

**Calendar No. 58**

104TH CONGRESS  
1ST SESSION

**S. 223**

[Report No. 104-35]

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**A BILL**

To authorize the Secretary of the Interior to provide funds to the Palisades Interstate Park Commission for acquisition of land in the Sterling Forest area of the New York/New Jersey Highlands Region, and for other purposes.

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APRIL 7 (legislative day, APRIL 5), 1995

Reported without amendment

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1<sup>ST</sup> SESSION**S. 223****[Report No. 104-35]**

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**IN THE SENATE OF THE UNITED STATES**

JANUARY 12, 1995 (legislative day, JANUARY 10), 1995

Mr. BRADLEY (for himself and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

APRIL 7 (legislative day, APRIL 5), 1995

Reported by Mr. MURKOWSKI, without amendment

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**A BILL**

To authorize the Secretary of the Interior to provide funds to the Palisades Interstate Park Commission for acquisition of land in the Sterling Forest area of the New York/New Jersey Highlands Region, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Sterling Forest Protec-  
3 tion Act of 1995”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds that—

6 (1) the Palisades Interstate Park Commission  
7 was established pursuant to a joint resolution of the  
8 75th Congress approved in 1937 (Public Resolution  
9 No. 65; ch. 706; 50 Stat. 719), and chapter 170 of  
10 the Laws of 1937 of the State of New York and  
11 chapter 148 of the Laws of 1937 of the State of  
12 New Jersey;

13 (2) the Palisades Interstate Park Commission  
14 is responsible for the management of 23 parks and  
15 historic sites in New York and New Jersey, compris-  
16 ing over 82,000 acres;

17 (3) over 8,000,000 visitors annually seek out-  
18 door recreational opportunities within the Palisades  
19 Park System;

20 (4) Sterling Forest is a biologically diverse open  
21 space on the New Jersey border comprising approxi-  
22 mately 17,500 acres, and is a highly significant wa-  
23 tershed area for the State of New Jersey, providing  
24 the source for clean drinking water for 25 percent  
25 of the State;

1           (5) Sterling Forest is an important outdoor rec-  
2           reational asset in the northeastern United States,  
3           within the most densely populated metropolitan re-  
4           gion in the Nation;

5           (6) Sterling Forest supports a mixture of hard-  
6           wood forests, wetlands, lakes, glaciated valleys, is  
7           strategically located on a wildlife migratory route,  
8           and provides important habitat for 27 rare or en-  
9           dangered species;

10          (7) the protection of Sterling Forest would  
11          greatly enhance the Appalachian National Scenic  
12          Trail, a portion of which passes through Sterling  
13          Forest, and would provide for enhanced recreational  
14          opportunities through the protection of lands which  
15          are an integral element of the trail and which would  
16          protect important trail viewsheds;

17          (8) stewardship and management costs for  
18          units of the Palisades Park System are paid for by  
19          the States of New York and New Jersey; thus, the  
20          protection of Sterling Forest through the Palisades  
21          Interstate Park Commission will involve a minimum  
22          of Federal funds;

23          (9) given the nationally significant watershed,  
24          outdoor recreational, and wildlife qualities of Ster-  
25          ling Forest, the demand for open space in the north-

1 eastern United States, and the lack of open space in  
2 the densely populated tri-state region, there is a  
3 clear Federal interest in acquiring the Sterling For-  
4 est for permanent protection of the watershed, out-  
5 door recreational resources, flora and fauna, and  
6 open space; and

7 (10) such an acquisition would represent a cost  
8 effective investment, as compared with the costs that  
9 would be incurred to protect drinking water for the  
10 region should the Sterling Forest be developed.

11 **SEC. 3. PURPOSES.**

12 The purposes of this Act are—

13 (1) to establish the Sterling Forest Reserve in  
14 the State of New York to protect the significant wa-  
15 tershed, wildlife, and recreational resources within  
16 the New York-New Jersey highlands region;

17 (2) to authorize Federal funding, through the  
18 Department of the Interior, for a portion of the ac-  
19 quisition costs for the Sterling Forest Reserve;

20 (3) to direct the Palisades Interstate Park  
21 Commission to convey to the Secretary of the Inte-  
22 rior certain interests in lands acquired within the  
23 Reserve; and



1 “Boundary Map, Sterling Forest Reserve”, num-  
2 bered SFR-60,001 and dated July 1, 1994.

