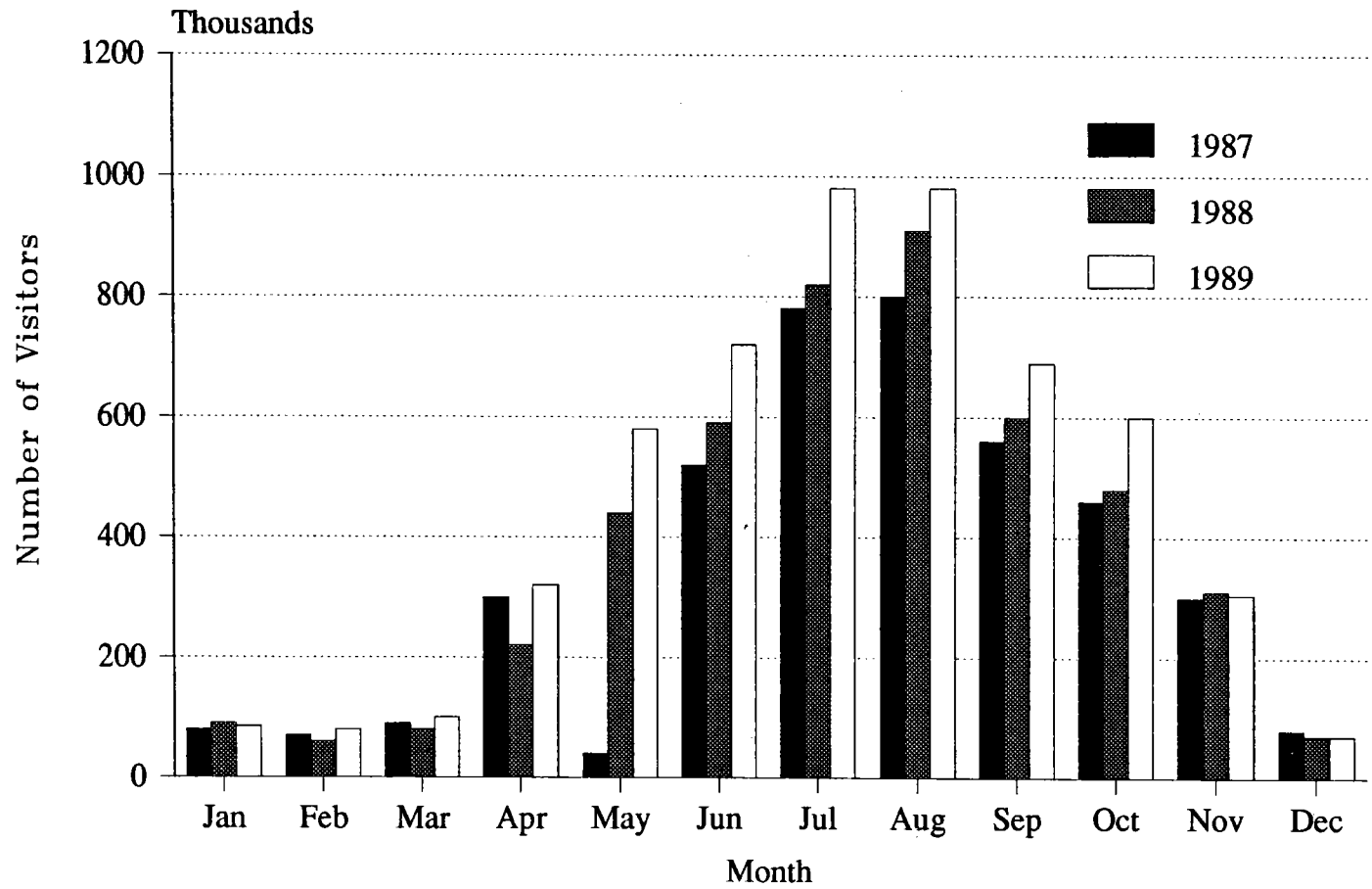


Park Loop Road Traffic Count Number of Autos



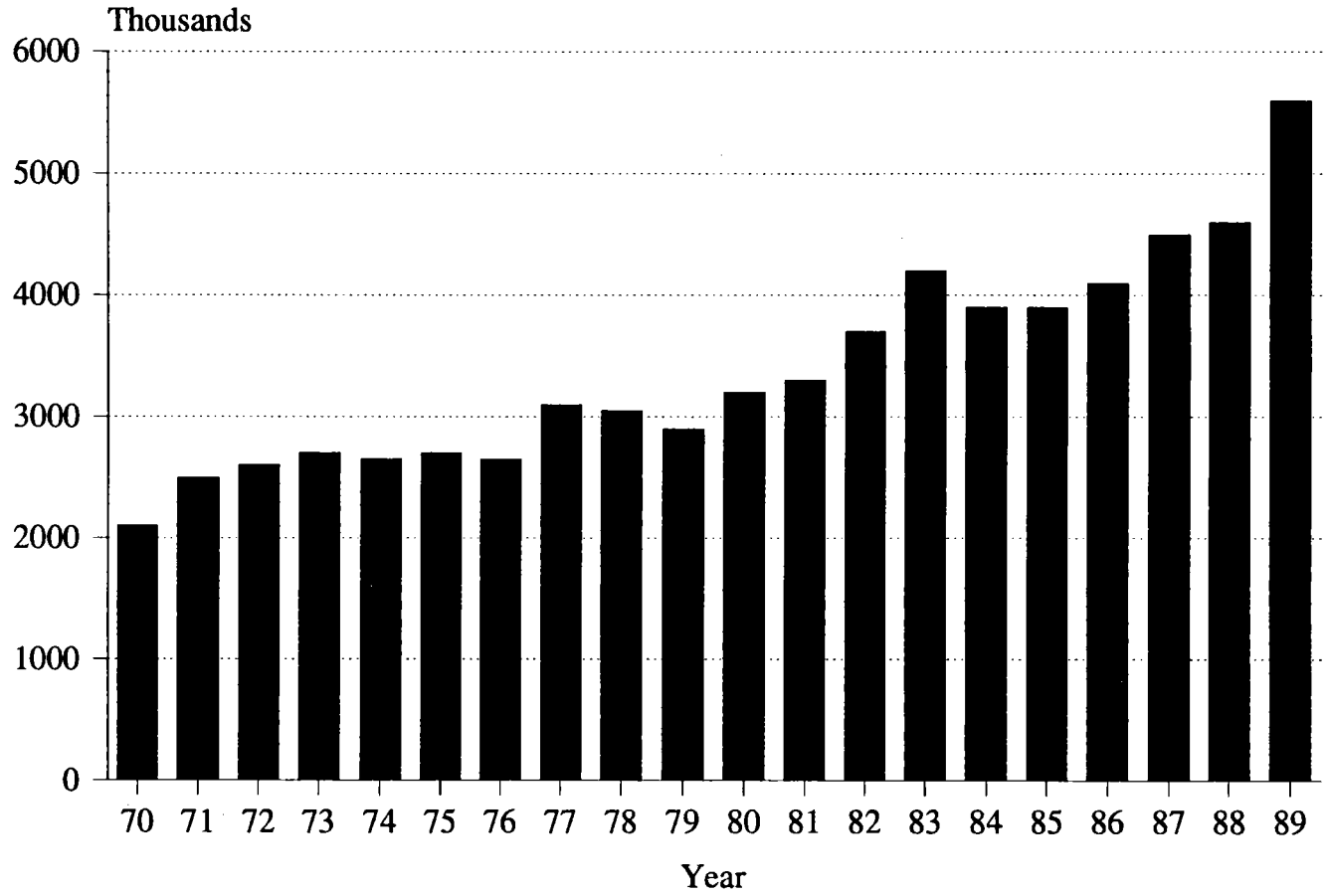
Based Sand Beach electronic counter

Monthly Visitation Acadia National Park



Thompson I., Schoodic & Isle au Haut

Annual Visitation Acadia National Park



Projected Annual Number of Visitors to Acadia National Park