3 (2) AVAILABILITY FOR PUBLIC INSPECTION.—

4 The map described in paragraph (1) shall be on file  
5 and available for public inspection in the offices of  
6 the Commission and the appropriate offices of the  
7 National Park Service.

8 (c) TRANSFER OF FUNDS.—Subject to subsection

9 (d), the Secretary shall transfer to the Commission such  
10 funds as are appropriated for the acquisition of lands and  
11 interests therein within the Reserve.

12 (d) CONDITIONS OF FUNDING.—

13 (1) AGREEMENT BY THE COMMISSION.—Prior

14 to the receipt of any Federal funds authorized by  
15 this Act, the Commission shall agree to the follow-  
16 ing:

17 (A) CONVEYANCE OF LANDS IN EVENT OF

18 FAILURE TO MANAGE.—If the Commission fails

19 to manage the lands acquired within the Re-

20 serve in a manner that is consistent with this

21 Act, the Commission shall convey fee title to

22 such lands to the United States, and the agree-

23 ment stated in this subparagraph shall be re-

24 corded at the time of purchase of all lands ac-

25 quired within the Reserve.

1           (B) CONSENT OF OWNERS.—No lands or  
2 interest in land may be acquired with any Fed-  
3 eral funds authorized or transferred pursuant  
4 to this Act except with the consent of the owner  
5 of the land or interest in land.

6           (C) INABILITY TO ACQUIRE LANDS.—If the  
7 Commission is unable to acquire all of the lands  
8 within the Reserve, to the extent Federal funds  
9 are utilized pursuant to this Act, the Commis-  
10 sion shall acquire all or a portion of the lands  
11 identified as “National Park Service Wilderness  
12 Easement Lands” and “National Park Service  
13 Conservation Easement Lands” on the map de-  
14 scribed in section 5(b) before proceeding with  
15 the acquisition of any other lands within the  
16 Reserve.

17           (D) CONVEYANCE OF EASEMENT.—Within  
18 30 days after acquiring any of the lands identi-  
19 fied as “National Park Service Wilderness  
20 Easement Lands” and “National Park Service  
21 Conservation Easement Lands” on the map de-  
22 scribed in section 5(b), the Commission shall  
23 convey to the United States—

24                   (i) conservation easements on the  
25 lands described as “National Park Service

1 Wilderness Easement Lands” on the map  
2 described in section 5(b), which easements  
3 shall provide that the lands shall be man-  
4 aged to protect their wilderness character;  
5 and

6 (ii) conservation easements on the  
7 lands described as “National Park Service  
8 Conservation Easement Lands” on the  
9 map described in section 5(b), which ease-  
10 ments shall restrict and limit development  
11 and use of the property to that develop-  
12 ment and use that is—

13 (I) compatible with the protection  
14 of the Appalachian National Scenic  
15 Trail; and

16 (II) consistent with the general  
17 management plan prepared pursuant  
18 to section 6(b).

19 (2) MATCHING FUNDS.—Funds may be trans-  
20 ferred to the Commission only to the extent that  
21 they are matched from funds contributed by non-  
22 Federal sources.

23 **SEC. 6. MANAGEMENT OF THE RESERVE.**

24 (a) IN GENERAL.—The Commission shall manage the  
25 lands acquired within the Reserve in a manner that is con-

1 sistent with the Commission's authorities and with the  
2 purposes of this Act.

3 (b) GENERAL MANAGEMENT PLAN.—Within 3 years  
4 after the date of enactment of this Act, the Commission  
5 shall prepare a general management plan for the Reserve  
6 and submit the plan to the Secretary for approval.

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

8 (a) IN GENERAL.—There are authorized to be appro-  
9 priated such sums as are necessary to carry out this Act,  
10 to remain available until expended.

11 (b) LAND ACQUISITION.—Of amounts appropriated  
12 pursuant to subsection (a), the Secretary may transfer to  
13 the Commission not more than \$17,500,000 for the acqui-  
14 sition of lands and interests in land within the Reserve.